

later than September 1, 2013, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the United States Senate. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON FOREIGN RELATIONS.—The Committee on Foreign Relations shall report changes in law within its jurisdiction sufficient to reduce direct spending by \$2,456,000,000 for the period of fiscal years 2014 through 2023.

(B) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$3,195,000,000 for the period of fiscal years 2014 through 2023.

(C) COMMITTEE ON AGRICULTURE, NUTRITION, AND ENERGY.—The Committee on Agriculture, Nutrition, and Energy shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by \$465,600,000,000 for the period of fiscal years 2014 through 2023.

(D) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$1,022,000,000 for the period of fiscal years 2014 through 2023.

(E) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$504,000,000,000 for the period of fiscal years 2014 through 2023.

(F) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$4,676,000,000,000 for the period of fiscal years 2014 through 2023.

(G) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by \$10,818,000,000 for the period of fiscal years 2014 through 2023.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

# **TITLE V—CONGRESSIONAL POLICY CHANGES**

## **SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.**

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window. Legislation should be enacted that adopts the following:

(1) The legislation must modify the Primary Insurance Amount formula to gradually reduce benefits on a progressive basis for workers with career-average earnings above the 40th percentile of newly retired workers.

(2) The normal retirement age (NRA) be increased to reflect longevity growth rate.

(3) The legislation should allow for and provide the option of private Social Security retirement accounts.

(4) Implement and allow for certain individuals to completely forego Social Security benefits and contribution.

## **SEC. 502. POLICY STATEMENT ON MEDICARE.**

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare. Legislation should be enacted that adopts the following:

(1) Enrolls seniors in the same health care plan as Federal employees and Members of Congress, similar to the Federal Employee Health Benefits Plan (FEHBP).

(2) Beginning on January 1, 2015, the Director of the Office of Personnel Management shall ensure seniors currently enrolled or eligible for Medicare will have access to Congressional Health Care for Seniors Act.

(3) Prevents the Office of Personnel Management from placing onerous new mandates on health insurance plans, but allows the agency to continue to enforce reasonable minimal standards for plans, ensure the plans are fiscally solvent, and enforces rules for consumer protections.

(4) The legislation must create a new “high-risk pool” for the highest cost patients, providing a direct reimbursement to health care plans that enroll the costliest 5 percent of patients.

(5) Ensures that every senior can afford the high-quality insurance offered by FEHBP, providing support for 75 percent of the total costs, providing additional premium assistance to those who cannot afford the remaining share.

(6) The legislation must increase the age of eligibility gradually over 20 years, increasing the age from 65 to 70, resulting in a 3 month increase per year.

(7) High-income seniors will be provided less premium support than low-income seniors.

## **SEC. 503. POLICY STATEMENT ON TAX REFORM.**

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a tax reform that broadens the tax base, reduces tax complexity, includes a consumption-based income tax, and a globally competitive flat tax.

(1) TAXES ON INDIVIDUALS.—This concurrent resolution shall eliminate all tax brackets and have one standard flat tax rate on adjusted gross income. The individual tax code shall remove all credits and deductions, with exception to the mortgage interest deduction, offsetting these with a substantially higher standard deduction and personal exemption. The standard deduction for joint filers should be equal to or greater than \$35,000, \$21,690 for head of household, and \$17,500 for single filers. The personal exemption amount is \$6,800. This proposal eliminates the individual alternative minimum tax (AMT). The tax reform would repeal all tax on savings and investments, including capital gains, qualified and ordinary dividends, estate, gift, and interest saving taxes.

(2) TAXES ON BUSINESSES.—This concurrent resolution shall eliminate all tax brackets and have one standard flat tax on adjusted gross income. The business tax code shall remove all credits and deductions, offsetting these with a lower tax rate and immediate expensing of all business inputs. Such inputs shall be determined by total revenue from the sale of goods and services less purchases of inputs from other firms less wages, salaries, and pensions paid to workers less purchases of plant and equipment.

