

International Civil Aviation Organization Assembly, and for other purposes (Rept. No. 113-42).

S. 793. A bill to support revitalization and reform of the Organization of American States, and for other purposes (Rept. No. 113-43).

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Valerie E. Caproni, of the District of Columbia, to be United States District Judge for the Southern District of New York.

Vernon S. Broderick, of New York, to be United States District Judge for the Southern District of New York.

Derek Anthony West, of California, to be Associate Attorney General.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FRANKEN (for himself, Mr. GRASSLEY, Mr. HARKIN, Mr. RUBIO, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. CARDIN, Mr. SCHUMER, Mr. CARPER, Mr. BLUMENTHAL, Mr. WYDEN, Mr. DURBIN, Mr. WHITEHOUSE, Mr. JOHNSON of South Dakota, Mr. COONS, and Ms. MIKULSKI):

S. 1156. A bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 1157. A bill to reauthorize the Rivers of Steel National Heritage Area, the Lackawanna Valley National Heritage Area, the Delaware and Lehigh National Heritage Corridor, and the Schuylkill River Valley National Heritage Area; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. ENZI):

S. 1158. A bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY:

S. 1159. A bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL:

S. 1160. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for qualified conservation contributions which include National Scenic Trails; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Mr. WICKER):

S. 1161. A bill to provide for the development of a fishery management plan for the Gulf of Mexico red snapper, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Mr. WYDEN, and Mrs. FEINSTEIN):

S. 1162. A bill to authorize the Administrator of the National Oceanic and Atmospheric Administration to provide certain funds to eligible entities for activities undertaken to address the marine debris impacts of the March 2011 Tohoku earthquake and subsequent tsunami, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER (for himself and Ms. COLLINS):

S. 1163. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation; to the Committee on Finance.

By Mr. PRYOR (for himself and Mr. COONS):

S. 1164. A bill to amend the Patient Protection and Affordable Care Act to clarify provisions with respect to church plans; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. PRYOR, Mr. BEGICH, and Mr. WYDEN):

S. 1165. A bill to amend title 38, United States Code, to provide for certain requirements relating to the immunization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ISAKSON (for himself, Mr. ALEXANDER, Mr. BURR, Mr. COATS, Mr. CORKER, Mr. CORNYN, Mr. ENZI, Mr. GRAHAM, Mr. INHOFE, Mr. JOHANNIS, Mr. KIRK, Mr. ROBERTS, and Mr. SCOTT):

S. 1166. A bill to amend the National Labor Relations Act to provide for appropriate designation of collective bargaining units; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HELLER (for himself and Mr. REID):

S. 1167. A bill to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 1168. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to limit overbroad surveillance requests and expand reporting requirements and for other purposes; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 1169. A bill to withdraw and reserve certain public land in the State of Montana for the Limestone Hills Training Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS:

S. 1170. A bill to provide for youth jobs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Mr. BOOZMAN, Mr. BURR, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HELLER, Mr. JOHANNIS, Mr. MCCAIN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SESSIONS, Mr. THUNE, and Mr. VITTER):

S.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON:

S. Res. 170. A resolution commemorating John Lewis on the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Ms. COLLINS, and Mr. NELSON):

S. Res. 171. A resolution designating June 15, 2013, as "World Elder Abuse Awareness Day"; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 104

At the request of Mr. VITTER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 104, a bill to provide for congressional approval of national monuments and restricts on the use of national monuments.

S. 109

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 113

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 113, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 117

At the request of Ms. KLOBUCHAR, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 117, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 330

At the request of Mrs. BOXER, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 409

At the request of Mr. BURR, the name of the Senator from Alaska (Mr.

BEGICH) was added as a cosponsor of S. 409, a bill to add Vietnam Veterans Day as a patriotic and national observance.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 522

At the request of Mr. DURBIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 522, a bill to require the Secretary of Veterans Affairs to award grants to establish, or expand upon, master's degree or doctoral degree programs in orthotics and prosthetics, and for other purposes.

S. 559

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 559, a bill to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV-00487 (EGS) of the United States District Court for the District of Columbia, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 577

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 577, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 695

At the request of Mr. BEGICH, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 695, a bill to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc., and for other purposes.

