

S. 1302

At the request of Mr. HARKIN, the names of the Senator from Nebraska (Mr. JOHANNES), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors 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. 1349

At the request of Mr. MORAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1349, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 1369

At the request of Mr. BROWN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1369, a bill to provide additional flexibility to the Board of Governors of the Federal Reserve System to establish capital standards that are properly tailored to the unique characteristics of the business of insurance, and for other purposes.

S. 1438

At the request of Mr. PRYOR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1438, a bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide that military technicians (dual status) shall be included in military personnel accounts for purposes of any order issued under that Act.

S. 1445

At the request of Mr. PRYOR, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 1490

At the request of Mr. FLAKE, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1490, a bill to delay the application of the Patient Protection and Affordable Care Act.

S. 1507

At the request of Mr. MORAN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1507, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

S. 1536

At the request of Mr. FLAKE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1536, a bill to require the Administrator of the Environmental Protection Agency to include in any pro-

posed rule that limits greenhouse gas emissions and imposes increased costs on other Federal agencies an offset from funds available to the Administrator for all projected increased costs that the proposed rule would impose on other Federal agencies.

S. 1537

At the request of Mr. BLUNT, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 1537, a bill to ensure that any new or revised requirement providing for the screening, testing, or treatment of individuals operating commercial motor vehicles for sleep disorders is adopted through a rule-making proceeding, and for other purposes.

S. 1541

At the request of Mr. UDALL of Colorado, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Colorado (Mr. BENNET) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1541, a bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a Governmentwide shutdown occurs, and for other purposes.

S. RES. 254

At the request of Mr. ENZI, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 254, a resolution designating November 2, 2013, as "National Bison Day".

AMENDMENT NO. 1966

At the request of Mr. VITTER, his name was added as a cosponsor of amendment No. 1966 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

At the request of Mr. NELSON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 1966 intended to be proposed to H.J. Res. 59, *supra*.

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 1966 intended to be proposed to H.J. Res. 59, *supra*.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 1546. A bill to promote minimum State requirements for the prevention and treatment of concussions caused by participation in school sports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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. 1546

*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 "Protecting Student Athletes from Concussions Act of 2013".

#### SEC. 2. MINIMUM STATE REQUIREMENTS.

(a) MINIMUM REQUIREMENTS.—Each State that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and does not meet the requirements described in this section, as of the date of enactment of this Act, shall, not later than the last day of the fifth full fiscal year after the date of enactment of this Act (referred to in this Act as the "compliance deadline"), enact legislation or issue regulations establishing the following minimum requirements:

(1) LOCAL EDUCATIONAL AGENCY CONCUSSION SAFETY AND MANAGEMENT PLAN.—Each local educational agency in the State, in consultation with members of the community in which such agency is located, shall develop and implement a standard plan for concussion safety and management that—

(A) educates students, parents, and school personnel about concussions, through activities such as—

(i) training school personnel, including coaches, teachers, athletic trainers, related services personnel, and school nurses, on concussion safety and management, including training on the prevention, recognition, and academic consequences of concussions and response to concussions; and

(ii) using, maintaining, and disseminating to students and parents—

(I) release forms and other appropriate forms for reporting and record keeping;

(II) treatment plans; and

(III) prevention and post-injury observation and monitoring fact sheets about concussion;

(B) encourages supports, where feasible, for a student recovering from a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity), such as—

(i) guiding the student in resuming participation in athletic activity and academic activities with the help of a multi-disciplinary concussion management team, which may include—

(I) a health care professional, the parents of such student, a school nurse, relevant related services personnel, and other relevant school personnel; and

(II) an individual who is assigned by a public school to oversee and manage the recovery of such student; and

(ii) providing appropriate academic accommodations aimed at progressively reintroducing cognitive demands on the student; and

(C) encourages the use of best practices designed to ensure, with respect to concussions, the uniformity of safety standards, treatment, and management, such as—

(i) disseminating information on concussion management safety and management to the public; and

(ii) applying uniform best practice standards for concussion safety and management to all students enrolled in public schools.

