

9006(c) of the Internal Revenue Code of 1986 is amended by striking “, section 9008(b)(3).”.

(2) **REPORTS BY FEDERAL ELECTION COMMISSION.**—Section 9009(a) of such Code is amended—

(A) by adding “and” at the end of paragraph (2);

(B) by striking the semicolon at the end of paragraph (3) and inserting a period; and

(C) by striking paragraphs (4), (5), and (6).

(3) **PENALTIES.**—Section 9012 of such Code is amended—

(A) in subsection (a)(1), by striking the second sentence; and

(B) in subsection (c), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(4) **AVAILABILITY OF PAYMENTS FROM PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT.**—The second sentence of section 9037(a) of such Code is amended by striking “and for payments under section 9008(b)(3).”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to elections occurring after December 31, 2012.

SA 767. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PREVENTING THE CREATION OF DUPLICATIVE AND OVERLAPPING FEDERAL PROGRAMS.

(a) **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.”.

(b) **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 dupli-

cate 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.”.

SA 768. Mr. LEE (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

On page 7, between lines 8 and 9, insert the following:

(d) **REQUIREMENT TO ENACT REMOTE SELLER LIABILITY DEFENSE LAWS.**—

(1) **IN GENERAL.**—No State shall be authorized to require sellers to collect and remit sales and use taxes with respect to remote sales sourced to that State under subsection (a) or (b) unless such State has enacted a law which provides remote sellers protection, through an affirmative defense to an action brought by the State or any locality within the State, from liability with respect to sales and use taxes required to be collected and remitted to the State under the authority granted by this Act.

(2) **EXCEPTION.**—A State or locality may overcome the affirmative defense described in paragraph (1) only if it carries its burden of establishing that—

(A) it has directly notified the remote seller of the obligation to collect and remit sales and use taxes and such remote seller has received such notification;

(B) it directly provided software from a certified software provider and appropriate training on using such software; and

(C) the remote seller has failed to use the software provided by the State.

SA 769. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . PROTECTING ONLINE SALES INTERMEDIARIES FROM ACTIONS IN CONNECTION WITH CERTAIN VIOLATIONS OF PRIVACY.

(a) **IN GENERAL.**—Online sales intermediaries shall not be subject to—

(1) criminal or civil actions by a State or locality in connection with the refusal to transfer information relating to sales records in connection with the enforcement of sales and use taxes on remote sellers who do not have a legal nexus to the State or locality, except in cases where such action relates to a court order, a warrant, or compliance with an ongoing criminal investigation relating to an individual case; and

(2) actions by remote sellers or customers relating to the transfer of any such records covered by an exception to paragraph (1).

(b) **NO INFERENCE.**—Nothing in this Act shall be construed as authorizing States or localities to impose record keeping requirements on online sales intermediaries or remote sellers who have no nexus to the State or locality.

SA 770. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 743, to restore States’ sovereign rights to enforce State and local sales and use tax laws, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 7. SENSE OF THE SENATE REGARDING RETIREMENT SAVINGS.

(a) **FINDINGS.**—Congress makes the following findings:

(1) The Social Security Board of Trustees projects that the combined Old-Age and Survivors Insurance (OASI) and the Disability Insurance (DI) trust funds will be exhausted by 2033.

(2) The Social Security Board of Trustees also projects that after the OASI and DI trust funds are exhausted, incoming receipts will only be able to cover around 75 percent of the scheduled annual benefits in 2033.

(3) Employer-based retirement savings, personal savings, and Social Security can combine to provide Americans with meaningful income replacement upon retirement.

(4) Defined contribution plans have a substantial impact on interstate commerce and are affected with a national interest.

(5) 67,000,000 participants are currently covered by approximately 670,000 private sector-defined contribution plans.

(6) The President’s budget proposal for fiscal year 2014 seeks to “limit an individual’s total balance across tax-preferred accounts to an amount sufficient to finance an annuity of not more than \$205,000 per year in retirement, or about \$3,000,000 for someone retiring in 2013.”.

