

who risk their career to protect the public welfare. This bill makes essential changes to ensure that workers are protected, including lengthening OSHA's 30-day statute of limitation for whistleblowers, providing for reinstatement while the legal process unfolds for cases with an initial finding of merit and giving the worker the right to file their own claim in court if the government does not investigate the claim in a timely manner.

The bill also strengthens criminal and civil penalties that, at present, are too weak to protect workers. Under current law, an employer may be charged—at most—with a misdemeanor when a willful violation of OSHA leads to a worker's death. Under the Robert C. Byrd Mine and Workplace Safety Act of 2013, felony charges are available for an employer's repeated and willful violations of OSHA that result in a worker's death or serious injury. The bill also updates OSHA civil penalties—which have been unchanged since 1990—and sets a minimum penalty of \$50,000 for a worker's death caused by a willful violation.

In addition to toughening sanctions for employers who needlessly expose their employees to risk, the bill makes sure that the government is responsive to workers when investigating charges. It guarantees victims the right to meet with the person investigating the claim, to be notified of and receive copies of reports or citations issued in the investigation, and to be notified of and have the right to appear at proceedings related to their case. Victims of retaliation should not suffer the double indignity of being ignored by government officials charged with protecting them.

I hope that my colleagues on both sides of the aisle will support the Robert C. Byrd Mine and Workplace Safety Act of 2013. This important bill would take a tremendous step forward for mine safety and could ultimately save the lives of thousands of hard-working Americans.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 109—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES SHOULD LEAVE NO MEMBER OF THE ARMED FORCES UNACCOUNTED FOR DURING THE DRAWDOWN OF FORCES IN AFGHANISTAN

Mr. TOOMEY (for himself, Mr. CASEY, and Mr. MCCONNELL) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 109

Whereas the United States is a country of great honor and integrity;

Whereas the United States has made a sacred promise to members of the Armed Forces who are deployed overseas in defense of this country that their sacrifice and service will never be forgotten; and

Whereas the United States can never thank the proud members of the Armed Forces enough for what they do for this country on a daily basis: Now, therefore, be it

Resolved, That the Senate—

(1) believes that abandoning the search efforts for members of the Armed Forces who are missing or captured in the line of duty now or in the future is unacceptable;

(2) believes that the United States has a responsibility to keep the promises made to members of the Armed Forces who risk their lives on a daily basis on behalf of the people of the United States;

(3) supports the United States Soldier's Creed and the Warrior Ethos, which state that "I will never leave a fallen comrade"; and

(4) believes that, while the United States continues to transition leadership roles in combat operations in Afghanistan to the people of Afghanistan, the United States must continue to fulfill these important promises to any member of the Armed Forces who is in a missing status or captured as a result of service in Afghanistan now or in the future.

SENATE RESOLUTION 110—TO PREVENT THE CREATION OF DUPLICATIVE AND OVERLAPPING FEDERAL PROGRAMS

Mr. COBURN (for himself and Mr. UDALL of Colorado) submitted the following resolution; which was referred to the Committee on Rules and Administration:

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Preventing Duplicative and Overlapping Government Programs Resolution".

SEC. 2. REPORTED LEGISLATION.

Paragraph 11 of rule XXVI of the Standing Rules of the Senate is amended—

(1) in subparagraph (c), by striking "and (b)" and inserting "(b), and (c)";

(2) by redesignating subparagraph (c) and subparagraph (d); and

(3) by inserting after subparagraph (b) the following:

"(c) The report accompanying each bill or joint resolution of a public character reported by any committee (including the Committee on Appropriations and the Committee on the Budget) shall contain—

"(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

"(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist."

SEC. 3. CONSIDERATION OF LEGISLATION.

Rule XVII of the Standing Rules of the Senate is amended by inserting at the end thereof the following:

"6. (a) It shall not be in order in the Senate to proceed to any bill or joint resolution unless the committee of jurisdiction has prepared and posted on the committee website an overlapping and duplicative programs analysis and explanation for the bill or joint resolution as described in subparagraph (b) prior to proceeding.

"(b) The analysis and explanation required by this subparagraph shall contain—

"(1) an analysis by the Congressional Research Service to determine if the bill or joint resolution creates any new Federal program, office, or initiative that would duplicate or overlap any existing Federal program, office, or initiative with similar mission, purpose, goals, or activities along with a listing of all of the overlapping or duplicative Federal program or programs, office or offices, or initiative or initiatives; and

"(2) an explanation provided by the committee as to why the creation of each new program, office, or initiative is necessary if a similar program or programs, office or offices, or initiative or initiatives already exist.

"(c) This paragraph may be waived by joint agreement of the Majority Leader and the Minority Leader of the Senate upon their certification that such waiver is necessary as a result of—

"(1) a significant disruption to Senate facilities or to the availability of the Internet; or

"(2) an emergency as determined by the leaders."