(2) POSTING OF INFORMATION ON CONCUSSIONS.—Each public elementary school and each public secondary school shall post on school grounds, in a manner that is visible to students and school personnel, and make publicly available on the school website, information on concussions that—

(A) is based on peer-reviewed scientific evidence (such as information made available

by the Centers for Disease Control and Prevention);

(B) shall include information on—

(i) the risks posed by sustaining a concussion;

(ii) the actions a student should take in response to sustaining a concussion, including the notification of school personnel; and

(iii) the signs and symptoms of a concussion; and

(C) may include information on—

(i) the definition of a concussion;

(ii) the means available to the student to reduce the incidence or recurrence of a concussion; and

(iii) the effects of a concussion on academic learning and performance.

(3) **RESPONSE TO CONCUSSION.**—If an individual designated from among school personnel for purposes of this Act suspects that a student has sustained a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity)—

(A) the student shall be—

(i) immediately removed from participation in a school-sponsored athletic activity; and

(ii) prohibited from returning to participate in a school-sponsored athletic activity—

(I) on the day such student is removed from such participation; and

(II) until such student submits a written release from a health care professional stating that the student is capable of resuming participation in school-sponsored athletic activities; and

(B) the designated individual shall report to the parent or guardian of such student—

(i) any information that the designated school employee is aware of regarding the date, time, and type of the injury suffered by such student (regardless of where, when, or how a concussion may have occurred); and

(ii) any actions taken to treat such student.

(4) **RETURN TO ATHLETICS.**—If a student has sustained a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity), before such student resumes participation in school-sponsored athletic activities, the school shall receive a written release from a health care professional, that—

(A) states that the student is capable of resuming participation in such activities; and

(B) may require the student to follow a plan designed to aid the student in recovering and resuming participation in such activities in a manner that—

(i) is coordinated, as appropriate, with periods of cognitive and physical rest while symptoms of a concussion persist; and

(ii) reintroduces cognitive and physical demands on such student on a progressive basis only as such increases in exertion do not cause the reemergence or worsening of symptoms of a concussion.

(b) **NONCOMPLIANCE.**—

(1) **FIRST YEAR.**—If a State described in subsection (a) fails to comply with subsection (a) by the compliance deadline, the Secretary of Education shall reduce by 5 percent the amount of funds the State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the first fiscal year following the compliance deadline.

(2) **SUCCEEDING YEARS.**—If the State fails to so comply by the last day of any fiscal year following the compliance deadline, the Secretary of Education shall reduce by 10 percent the amount of funds the State receives under that Act for the following fiscal year.

(3) **NOTIFICATION OF NONCOMPLIANCE.**—Prior to reducing any funds that a State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in accordance with this subsection, the Secretary of Education shall provide a written notification of the intended reduction of funds to the State and to the appropriate committees of Congress.

### SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to affect civil or criminal liability under Federal or State law.

### SEC. 4. DEFINITIONS.

In this Act:

(1) **CONCUSSION.**—The term “concussion” means a type of mild traumatic brain injury that—

(A) is caused by a blow, jolt, or motion to the head or body that causes the brain to move rapidly in the skull;

(B) disrupts normal brain functioning and alters the mental state of the individual, causing the individual to experience—

(i) any period of observed or self-reported—

(I) transient confusion, disorientation, or impaired consciousness;

(II) dysfunction of memory around the time of injury; or

(III) loss of consciousness lasting less than 30 minutes; or

(ii) any 1 of 4 types of symptoms, including—

(I) physical symptoms, such as headache, fatigue, or dizziness;

(II) cognitive symptoms, such as memory disturbance or slowed thinking;

(III) emotional symptoms, such as irritability or sadness; or

(IV) difficulty sleeping; and

(C) can occur—

(i) with or without the loss of consciousness; and

(ii) during participation in any organized sport or recreational activity.

(2) **HEALTH CARE PROFESSIONAL.**—The term “health care professional”—

(A) means an individual who has been trained in diagnosis and management of traumatic brain injury in a pediatric population; and

(B) includes a physician (M.D. or D.O.) or certified athletic trainer who is registered, licensed, certified, or otherwise statutorily recognized by the State to provide such diagnosis and management.