(7) The President’s proposal targets private sector-defined contribution plans while providing no cap on government-defined benefit and pension plans.

(8) Savings in traditional retirement accounts are invested and grow tax free, but the money is fully taxed during the withdrawal phase.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that the Government of the United States—

(1) should not endeavor to define reasonable levels of retirement savings for individuals and their families;

(2) should not limit the balances of traditional IRA, Roth IRA, 401(k), and defined contribution plans; and

(3) should encourage individuals to responsibly save and invest for their retirement.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. 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 24, 2013, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “A Status Update on the Development of Voluntary Do-Not-Track Standards.”

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

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 24, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Trans-Pacific Partnership: Opportunities and Challenges."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 24, 2013, at 10 a.m., to hold a hearing entitled, "International Development Priorities in the FY 2014 Budget."

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "The Economic Importance of Financial Literacy Education For Students" on April 23, 2013, at 2:30 pm, in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on April 24, 2013, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing entitled "The President's Fiscal Year 2014 Budget for Tribal Programs."

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

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 24, 2013, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Judicial Nominations."

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on April 24, 2013, at 10 a.m. in room SR-418 of the Russell Senate Office Building, to conduct a hearing entitled "Call to Action: VA Outreach and Community Partnerships."

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

SPECIAL COMMITTEE ON AGING

Mr. DURBIN. Mr. President, I ask unanimous consent that the Special

Committee on Aging be authorized to meet during the session of the Senate on April 24, 2013, to conduct a hearing entitled "The National Plan to Address Alzheimer's Disease: Are We On Track to 2015?"

The Committee will meet in room 106 of the Dirksen Senate Office Building beginning at 2 p.m.

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

SUBCOMMITTEE ON AIRLAND

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Armed Services Committee be authorized to meet during the session of the Senate on April 24, 2013, at 3 p.m.

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

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Financial and Contracting Oversight be authorized to meet during the session of the Senate on April 24, 2013, at 10 a.m. to conduct a hearing entitled "Oversight and Business Practices of Durable Medical Equipment Companies."

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

SUBCOMMITTEE ON PERSONNEL

Mr. DURBIN. 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 24, 2013, at 10 a.m.

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on April 24, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. DURBIN. 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 24, 2013, at 2:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. DURBIN. Mr. President, on behalf of Senator COONS, I ask unanimous consent that Amitai Bin-Nun, a fellow in his office, be granted floor privileges for Thursday, April 25.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Sheerin Grylloo, Elizabeth McCauley, and Anna

Porto of my staff be granted floor privileges for the duration of today's session.

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

RESOLUTIONS SUBMITTED TODAY

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration, en bloc, of the following resolutions, which were submitted earlier today: S. Res. 111, S. Res. 112, S. Res. 113, and S. Res. 114.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

S. RES. 114

Mr. REID. Mr. President, S. Res. 114 concerns a request for testimony, documents and representation in a federal criminal action pending in Arizona Federal district court. The prosecution and defense have requested the production of a limited number of documents and testimony, if necessary, from current and former employees of the Offices of Senator JOHN MCCAIN and former Senator Jon Kyl. Senator MCCAIN and former Senator Kyl would like to cooperate with these requests by authorizing the production of relevant documents and employee testimony from their offices.

The enclosed resolution would authorize the production of relevant documents and employee testimony from the offices of Senator MCCAIN and former Senator Kyl. It would also authorize the Senate Legal Counsel to represent any current or former employees of those offices from whom evidence may be sought in this case.

Mr. WHITEHOUSE. I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 799

Mr. WHITEHOUSE. I understand there is a bill at the desk. I ask for its first reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 799) to provide for a sequester replacement.

Mr. WHITEHOUSE. I now ask for a second reading and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The ACTING PRESIDENT pro tempore. Objection having been heard, the