

By Ms. BALDWIN (for herself, Mr. JOHNSON of Wisconsin, Mr. COONS, Mr. CORNYN, and Mrs. GILLIBRAND):

S. Res. 209. A resolution remembering the anniversary of the tragic shooting on August 5, 2012, at the Sikh Temple of Wisconsin in Oak Creek, Wisconsin; considered and agreed to.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. HATCH, Mr. DURBIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Ms. HIRONO):

S. Res. 210. A resolution recognizing and honoring Robert S. Mueller III, Director of the Federal Bureau of Investigation; considered and agreed to.

By Mr. RUBIO (for himself and Mr. NELSON):

S. Res. 211. A resolution designating September 2013 as "National Spinal Cord Injury Awareness Month"; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. HOEVEN, Mr. PRYOR, Mr. DONNELLY, Mr. BEGICH, Ms. HEITKAMP, Mr. THUNE, Mr. RISCH, Mr. CORNYN, Mr. JOHANNIS, and Mr. BARRASSO):

S. Con. Res. 21. A concurrent resolution expressing the sense of Congress that construction of the Keystone XL pipeline and the Federal approvals required for the construction of the Keystone XL pipeline are in the national interest of the United States; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 116

At the request of Mr. REED, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 116, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 153

At the request of Mr. BEGICH, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 195

At the request of Mr. FRANKEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 203

At the request of Mr. PORTMAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 203, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 314

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. 314, a bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri

(Mr. BLUNT) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 338

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 351

At the request of Mr. CORNYN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 351, a bill to repeal the provisions of the Patient Protection and Affordable Care Act of providing for the Independent Payment Advisory Board.

S. 381

At the request of Mr. BROWN, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Colorado (Mr. BENNET), the Senator from Hawaii (Ms. HIRONO) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 422

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 422, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 489

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 489, a bill to amend the Tariff Act of 1930 to increase and adjust for inflation the maximum value of articles that may be imported duty-free by one person on one day, and for other purposes.

S. 496

At the request of Mr. INHOFE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 496, a bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms.

S. 562

At the request of Mr. WYDEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cospon-

sor of S. 562, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 573

At the request of Ms. COLLINS, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 573, a bill to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property.

S. 647

At the request of Mr. NELSON, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 647, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 692

At the request of Mr. RUBIO, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 692, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 709

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 718

At the request of Mr. DURBIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 718, a bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

S. 809

At the request of Mrs. BOXER, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 809, a bill to amend the Federal Food, Drug, and Cosmetic Act to require that genetically engineered food and foods that contain genetically engineered ingredients be labeled accordingly.

S. 862

At the request of Ms. AYOTTE, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Georgia (Mr. ISAKSON) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 862, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Vermont

(Mr. LEAHY) 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. 915

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 915, a bill to amend the Higher Education Act of 1965 to update reporting requirements for institutions of higher education and provide for more accurate and complete data on student retention, graduation, and earnings outcomes at all levels of postsecondary enrollment.

S. 942

At the request of Mr. CASEY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 968

At the request of Mr. UDALL of Colorado, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 968, a bill to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 1012

At the request of Mr. BLUNT, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1012, a bill to amend title XVIII of the Social Security Act to improve operations of recovery auditors under the Medicare integrity program, to increase transparency and accuracy in audits conducted by contractors, and for other purposes.

S. 1118

At the request of Mr. WYDEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor 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. 1123

At the request of Mr. CARPER, the names of the Senator from Florida (Mr. NELSON) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1123, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1135

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1135, a bill to amend the Safe

Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 1137

At the request of Mr. WYDEN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1137, a bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes.

S. 1155

At the request of Mr. TESTER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1155, a bill to provide for advance appropriations for certain information technology accounts of the Department of Veterans Affairs, to include mental health professionals in training programs of the Department, and for other purposes.