(3) **LOCAL EDUCATIONAL AGENCY; STATE.**—The terms “local educational agency” and “State” have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4) **RELATED SERVICES PERSONNEL.**—The term “related services personnel” means individuals who provide related services, as defined under section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

(5) **SCHOOL-SPONSORED ATHLETIC ACTIVITY.**—The term “school-sponsored athletic activity” means—

(A) any physical education class or program of a school;

(B) any athletic activity authorized during the school day on school grounds that is not an instructional activity;

(C) any extra-curricular sports team, club, or league organized by a school on or off school grounds; and

(D) any recess activity.

By Mr. DURBIN (for himself, Mr.

BROWN, Mr. CARDIN, Mrs. FEINSTEIN, and Mr. WHITEHOUSE):

S. 1548. A bill to authorize the President to provide assistance to the Governments of Haiti and Armenia to reverse the effects of deforestation and

restore within 20 years the extent of forest levels in Haiti and Armenia in existence during the year 1990, and for other purposes; to the Committee on Foreign Relations.

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. 1548

*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 “Haiti and Armenia Reforestation Act of 2013”.

### SEC. 2. FINDINGS; PURPOSE.

(a) **FINDINGS.**—Congress finds that—

(1) the established policy of the Federal Government is to support and seek protection of forests around the world that provide a wide range of benefits by—

(A) harboring a major portion of the biological and terrestrial resources of Earth and providing habitats for almost ¾ of all species on Earth, including species essential to medical research and agricultural productivity;

(B) contributing to the livelihood of over 1,600,000,000 people through access to food, fresh water, clothing, traditional medicines, and shelter;

(C) ensuring environmental functions such as biodiversity, water conservation, soil enrichment, water supply management, and climate regulation; and

(D) storing carbon, where deforestation accounts for up to 20 percent of the global greenhouse gas emissions that contribute to global warming;

(2) while forests cover a little less than ¼ of the land area on our planet, approximately 76 percent of the planet’s original primary forests have been destroyed or degraded;

(3) in 1923, over 60 percent of the land of Haiti was forested but, by 2006, that percentage had decreased to approximately less than 2 percent as a result of—

(A) an acceleration in the rate of deforestation in Haiti by more than 20 percent during the period beginning in 2000 and ending in 2005 compared to the period beginning in 1990 and ending in 1999; and

(B) a loss of nearly 10 percent (approximately 11,000 hectares) of the forest cover and approximately 22 percent of the total forest and woodland habitat of Haiti;

(4) while archeological data indicated that approximately 35 percent of Armenia was originally forested, less than 12 percent of Armenia’s territory was covered in forest in 1990, which has been reduced to approximately less than 7 percent by 2013 as a result of an energy crisis that crippled the nation in the 1990s and a loss of total of 24.5 percent (nearly 85,000 hectares) of forest cover during the period between 1990 and 2010;

(5) poverty and economic pressures are—

(A) two factors that underlie the deforestation of Haiti and Armenia; and

(B) manifested particularly through the clearing of vast areas of forest for conversion to agricultural uses where ¾ of the population of Haiti depend on the agricultural sector, which consists mainly of small-scale subsistence farming, and where wood and charcoal produced from cutting down trees accounts for a major supply toward Haiti’s and Armenia’s energy sectors;

(6) 80 percent of the population of Haiti lives below the poverty line and 36 percent of the population of Armenia lives below the poverty line;

(7) soil erosion represents a significant effect of the deforestation of Haiti and Armenia, as erosion has—

(A) lowered the productivity on the land due to poor soils underlying the forests;

(B) worsened the severity of droughts, landslides, and floods;

(C) led to further deforestation;

(D) significantly decreased the quality and, as a result, quantity of freshwater and clean drinking water available to populations; and

(E) increased the pressure on the remaining land and trees in Haiti and Armenia;

(8) forests provide cover to soften the effect of heavy rains and reduce erosion by anchoring the soil with their roots;

(9) research conducted by the United Nations Environmental Programme has revealed a direct (89 percent) correlation between the extent of the deforestation of a country and the incidence of victims per weather event in the country;