S. 723

At the request of Mrs. GILLIBRAND, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 723, a bill to require the Commissioner of Social Security to revise the medical and evaluation cri-

teria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 769

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Tennessee (Mr. CORKER), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 813

At the request of Mr. BEGICH, his name was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 928

At the request of Mr. SANDERS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 928, a bill to amend title 38, United States Code, to improve the processing of claims for compensation under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 947

At the request of Mrs. HAGAN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 947, a bill to ensure access to certain information for financial services industry regulators, and for other purposes.

S. 1091

At the request of Ms. MIKULSKI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1091, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 1118

At the request of Mr. WYDEN, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1118, a bill to

amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, and for other purposes.

S. RES. 151

At the request of Mr. CASEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 151, a resolution urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

S. RES. 154

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Res. 154, a resolution calling for free and fair elections in Iran, and for other purposes.

S. RES. 165

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 165, a resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko in light of the recent European Court of Human Rights ruling.

AMENDMENT NO. 1198

At the request of Mr. TESTER, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Alaska (Mr. BEGICH) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of amendment No. 1198 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1222

At the request of Ms. LANDRIEU, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1222 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1246

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 1246 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1247

At the request of Mr. JOHANNIS, his name was added as a cosponsor of amendment No. 1247 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1251

At the request of Mr. CORNYN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 1251 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. HATCH (for himself, Mr. BOOZMAN, Mr. BURR, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. CRAPO, Mr. ENZI, Mrs. FISCHER, Mr. GRAHAM, Mr. GRASSLEY, Mr. HELLER, Mr. JOHANNIS, Mr. MCCAIN, Ms. MURKOWSKI, Mr. RISCH, Mr. ROBERTS, Mr. RUBIO, Mr. SESSIONS, Mr. THUNE, and Mr. VITTER):

S.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, tomorrow is Flag Day and I am proud to be joined by 21 of my colleagues in introducing an amendment to the Constitution giving Congress power to prohibit the physical desecration of the flag of the United States. At a time when many issues divide us, the flag to which we pledge allegiance ought to be one thing that unites us.

On this day in 1777, the Continental Congress adopted a resolution designating the design of the flag of the United States. President Woodrow Wilson first issued a proclamation in 1916 officially establishing June 14 as Flag Day and Congress did so by statute in 1949.

States began adopting laws protecting the American flag in the late 19th century and every state had adopted such a law by 1932. Congress adopted the Federal Flag Code in 1942 providing uniform guidelines for displaying the flag and in 1968 enacted the Federal Flag Protection Act.

We have, as they say, come a long way—but not in a good direction. Gregory Johnson, a member of the Revolutionary Communist Party, was prosecuted under State law for torching an American flag at the 1984 Republican National Convention in Dallas. Five years later, in *Texas v. Johnson*, the U.S. Supreme Court held that the State flag protection law violated the First Amendment. Congress quickly revised the Flag Protection Act but in *United States v. Eichman*, the Supreme Court held in 1990 that it too violated the First Amendment.

I believe these two cases, decided by the narrowest 5-4 margins, were based on an incorrect interpretation of the First Amendment. But I also believe that the Constitution belongs to the American people, not to Federal judges.

The Constitution embodies the will of the American people in setting rules for government. The Constitution defines what the federal government may do by enumerating its powers in the body of the Constitution. It defines what government may not do by identifying individual rights in the amendments to the Constitution.

The Supreme Court has had its say, concluding that neither States nor the Federal Government may prohibit

desecration of the American flag. But the Supreme Court does not have the last word about what the Constitution says or what the Constitution means. The American people do. They alone have authority to change the Constitution's rules for government.

This is why I first introduced a flag protection constitutional amendment on June 22, 1989, just one day after the Supreme Court's decision in *Texas v. Johnson*. The American people can decide whether to change their Constitution only when an amendment is proposed and sent to the States for ratification. The American people should have that opportunity regarding protection of this unique symbol of national unity.