S. 1181

At the request of Mr. MENENDEZ, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1181, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1204

At the request of Mr. COBURN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1204, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. 1217

At the request of Mr. CORKER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1217, a bill to provide secondary mortgage market reform, and for other purposes.

S. 1235

At the request of Mr. TOOMEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1235, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property.

S. 1250

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1250, a bill to provide \$50,000,000,000 in new transportation infrastructure funding through bonding to empower States and local governments to complete significant infrastructure projects across all modes of transportation, including roads, bridges, rail and transit systems, ports, and inland waterways, and for other purposes.

S. 1251

At the request of Mr. REED, the names of the Senator from New York

(Mr. SCHUMER) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1251, a bill to establish programs with respect to childhood, adolescent, and young adult cancer.

S. 1276

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1276, a bill to increase oversight of the Revolving Fund of the Office of Personnel Management, strengthen the authority to terminate or debar employees and contractors involved in misconduct affecting the integrity of security clearance background investigations, enhance transparency regarding the criteria utilized by Federal departments and agencies to determine when a security clearance is required, and for other purposes.

S. 1277

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1277, a bill to establish a commission for the purpose of coordinating efforts to reduce prescription drug abuse, and for other purposes.

S. 1302

At the request of Mr. HARKIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1302, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for cooperative and small employer charity pension plans.

S. 1310

At the request of Mr. PORTMAN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1310, a bill to require Senate confirmation of Inspector General of the Bureau of Consumer Financial Protection, and for other purposes.

S. 1323

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1323, a bill to address the continued threat posed by dangerous synthetic drugs by amending the Controlled Substances Act relating to controlled substance analogues.

S. 1324

At the request of Mr. BARRASSO, the names of the Senator from Idaho (Mr. RISCH), the Senator from Mississippi (Mr. WICKER) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 1324, a bill to prohibit any regulations promulgated pursuant to a presidential memorandum relating to power sector carbon pollution standards from taking effect.

S. 1332

At the request of Ms. COLLINS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1335

At the request of Ms. MURKOWSKI, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1335, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 1360

At the request of Mr. CARPER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1360, a bill to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes.

S. 1386

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1386, a bill to provide for enhanced embassy security, and for other purposes.

S. 1392

At the request of Mrs. SHAHEEN, the names of the Senator from Delaware (Mr. COONS), the Senator from Maine (Ms. COLLINS), the Senator from Virginia (Mr. WARNER) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 1392, a bill to promote energy savings in residential buildings and industry, and for other purposes.

AMENDMENT NO. 1823

At the request of Mr. JOHNSON of Wisconsin, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 1823 intended to be proposed to S. 1243, an original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOZMAN:

S. 1402. A bill to repeal the Federal estate and gift taxes; to the Committee on Finance.

Mr. President, part of the American Dream is to build an inheritance that will benefit our future generations. The death tax works against that idea by making planning and passing on family farms and businesses to the next generation even more difficult. Often times the cost is too much to absorb and families end up spending their hard-earned money on attorney fees, selling their land or business and its assets, or laying off workers just to pay Uncle Sam. We need to eliminate policies like the death tax that create unnecessary burdens on our agriculture community and family businesses. The Death Tax Repeal Act would permanently eliminate the federal estate and

gift taxes that punish America's agriculture producers and small business owners. According to a study by Douglas Holtz-Eakin, a former director of the non-partisan Congressional Budget Office, repealing the death tax would create 1.5 million additional small business jobs and would decrease the national unemployment rate by nearly 1 percent.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Death Tax Repeal Act".

SEC. 2. REPEAL OF ESTATE AND GIFT TAXES.

(a) IN GENERAL.—Subtitle B of the Internal Revenue Code of 1986 (relating to estate, gift, and generation-skipping taxes) is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by subsection (a) shall apply to estates of decedents dying, gifts made, and generation-skipping transfers made after the date of the enactment of this Act.

By Mr. DURBIN (for himself, Mr. LEE, and Mr. LEAHY):

S. 1410. A bill to focus limited Federal resources on the most serious offenders; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1410

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Smarter Sentencing Act of 2013".