(10) both Haiti and Armenia have faced natural disasters in recent years that have been at least partly exacerbated by the effects of deforestation, such as—

(A) flooding in Armenia that has cost nearly \$33,000,000 in damages each year and swept away or damaged thousands of homes, schools, health clinics, and other institutions, partly because of damage to forests through illegal loggings, landslides, and soil erosion;

(B) hurricanes in Haiti that have killed thousands and displaced hundreds of thousands more, partly because deforestation had resulted in the clearing of large hillsides, which enabled rainwater to run off directly to settlements located at the bottom of slopes; and

(C) the January 2010 earthquake in Haiti, which destroyed much of the infrastructure of Port au Prince and had greater consequences because of deforestation, which reduced hillside stability and increased the likelihood of mudslides, soil erosion, and flooding factors, which also negatively impacted the water supply and heightened concerns for the spread of waterborne diseases;

(11) economic benefits for local communities from sustainable uses of forests are critical for the long-term sustainable management of forests in Haiti and Armenia;

(12) on July 29, 2010, the Supplemental Appropriations Act, 2010 (Public Law 111-212) was enacted into law, which included \$25,000,000 for “the reforestation and other restoration of Haiti’s key watersheds”; and

(13) reforestation efforts would provide new sources of jobs, income, and investments in both Haiti and Armenia by—

(A) providing employment opportunities in tree seedling programs, contract tree planting and management, sustainable agricultural initiatives, sustainable and managed timber harvesting, and wood products milling and finishing services; and

(B) enhancing community enterprises that generate income through the trading of sustainable forest resources, many of which exist on small scales.

(b) **PURPOSE.**—The purpose of this Act is to provide assistance to the Government of Haiti and the Government of Armenia to develop and implement, or improve, nationally appropriate policies and actions—

(1) to reduce deforestation and forest degradation and improve forest management and natural regeneration;

(2) to increase annual rates of afforestation and reforestation in a sustainable, measurable, reportable, and verifiable manner—

(A) to restore social and economic conditions for environmental recovery of—

(i) 35 percent of Haiti’s and Armenia’s land surface areas within 7 years after the date of the enactment of this Act; and

(ii) the forest cover of Haiti and Armenia to at least 7 percent in Haiti and at least 12 percent in Armenia (about each country’s respective levels in 1990) within 20 years after the date of the enactment of this Act; and

(3) to improve sustainable resource management at the watershed scale.

### SEC. 3. DEFINITIONS.

In this Act:

(1) **AFFORESTATION.**—

(A) **IN GENERAL.**—The term “afforestation” means the establishment of a new forest through the seeding of, or planting of trees on, a parcel of nonforested land.

(B) **INCLUSION.**—The term “afforestation” includes—

(i) the introduction of a tree species to a parcel of nonforested land of which the species is not a native species; and

(ii) the increase of tree cover through plantations.

(2) **AGROFORESTRY.**—

(A) **IN GENERAL.**—The term “agroforestry” refers to systems in which perennial trees or shrubs are integrated with crops or livestock, and where perennials constitute a minimum 10 percent of ground cover.

(B) **INCLUSION.**—Actual forest cover resulting from agroforestry programs can be counted toward the total forest cover goal set forth in section (2)(b).

(3) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(4) **DEFORESTATION.**—The term “deforestation” refers to the conversion of forest to another land use or the long term reduction of the tree canopy.

(5) **FOREST.**—

(A) **IN GENERAL.**—The term “forest” means a terrestrial ecosystem containing native tree species generated and maintained primarily through natural ecological and evolutionary processes.

(B) **EXCLUSION.**—The term “forest” does not include plantations, such as crops of trees planted primarily by humans for the purposes of harvesting.

(6) **REFORESTATION.**—

(A) **IN GENERAL.**—The term “reforestation” refers to the establishment of forest on lands that were previously considered as forest, but which have been deforested.

(B) **INCLUSION OF PLANTATIONS.**—The term “reforestation” includes the increase of tree cover through plantations.