SENATE RESOLUTION 111—SUPPORTING THE GOALS AND IDEALS OF NATIONAL SAFE DIGGING MONTH

Mr. REID (for Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mr. THUNE, and Mr. BLUNT)) submitted the following resolution; which was considered and agreed to:

S. RES. 111

Whereas each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to have underground lines located prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to locating underground utility lines often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas in 2002, Congress required the Department of Transportation and the Federal Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State "One Call" systems to provide information on underground utility lines;

Whereas in 2005, the Federal Communications Commission designated "811" as the nationwide "One Call" number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities;

Whereas "One Call" has helped reduce the number of digging damages caused by failure to call before digging from 48 percent in 2004 to 26 percent in 2011;

Whereas the 1,600 members of the Common Ground Alliance, who are dedicated to ensuring public safety, environmental protection, and the integrity of services, promote the national "Call Before You Dig" campaign to increase public awareness about the importance of homeowners and excavators calling 811 to find out the exact location of underground lines;

Whereas the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 affirmed and expanded the "One Call" program by eliminating the exemptions from notifying "One Call" centers before digging that were formerly given to local and State government agencies and their contractors; and

Whereas the Common Ground Alliance has designated April as "National Safe Digging Month" to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national "Call Before You Dig" number:

Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month; and

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging.

SENATE RESOLUTION 112—COMMENDING EMPLOYEES OF THE SENATE POST OFFICE, EMPLOYEES OF THE SERGEANT AT ARMS OF THE SENATE, MEMBERS OF THE CAPITOL POLICE, AND MEMBERS OF THE CAPITOL HILL COMMUNITY FOR THEIR COURAGE AND PROFESSIONALISM FOLLOWING THE BIOCHEMICAL ATTACK AGAINST THE SENATE ON APRIL 16, 2013

Mr. WICKER (for himself, Mr. REID, Mr. McCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COWAN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 112

Whereas approximately 30,000 legislative branch employees work in the United States Capitol Complex, including approximately 6,200 employees of the Senate, 11,500 employ-

ees of the House of Representatives, and 12,800 employees of other entities;

Whereas the Sergeant at Arms of the Senate implemented enhanced mail screening procedures following the opening of a letter containing anthrax spores that was delivered to the Senate on October 15, 2001;

Whereas employees of the Senate Post Office mail screening facility in Landover, Maryland, serve as the first line of defense of the Senate against biochemical threats delivered through the mail;

Whereas employees of the Senate Post Office mail screening facility in Landover, Maryland, successfully intercepted an envelope that tested positive for the deadly poison ricin on April 16, 2013;

Whereas employees of the Senate Post Office mail screening facility in Landover, Maryland, immediately implemented emergency protocols and contacted the Capitol Police and medical emergency response teams; and

Whereas the Capitol Police, other law enforcement agencies, and medical professionals responded expeditiously to the mail screening facility in Landover, Maryland, and performed their duties with courage and professionalism in spite of the threat of toxic exposure: Now, therefore, be it

Resolved, That the Senate—

(1) commends employees of the Senate Post Office, employees of the Sergeant at Arms of the Senate, members of the Capitol Police, and members of the Capitol Hill community for their courage, professionalism, and dedication to serving the public in response to the biochemical attack against the Senate on April 16, 2013;

(2) recognizes the congressional leadership, congressional employees, the Capitol Police, and the Office of the Attending Physician for establishing effective screening methods and response plans that prevented injury and death within the United States Capitol Complex; and

(3) requests that the President recognize the courage and professionalism of the employees of the Senate Post Office, employees of the Sergeant at Arms of the Senate, members of the Capitol Police, and members of the Capitol Hill community for their steadfast service to the public in defiance of those who seek to disrupt the constitutional duties of the legislative branch.

SENATE RESOLUTION 113—DESIGNATING APRIL 23, 2013 AS "NATIONAL ADOPT A LIBRARY DAY"

Mr. KAINE (for himself and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 113

Whereas libraries are an essential part of the communities and the national education system of the United States;

Whereas the availability of books and services provided by libraries are vital to the happiness, livelihood, and prosperity of the families and communities of the United States;

Whereas the people of the United States benefit significantly from libraries that serve as an open place for people of all ages and backgrounds to use books and other resources that offer pathways to learning, self-discovery, and the pursuit of knowledge;

Whereas libraries in the United States depend on the generous donations and support of individuals and groups to ensure that people who are unable to purchase books still have access to a wide variety of resources;

Whereas certain nonprofit organizations facilitate the donation of books to schools

and libraries across the United States to extend the joy of reading to millions of people in the United States and to prevent used books from being thrown away;

Whereas libraries in the United States have provided valuable resources to people who are affected by the economic crisis by encouraging continued education and job training;

Whereas libraries are increasingly being used as a resource for people seeking the tools and information necessary to enter or reenter the workforce; and

Whereas several States that recognize the importance of libraries and reading have adopted resolutions commemorating April 23 as "Adopt a Library Day": Now, therefore, be it

Resolved, That the Senate—

(1) designates April 23, 2013 as "National Adopt a Library Day";

(2) honors the organizations that facilitate donations to schools and libraries;

(3) urges all people of the United States who own unused books to donate the books to local libraries;

(4) strongly supports children and families who take advantage of the resources provided by schools and libraries; and

(5) encourages the people of the United States to observe National Adopt A Library Day with appropriate ceremonies and activities.

SENATE RESOLUTION 114—TO AUTHORIZE TESTIMONY, DOCUMENTS, AND REPRESENTATIONS IN UNITED STATES V. RENZI, ET AL

Mr. REID (for himself and Mr. McCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 114

Whereas, in the case of United States v. Renzi, et al., Case No. 08-212, pending in Arizona Federal district court, the prosecution and defense have requested the production of documents and employee testimony from the offices of Senator John McCain and former Senator Jon Kyl;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Office of Senator John McCain and the former Office of Senator Jon Kyl are authorized to produce relevant documents and employee testimony in the case of United States v. Renzi, et al., except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former employees of the offices of Senators McCain and Kyl in connection with the production of evidence authorized in section one of this resolution.