(3) SINGLE SYSTEM.—The individuals and businesses would be subject to taxation on

only those incomes that are produced or derived, as a territorial system in the United States. The aggregate taxes paid should provide the ability to fill out a tax return no larger than a postcard.

# **TITLE VI—SENSE OF CONGRESS**

## **SEC. 601. REGULATORY REFORM.**

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform.

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies.

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the policy of Congress to vote on the REINS Act, legislation that would require all regulations that impose a burden greater than \$100,000,000 in economic aggregate may not be implemented as law unless Congress gives [their/its] consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It is the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every two years unless repromulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily required regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed \$100,000,000 in aggregate economic costs.

## **NOTICES OF HEARINGS**

### **COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, April 23, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Successful Primary Care Programs: Creating the Workforce We Need.”

For further information regarding this meeting, please contact Sophie Kasimow of the committee staff on (202) 224-2831.

### **COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Wednesday, April 24, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “The Economic Importance of Financial Literacy Education For Students.”

For further information regarding this meeting, please contact Josh Teitelbaum of the committee staff on (202) 228-1455.

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, April 25, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled “Whistleblowers and Job Safety: Are Protections Adequate to Build a Safer Workplace?”

For further information regarding this meeting, please contact Larry Smar of the committee staff on (202) 224-9243.

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Thursday, April 25, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to markup the nomination of Thomas E. Perez, to be Secretary of Labor.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

AUTHORITY FOR COMMITTEES TO  
MEET

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 22, 2013, at 10 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled “The Border Security, Economic Opportunity, and Immigration Modernization Act, S. 744.”

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

PRIVILEGES OF THE FLOOR

Mr. FRANKEN. Mr. President, I ask unanimous consent that Anna Henderson, a fellow on my staff, have privileges on the floor during today's session.

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

STANDING WITH THE PEOPLE OF  
KENYA

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 42, S. Res. 90.

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

The legislative clerk read as follows:

A resolution (S. Res. 90) standing with the people of Kenya following their national and local elections on March 4, 2013, and urging a peaceful and credible resolution of electoral disputes in the courts.

There being no objection, the Senate proceeded to consider the resolution which had been reported from the Com-

mittee on Foreign Relations with an amendment and an amendment to the preamble and an amendment to the title.

(Strike all after the resolving clause and insert the part printed in italic.)

(Strike the preamble and insert the part printed in italic.)

S. RES. 90

Whereas the Governments of the United States and Kenya have long shared a strong bilateral partnership, and Kenya plays a critically important role as a cornerstone of stability in East Africa and as a valued ally of the United States;

Whereas Kenya's disputed 2007 presidential election threatened the country's stability and its democratic trajectory, triggering an explosion of violence that resulted in the deaths of some 1,140 civilians and displaced nearly 600,000, some of whom have still not returned home;

Whereas a mediation effort by former United Nations Secretary-General Kofi Annan and an African Union Panel of Eminent African Personalities, supported by the United States, led to the signing of the National Accord on February 28, 2008, which led to a series of constitutional, electoral, and institutional reforms to address underlying causes of the crisis;

Whereas, as part of that reform process, the citizens of Kenya participated in a national referendum in August 2010, approving a new constitution that mandated significant institutional and structural changes to the government;

Whereas those constitutional changes have led to important reforms in the judicial sector and the electoral system in Kenya that aim to build greater public confidence in government institutions, and which demonstrate meaningful progress;

Whereas Kenya's Independent Commission of Inquiry into the Post-Election Violence (the “Waki Commission”) concluded from its investigation in 2008 that there had been “no serious effort by any government” to punish perpetrators of previous incidents of ethnic and political violence, leading to a culture of impunity that contributed to the crisis that followed the 2007 elections, and, since then, despite laudable judicial reforms, few perpetrators or organizers of that violence have been held accountable for their crimes in Kenyan courts;