### TITLE I—FORESTATION AND WATERSHED MANAGEMENT ASSISTANCE TO THE GOVERNMENT OF HAITI AND THE GOVERNMENT OF ARMENIA

#### SEC. 101. FORESTATION ASSISTANCE.

(a) **AUTHORITY.**—

(1) **IN GENERAL.**—In accordance with section 118 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151p) and consistent with the provisions of paragraph (2), the President is authorized to provide assistance to the Government of Haiti and the Government of Armenia in the form of financial assistance, technology transfers, or capacity building assistance for the conduct of activities to develop and implement one or more forestation proposals under paragraph (2)—

(A) to reduce the deforestation of Haiti and Armenia; and

(B) to increase the rates of afforestation and reforestation in Haiti and Armenia.

(2) **PROPOSALS.**—

(A) **IN GENERAL.**—Assistance under this title may be provided to the Government of

Haiti and the Government of Armenia to implement 1 or more proposals that contain—

(i) a description of each policy and initiative to be carried out using the assistance;

(ii) adequate documentation to ensure, as determined by the President, that—

(I) each policy and initiative will be—

(aa) carried out and managed in accordance with widely accepted environmentally sustainable forestry and agricultural practices; and

(bb) designed and implemented in a manner by which to improve the governance of forests by building governmental capacity to be more transparent, inclusive, accountable, and coordinated in decision-making processes and the implementation of the policy or initiative; and

(II) the proposals will further establish and enforce legal regimes, standards, and safeguards designed to ensure that members of local communities in affected areas, as partners and primary stakeholders, will be engaged in the design, planning, implementation, monitoring, and evaluation of the policies and initiatives; and

(iii) a description of how the proposal or proposals support and aid forest restoration efforts consistent with the purpose set forth in section 2(b).

(B) **DETERMINATION OF COMPATIBILITY WITH CERTAIN PROGRAMS.**—In evaluating each proposal under subparagraph (A), the President shall ensure that each policy and initiative described in the proposal submitted by the Government of Haiti or the Government of Armenia under that subparagraph is compatible with—

(i) broader development, poverty alleviation, sustainable energy usage, and natural resource conservation objectives and initiatives in Haiti or Armenia;

(ii) the development, poverty alleviation, disaster risk management, and climate resilience programs of the United States Agency for International Development, including those involving technical support from the United States Forest Service; and

(iii) activities of international organizations and multilateral development banks.

(b) **ELIGIBLE ACTIVITIES.**—Any assistance received by the Government of Haiti or the Government of Armenia under subsection (a)(1) shall be conditional upon development and implementation of a proposal under subsection (a)(2), which may include—

(1) the provision of technologies and associated support for activities to reduce deforestation or increase afforestation and reforestation rates, including—

(A) fire reduction initiatives;

(B) forest law enforcement initiatives;

(C) the development of timber tracking systems;

(D) the development of cooking fuel substitutes;

(E) initiatives to increase agricultural productivity;

(F) tree-planting initiatives; and

(G) programs that are designed to focus on market-based solutions, including programs that leverage the international carbon-offset market;

(2) the enhancement and expansion of governmental and nongovernmental institutional capacity to effectively design and implement a proposal developed under subsection (a)(2) through initiatives, including—

(A) the establishment of transparent, accountable, and inclusive decisionmaking processes relating to all stakeholders (including affected local communities);

(B) the promotion of enhanced coordination among ministries and agencies responsible for agro-ecological zoning, mapping, land planning and permitting, sustainable agriculture, forestry, mining, and law enforcement; and

(C) the clarification of land tenure and resource rights of affected communities, including local communities;

(3) the development and support of institutional capacity to measure, verify, and report the activities carried out by the Government of Haiti and the Government of Armenia to reduce deforestation and increase afforestation and reforestation rates through the use of appropriate methods, including—

(A) the use of best practices and technologies to monitor land use change in Haiti and Armenia, as well as changes in the extent of natural forest cover, protected areas, mangroves, agroforestry, and agriculture;

(B) the monitoring of the impacts of policies and initiatives on—

- (i) affected communities;
- (ii) the biodiversity of the environment of Haiti and Armenia; and
- (iii) the health of the forests of Haiti and Armenia; and