SEC. 2. APPLICABILITY OF STATUTORY MINIMUMS.

Section 3553(f)(1) of title 18, United States Code, is amended by striking "defendant" and all that follows through "point" and inserting "criminal history category for the defendant is not higher than category 2".

SEC. 3. CLARIFICATION OF APPLICABILITY OF THE FAIR SENTENCING ACT.

(a) DEFINITION OF COVERED OFFENSE.—In this section, the term "covered offense" means a violation of a Federal criminal statute, the statutory penalties for which were modified by section 2 or 3 of the Fair Sentencing Act of 2010 (Public Law 111-220; 124 Stat. 2372), that was committed before August 3, 2010.

(b) DEFENDANTS PREVIOUSLY SENTENCED.—A court that imposed a sentence for a covered offense, may, on motion of the defendant, the Director of the Bureau of Prisons, the attorney for the Government, or the court, impose a reduced sentence as if sections 2 and 3 of the Fair Sentencing Act of 2010 (Public Law 111-220; 124 Stat. 2372) were in effect at the time the covered offense was committed.

(c) LIMITATIONS.—No court shall entertain a motion made under this section to reduce

a sentence if the sentence was previously imposed or previously reduced in accordance with the amendments made by sections 2 and 3 of the Fair Sentencing Act of 2010 (Public Law 111-220; 124 Stat. 2372) or if a motion made under this section to reduce the sentence was previously denied. Nothing in this section shall be construed to require a court to reduce any sentence pursuant to this section.

SEC. 4. SENTENCING MODIFICATIONS FOR CERTAIN DRUG OFFENSES.

(a) CONTROLLED SUBSTANCES ACT.—Section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) is amended—

(1) in subparagraph (A), in the flush text following clause (viii)—

(A) by striking "10 years or more" and inserting "5 years or more"; and

(B) by striking "such person shall be sentenced to a term of imprisonment which may not be less than 20 years and" and inserting "such person shall be sentenced to a term of imprisonment which may not be less than 10 years and"; and

(2) in subparagraph (B), in the flush text following clause (viii)—

(A) by striking "5 years" and inserting "2 years"; and

(B) by striking "not be less than 10 years" and inserting "not be less than 5 years".

(b) CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1), in the flush text following subparagraph (H)—

(A) by striking "not less than 10 years" and inserting "not less than 5 years"; and

(B) by striking "such person shall be sentenced to a term of imprisonment of not less than 20 years" and inserting "such person shall be sentenced to a term of imprisonment of not less than 10 years"; and

(2) in paragraph (2), in the flush text following subparagraph (H)—

(A) by striking "5 years" and inserting "2 years"; and

(B) by striking "10 years" and inserting "5 years".

SEC. 5. DIRECTIVE TO THE SENTENCING COMMISSION.

(a) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend, if appropriate, its guidelines and its policy statements applicable to persons convicted of an offense under section 401 of the Controlled Substances Act (21 U.S.C. 841) or section 1010 of the Controlled Substances Import and Export Act (21 U.S.C. 960) to ensure that the guidelines and policy statements are consistent with the amendments made by sections 2 and 4 of this Act and reflect the intent of Congress that such penalties be decreased in accordance with the amendments made by section 4 of this Act.

(b) CONSIDERATIONS.—In carrying out this section, the United States Sentencing Commission shall consider—

(1) the mandate of the United States Sentencing Commission, under section 994(g) of title 28, United States Code, to formulate the sentencing guidelines in such a way as to "minimize the likelihood that the Federal prison population will exceed the capacity of the Federal prisons";

(2) the findings and conclusions of the United States Sentencing Commission in its October 2011 report to Congress entitled, Mandatory Minimum Penalties in the Federal Criminal Justice System;

(3) the fiscal implications of any amendments or revisions to the sentencing guidelines or policy statements made by the United States Sentencing Commission;