Whereas, based on the findings of the Waki Commission, mediator Kofi Annan submitted a list of key suspects to the Office of the Prosecutor of the International Criminal Court (ICC) in 2009, and several have been subsequently charged at the ICC with crimes against humanity;

Whereas the Department of State's 2011 Human Rights Report on Kenya notes, “Widespread impunity at all levels of government continued to be a serious problem. The government took only limited action against security forces suspected of unlawful killings, and impunity in cases of corruption was common. Although the government took action in some cases to prosecute officials who committed abuses, impunity . . . was pervasive”;

Whereas President Barack Obama's Strategy on Sub-Saharan Africa, released in June 2012, states that the United States will not stand by while actors “. . . manipulate the fairness and integrity of democratic processes, and we will stand in steady partnership with those who are committed to the principles of equality, justice and the rule of law”;

Whereas, in a February 2013 message to the people of Kenya, President Obama highlighted the power Kenyan communities have to reject intimidation and violence surrounding the upcoming election, resolve disputes in the courts as opposed to the streets, and “move forward towards prosperity and opportunity that unleashes the extraordinary talents of your people”;

Whereas, five years after Kenya's post-election crisis, the country held its first general

elections under the new constitution on March 4, 2013, which were largely peaceful;

Whereas Kenya's presidential candidates and their political parties committed themselves to a peaceful electoral process, and to resolving any resulting disputes through the judicial process;

Whereas the Kenyan Supreme Court ruled on March 30, 2013, that Uhuru Kenyatta was validly elected, and his opponents pledged to respect and honor the decision of the Court;

Whereas the White House issued a statement on March 30, 2013, stating, “The electoral process and the peaceful adjudication of disputes in the Kenyan legal system are testaments to the progress Kenya has made in strengthening its democratic institutions, and the desire of the Kenyan people to move their country forward. Now is the time for Kenyans to come together to fully implement the political, institutional, and accountability reforms envisioned in the Kenyan constitution. . . . We welcome and wish to underscore the importance of Kenya's commitment to uphold its international obligations, including those with respect to international justice.”; and

Whereas in his inauguration speech on April 9, 2013, President Kenyatta said, “I will lead all Kenyans – those who voted for me – and those who voted for our competitors – towards a national prosperity that is firmly rooted in a rich and abiding peace in which unity can ultimately be realized. . . . Indeed, national unity will only be possible if we deal decisively with some of the issues that continue to hinder our progress. Achieving peace and strengthening unity will be the goal of my Government. This work begins now. We welcome all Kenyans to hold us to account.”; Now, therefore, be it

Resolved,

That the Senate—

(1) congratulates the people of Kenya on their commitment to peaceful elections, as demonstrated on March 4, 2013;

(2) calls on Kenyans to come together to fully implement political, institutional, and accountability reforms envisioned in the Kenyan constitution;

(3) calls on the people of Kenya to continue their efforts to end intimidation, impunity, and violence;

(4) notes that many of the underlying grievances that have underpinned ethnic divisions and fueled the 2007-2008 violence remain largely unaddressed;

(5) affirms that accountability for the 2007-2008 post-election violence is a critical element to ensure Kenya's democracy, peace, and long-term stability;

(6) calls on the Government of Kenya to respect commitments to seek justice for the victims of political violence, including by honoring its obligations under the Rome Statute to cooperate fully with the International Criminal Court with regard to the three cases that remain before the Court slated to go to trial in 2013;

(7) calls on the Government of Kenya to ensure the International Criminal Court witnesses are fully protected and not subject to interference but afforded the protections they deserve to ensure justice is served;

(8) recognizes that, while the Government of Kenya has made important progress since the 2007 election, aspects of the Kenyan reform agenda specified in the National Accord and 2010 constitution remain unfinished, particularly with regard to police reform, devolution, land reform, and security;

(9) encourages the people and Government of Kenya to support ongoing implementation of constitutional reforms, rule of law, the establishment of county level government and efforts to strengthen governance, security, and judicial institutions that respect the dignity and rights of all the people of Kenya and ensure protection for judges;