(C) independent and participatory forest monitoring; and

(4) the development of and coordination with watershed restoration programs in Haiti and Armenia, including—

(A) agreements with the Government of Haiti and the Government of Armenia, nongovernmental organizations, or private sector partners to provide technical assistance, capacity building, or technology transfers which support the environmental recovery of Haiti's and Armenia's watersheds through forest restoration activities, provided that the assistance will help strengthen economic drivers of sustainable resource inventory mapping and management, reduce environmental vulnerability, and improve governance, planning, and community action of watersheds in Haiti and Armenia;

(B) actions to support economic incentives for sustainable resource management, including enhanced incentives for the replacement of annual hillside cropping with perennial and non-erosive production systems;

(C) enhanced extension services supporting the sustainable intensification of agriculture to increase farmer incomes and reduce pressure on degraded land; and

(D) investments in watershed infrastructure to reduce environmental vulnerability, including the establishment of appropriate erosion control measures through reforestation activities in targeted watersheds or sub-watersheds.

#### (C) DEVELOPMENT OF PERFORMANCE METRICS.—

(1) IN GENERAL.—If the President provides assistance under subsection (a)(1), the President, in cooperation with the Government of Haiti and the Government of Armenia, shall develop appropriate performance metrics to measure, verify, and report—

(A) the conduct of each policy and initiative to be carried out by the Government of Haiti and the Government of Armenia;

(B) the results of each policy and initiative with respect to the forests of Haiti and Armenia; and

(C) impacts of reforestation policies and initiatives on the local communities of Haiti and Armenia.

(2) REQUIREMENTS.—Performance metrics developed under paragraph (1) shall, to the maximum extent practicable, include short-term and long-term metrics to evaluate the implementation of each policy and initiative contained in each proposal developed under subsection (a)(2).

#### (d) REPORTS.—

(1) INITIAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a report that describes the actions that the President has taken, and plans to take—

(A) to engage with the Government of Haiti and the Government of Armenia, nongovernmental stakeholders, civil society, and public and private nonprofit organizations to implement this section; and

(B) to enter into agreements with the Government of Haiti and the Government of Armenia under subsection (a)(1).

(2) BIENNIAL REPORTS.—Not later than 2 years after the date on which the President first provides assistance to the Government of Haiti and the Government of Armenia under subsection (a)(1), and biennially thereafter, the President shall submit to Congress a report that describes the progress of the Government of Haiti and the Government of Armenia in implementing each policy and initiative contained in the proposal submitted under subsection (a)(2).

(e) ADDITIONAL ASSISTANCE.—The President is authorized to provide financial and other assistance to the Government of Haiti and the Government of Armenia, local government bodies, or nongovernmental organizations for the purpose of—

(1) providing local communities information relating to each policy and initiative to be carried out by the Government of Haiti and the Government of Armenia through funds made available under subsection (a)(1);

(2) promoting effective participation by local communities in the design, implementation, and independent monitoring of each policy and initiative; and

(3) promoting, consistent with supporting the sustainability of forestation activities, enhanced watershed governance, national planning, and community action programs that lead to increased—

(A) development of a national watershed management policy for Haiti and Armenia with the appropriate government ministries and agencies;

(B) establishment of an effective forum for donor coordination related to management and reforestation in Haiti and Armenia;

(C) support for the National Center for Geospatial Information (CNIGS) and the United States Forest Service to provide technology, data, and monitoring support for improved watershed and forest resource management at a national scale in Haiti and Armenia; and

(D) development of effective governance structures in Haiti and Armenia for stakeholder engagement, coordination of approaches, and land use planning and disaster mitigation at the watershed scale; and

(4) meeting the goals of this Act, which, if findings indicate are not appropriately and efficiently being met, may cause the President to terminate direct funding to either the Government of Haiti or the Government of Armenia.

(f) MINIMUM COUNTRY REFORESTATION FUND PERCENTAGE.—Not less than 85 percent of amounts provided for programs under this section shall be spent on actual reforestation activities in Haiti and Armenia, which may include the protection of reforested areas.