Today is the ninth time I have introduced a flag protection amendment. The Senate has voted five times on such proposals, including three of mine. The bipartisan support has grown each time—from 51 votes in 1989, 58 votes in 1990, 63 votes in 1995 and 2000, and 66 votes in 2006, just one short of the ¾ required by the Constitution.

Members of Congress must keep two things in mind. First, even if it is ratified, this amendment would not prohibit flag desecration. It would merely give Congress authority to do so. Remember what the Supreme Court did in its pair of decisions. The court did not say government should not protect the flag, but said that government may not do so. This amendment would restore that authority. I believe that a vigorous and public debate about our shared values and principles and about the flag as a unique symbol of national unity would be very healthy for America. We can have that debate only when the Constitution allows it and with this amendment the Constitution would.

Second, members of Congress must remember our role in the constitutional amendment process. Congress cannot amend the Constitution. We can propose amendments, but the Constitution is not changed until ¾ of the States say so. Congress should not deprive the American people of the opportunity to express their will on this important issue.

The American people want that opportunity. All 50 State legislatures have indicated their support for a constitutional amendment to allow protection of the flag.

Just a few days ago, President Obama issued the annual proclamation designating this week as National Flag Week and designating today as Flag Day. He urged all Americans to observe these "with pride and all due ceremony . . . as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America." I believe that we can make that ongoing observance and celebration complete by restoring authority to protect this symbol of national unity.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 170—COMMEMORATING JOHN LEWIS ON THE 50TH ANNIVERSARY OF HIS CHAIRMANSHIP OF THE STUDENT NONVIOLENT COORDINATING COMMITTEE

Mr. ISAKSON submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 170

Whereas Congressman John Robert Lewis was born on February 21, 1940, outside of Troy, Alabama, to parents Eddie and Willie Mae (Carter) Lewis;

Whereas John Lewis has devoted his life to safeguarding human rights, protecting civil liberties, and building what he calls "the Beloved Community" in the United States;

Whereas John Lewis grew up on a farm in a family of sharecroppers and attended segregated public schools in Pike County, Alabama;

Whereas, drawing inspiration at an early age from the dedication and bravery demonstrated through the Montgomery Bus Boycott and the Reverend Martin Luther King, Jr., John Lewis joined the movement to secure the basic equal rights guaranteed by the Constitution of the United States;

Whereas, while studying at Fisk University, where he earned a Bachelor of Arts in Religion and Philosophy, John Lewis led the charge by unifying and organizing volunteers for sit-in demonstrations at segregated lunch counters in Nashville, Tennessee;

Whereas, in 1961, John Lewis showed his bravery and dedication while participating in Freedom Rides, challenging segregation at interstate bus terminals throughout the South, subjecting himself to being beaten by an angry mob, and even being arrested for peacefully confronting the injustice of Jim Crow segregation in the South;

Whereas, from 1963 to 1966, at a pivotal point in the Civil Rights Movement, John Lewis was named Chairman of the Student Nonviolent Coordinating Committee, which he helped found, orchestrating student activism in the Movement, including sit-ins, voter registration drives, community action programs, and other activities;

Whereas, at the young age of 23, John Lewis achieved national recognition and respect as 1 of the "Big Six" leaders of the Civil Rights Movement, both planning and speaking at the historic March on Washington in August 1963, along with fellow leaders and friends such as Martin Luther King, Jr.;

Whereas, along with many others, John Lewis demonstrated great courage by risking his life and casting light on the senseless cruelty of the time when he was brutally attacked while leading over 600 peaceful orderly protestors across the Edmund Pettus Bridge in Selma, Alabama, to demonstrate the need for voting rights, on March 7, 1965, which later became known as "Bloody Sunday," expediting the passage of the Voting Rights Act of 1965 (42 U.S.C. 1971 note; Public Law 89-110);

Whereas, in 1968, John Lewis portrayed wisdom in balancing his advocacy with family, taking Lillian Miles Lewis as his wife and later raising their son, John Miles Lewis, together;

Whereas John Lewis was elected in 1986 to serve as the United States Representative for Georgia's Fifth Congressional District and has capably and effectively served his constituency since then, serving as Chief Deputy Whip for the House Democratic caucus; and