

2015)" after "or rural health clinic after fiscal year 2000";

(B) by striking "furnished by the center or" and inserting "furnished by the federally qualified health clinic, services described in section 1905(a)(2)(D) furnished by the certified community behavioral health clinic, or"; and

(C) in the second sentence, by striking "or rural health clinic" and inserting ", certified community behavioral health clinic, or rural health clinic";

(6) in paragraph (5), in each of subparagraphs (A) and (B), by striking "or rural health clinic" and inserting ", certified community behavioral health clinic, or rural health clinic"; and

(7) in paragraph (6), by striking "or to a rural health clinic" and inserting ", to a certified community behavioral health clinic for services described in section 1905(a)(2)(D), or to a rural health clinic".

(b) INCLUSION OF COMMUNITY BEHAVIORAL HEALTH CLINIC SERVICES IN THE TERM MEDICAL ASSISTANCE.—Section 1905(a)(2) of the Social Security Act (42 U.S.C. 1396d(a)(2)) is amended—

(1) by striking "and" before "(C)"; and

(2) by inserting before the semicolon at the end the following: ", and (D) certified community behavioral health clinic services (as defined in subsection (1)(4))".

(c) DEFINITION OF CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINIC SERVICES.—Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)) is amended by adding at the end the following paragraph:

"(4)(A) The term 'community behavioral health clinic services' means services of the type described in subparagraphs (I), (L), (M), and (N) of section 1913(c)(3) of the Public Health Service Act furnished to an individual at a certified community behavioral health clinic (as defined by subparagraph (B)).

"(B) The term 'certified community behavioral health clinic' means an entity that is certified under section 1913(c) of the Public Health Service Act as meeting the criteria described in paragraph (3) of such section."

(d) EXCLUSION.—Section 1902(bb) of the Social Security Act (42 U.S.C. 1396a(bb)) is amended by adding at the end the following:

"(7) EXCLUSIONS.—

"(A) IN GENERAL.—Payments made to certified community behavioral health clinics under this subsection shall be limited to ambulatory behavioral health services of the type described in subparagraphs (I), (L), (M), and (N) of section 1913(c)(3) of the Public Health Service Act and shall specifically exclude reimbursement for inpatient care, residential treatment, room and board expenses, or any other non-ambulatory services, as determined by the Secretary.

"(B) EXISTING FACILITIES.—Payments under this subsection may not be made to satellite facilities of certified community behavioral health clinics if such facilities are established after the date of enactment of this paragraph."

(e) EFFECTIVE DATE.—The amendments made by this section take effect on January 1, 2016.

#### SEC. 04. MEDICAID DSH.

(a) REBASING OF ALLOTMENTS FOR FIRST, SECOND, AND THIRD QUARTERS OF FISCAL YEAR 2023.—Section 1923(f)(8) of the Social Security Act (42 U.S.C. 1396r-4(f)(8)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D);

(2) by inserting after subparagraph (B) the following new subparagraph:

"(C) FIRST 3 QUARTERS OF FISCAL YEAR 2023.—Only with respect to the period that begins on October 1, 2022, and ends on June 30, 2023, the DSH allotment for a State, in lieu of the amount determined under paragraph

(3) for the State for that year, shall be equal to ¾ of the DSH allotment for the State for fiscal year 2022, as determined under subparagraph (B), increased, subject to subparagraphs (B) and (C) of paragraph (3), and paragraph (5), by the percentage change in the consumer price index for all urban consumers (all items; U.S. city average), for fiscal year 2022."; and

(3) in subparagraph (D) (as redesignated by paragraph (1) of this section), by striking "after fiscal year 2022" and all that follows through the period and inserting "(and portions of fiscal years) after June 30, 2023, shall be calculated under paragraph (3) without regard to this paragraph and paragraph (7), except that the amount of the DSH allotment available for a State for the fourth quarter of fiscal year 2023 (after such calculation) shall be equal to the sum of ¾ of the amount calculated under paragraph (3) for the State for fiscal year 2023."

(b) ELIMINATION OF REDUCTION FOR FISCAL YEAR 2014.—Section 1923(f)(7)(A) of the Social Security Act (42 U.S.C. 1396r-4(f)(7)(A)) is amended—

(1) in clause (i), by striking "2014" and inserting "2015"; and

(2) in clause (ii)—

(A) by striking subclause (I); and

(B) by redesignating subclauses (II) through (VII) as subclauses (I) through (VI), respectively.

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON ARMED SERVICES

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to hold a meeting during the session of the Senate on April 17, 2013, at 9:30 a.m.

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

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 17, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled "The Future of Passenger Rail: What's Next for the Northeast Corridor?"

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

#### COMMITTEE ON FINANCE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The President's Budget for Fiscal Year 2014."

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

#### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m.

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

#### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m. in room 432 Russell Senate Office building to conduct a hearing entitled "The Proposed FY2014 Small Business Administration Budget."

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

#### SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on April 17, 2013, at 10 a.m. to conduct a hearing entitled "Helping Homeowners Harmed by Foreclosures: Ensuring Accountability and Transparency in Foreclosure Reviews, Part II."

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

#### SUBCOMMITTEE ON PERSONNEL

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on April 17, 2013, at 2 p.m.

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

#### SUBCOMMITTEE ON STRATEGIC FORCES

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 17, 2013, at 2:30 p.m.

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

### PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Mike Lotus, Paul Casey, and Stephen Sewell, detailees on my Judiciary Committee staff, have floor privileges during the remainder of the 113th Congress.

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

### POSTHUMOUS PARDON FOR JOHN ARTHUR "JACK" JOHNSON

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Con. Res. 5, and the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 5) expressing the sense of Congress that John Arthur "Jack" Johnson should receive a posthumous pardon for the racially motivated

conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation.

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

Mr. REID. I ask unanimous consent the concurrent resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Con. Res. 5) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 5, 2013, under "Submitted Resolutions.")

Mr. REID. Mr. President, this is very important. This good man who was treated so poorly is now going to have his name cleared, to a certain extent, and I give most of the credit to Senator JOHN MCCAIN who has worked tirelessly on this for a long time. I am glad we finally are able to get it done. I am grateful to everyone for making this happen.

Jack Johnson, a great heavyweight champion, was a good person.

#### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Thursday, April 18, at 2 p.m., the Senate proceed to ex-

ecutive session to consider Calendar Nos. 22 and 23; that there be 15 minutes for debate, equally divided in the usual form prior to votes on the nominations in the order listed; the motions to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

#### APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of Section 3166 of Public Law 112-239, the appointment of the following individual to be a member of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Gregory B. Jaczko of the District of Columbia.

#### ORDERS FOR THURSDAY, APRIL 18, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Thursday, April 18, 2013; that following the prayer

and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use until later in the day; that following any leader remarks, the Senate resume consideration of S. 649, the gun safety legislation, under the previous order; further, that following the two votes in relation to the amendments to S. 649, the Senate recess until 2 p.m. to allow for caucus meetings, and finally that at 2 p.m. the Senate proceed to executive session, under the previous order.

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

#### PROGRAM

Mr. REID. There will be two rollcall votes in relation to the Barrasso and Harkin amendments to the gun safety legislation. At approximately 2:15 p.m., there will be a rollcall vote on confirmation of the Torres nomination.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:45 p.m., adjourned until Thursday, April 18, 2013, at 9:30 a.m.