(g) TERMINATION OF PROGRAM.—The authority under this section shall terminate 7 years after the date of the enactment of this Act, unless the President certifies to the appropriate congressional committees that effective and sustainable programs are in place through the Government of Haiti or Government of Armenia or local governments in Haiti or Armenia, in potential partnership with international donors, nongovernmental organizations, or civil society groups, to protect and manage areas reforested pursuant to this Act, and that additional time is necessary to further the overarching goals of the Act. Upon making such certification, the authority may be extended for a total of two additional 7-year terms.

## TITLE II—GRANTS FOR REFORESTATION

### SEC. 201. REFORESTATION GRANT PROGRAM.

(a) ESTABLISHMENT.—The President is authorized to establish a grant program to carry out the purposes of this Act, including reversing deforestation and improving reforestation and afforestation in Haiti and Armenia.

#### (b) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The President is authorized to award grants and contracts to carry out projects that, in the aggregate, reverse deforestation and improve reforestation and afforestation.

#### (2) MAXIMUM AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the President may not award a grant under this section in an amount greater than \$500,000 per year.

(B) EXCEPTION.—The President may award a grant under this section in an amount greater than \$500,000 per year if the President determines that the recipient of the grant has demonstrated success with respect to a project that was the subject of a grant under this section.

(3) DURATION.—The President shall award grants under this section for a period not to exceed 3 years.

#### (c) USE OF FUNDS.—

(1) IN GENERAL.—Grants awarded pursuant to subsection (b) may be used for activities such as—

(A) providing a financial incentive to protect forests;

(B) providing hands-on management and oversight of replanting efforts;

(C) focusing on sustainable income-generating growth;

(D) providing seed money to start cooperative reforestation and afforestation efforts and providing subsequent conditional funding for such efforts contingent upon required tree care and maintenance activities;

(E) promoting widespread use of improved cooking stove technologies, to the extent that this does not result in the harvesting of forest growth and other renewable fuel technologies that reduce deforestation and improve human health; and

(F) securing the involvement and commitment of local communities—

(i) to protect forests in existence as of the date of enactment of this Act; and

(ii) to partner in and carry out afforestation and reforestation activities.

(2) LOCAL COMMUNITY PARTICIPATION.—Activities to secure the participation of local communities under paragraph (1)(F) should include one or more of the following activities:

(A) Creation of local jobs around protecting and managing reforested areas.

(B) Collaboration to analyze biodiversity and ecosystem services integral to business decisions.

(C) Cooperative conservation programs such as working with local water sources to ensure clean water through improved forestland and watershed or with food suppliers to ensure sustainable agroforestry products.

(3) CONSISTENCY WITH PROPOSALS.—To the maximum extent practicable, a project carried out using grant funds shall support and be consistent with the proposal developed under section 101(a)(2) that is the subject of the project.

#### (d) APPLICATION.—

(1) IN GENERAL.—To be eligible for a grant under this section, an entity shall prepare and submit an application at such time, in such manner, and containing such information as the President may reasonably require.

(2) CONTENT.—Each application submitted under paragraph (1) should be consistent

with the findings and recommendations of either the 2007 United States Agency for International Development report entitled, "Environmental Vulnerability in Haiti: Findings and Recommendations" for Haiti or the 2009 United States Agency for International Development report entitled "Biodiversity Analysis Update for Armenia Final Report: Prosperity, Livelihoods and Conserving Ecosystems (PLACE) IQC Task Order #4" for Armenia, and shall include—

(A) a description of the objectives to be attained;

(B) a description of the manner in which the grant funds will be used;

(C) a plan for evaluating the success of the project based on verifiable evidence; and

(D) to the extent that the applicant intends to use nonnative species in afforestation efforts, an explanation of the benefit of the use of nonnative species over native species and verification that the species to be used are not invasive.

(3) PREFERENCE FOR CERTAIN PROJECTS.—In awarding grants under this section, preference shall be given to applicants that propose—

(A) to develop market-based solutions to the difficulty of reforestation in Haiti and Armenia, including the use of conditional cash transfers and similar financial incentives to protect reforestation efforts;

(B) to partner with local communities and cooperatives; and

(C) to focus on efforts that build local capacity to sustain growth after the completion of the underlying grant project.

(e) DISSEMINATION OF INFORMATION.—The President shall collect and widely disseminate information about the effectiveness of the demonstration projects assisted under this section.

#### SEC. 202. FOREST PROTECTION PROGRAMS.

Chapter 7 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2281 et seq.) is amended by inserting after section 466 the following new sections:

##### "SEC. 467. PILOT PROGRAM FOR HAITI.

"(a) SUBMISSION OF LIST OF AREAS OF SEVERELY DEGRADED NATURAL RESOURCES.—The President, in cooperation with nongovernmental conservation organizations, shall invite the Government of Haiti to submit a list of areas within the territory of Haiti in which forests are seriously degraded or threatened.

"(b) REVIEW OF LIST.—The President shall assess the lists submitted by the Government of Haiti under subsection (a) and shall seek to reach agreement with the Government of Haiti for the restoration and future sustainable use of those areas.

"(c) GRANT PROGRAM.—

"(1) GRANTS AUTHORIZED.—The President is authorized to make grants on such terms and conditions as may be necessary to nongovernmental organizations for the purchase on the open market of discounted debt of the Government of Haiti, if a market is determined to be viable, in exchange for commitments by the Government of Haiti to restore forests identified by the Government under subsection (a) or for commitments to develop plans for sustainable use of such forests.

"(2) MANAGEMENT OF PROTECTED AREAS.—Each recipient of a grant under this subsection shall participate in the ongoing management of the area or areas protected pursuant to such grant.

"(3) MATCHING OF GRANT FUNDS.—Any United States funding provided to a nongovernmental organization for grant activities under this section shall be matched by an equal or greater amount of funding from the nongovernmental organization, which may include funding provided by other inter-

national donors, nongovernmental organizations, philanthropic bodies, corporations or other private entities, institutions of higher learning, or other non-United States Government sources.

"(4) MINIMUM COUNTRY REFORESTATION FUND PERCENTAGE.—Not less than 85 percent of grant funds provided under this section shall be spent on actual reforestation activities in Haiti, which may include the protection of reforested areas.

"(5) RETENTION OF PROCEEDS.—Notwithstanding any other provision of law, a grantee (or any subgrantee) of the grants referred to in section (a) may retain, without deposit in the Treasury of the United States and without further appropriation by Congress, interest earned on the proceeds of any resulting debt-for-nature exchange pending the disbursements of such proceeds and interest for approved program purposes, which may include the establishment of an endowment, the income of which is used for such purposes.

"(6) TERMINATION OF PROGRAM.—The authority to make grants under the pilot program shall terminate five years after the date of the enactment of this Act. The authority may be renewed for one additional five-year period during the 20-year reforestation period targeted by this Act if the President determines and certifies to Congress that the pilot program is effective in meeting the goals of the Act and the commitment of the Government of Haiti to returning land in Haiti to long-term sustainable forests. The cumulative duration of the pilot program may not exceed ten total years."

##### "SEC. 468. PILOT PROGRAM FOR ARMENIA.

"(a) SUBMISSION OF LIST OF AREAS OF SEVERELY DEGRADED NATURAL RESOURCES.—The President, in cooperation with nongovernmental conservation organizations, shall invite the Government of Armenia to submit a list of areas within the territory of Armenia in which forests are seriously degraded or threatened.

"(b) REVIEW OF LIST.—The President shall assess the lists submitted by the Government of Armenia under subsection (a) and shall seek to reach agreement with the Government of Armenia for the restoration and future sustainable use of those areas.

"(c) DEBT FORGIVENESS AGREEMENT.—

"(1) DEBT FORGIVENESS.—The President is authorized to forgive debt owed to the United States by the Government of Armenia in exchange for commitments by the Government of Armenia to restore forests identified by the Government under subsection (a) or for commitments to develop plans for sustainable use of such forests.

"(2) MANAGEMENT OF PROTECTED AREAS.—The Government of Armenia shall participate in the ongoing management of the area or areas protected pursuant to such debt relief.

"(3) MINIMUM COUNTRY REFORESTATION FUND PERCENTAGE.—Not less than 85 percent of funds that qualify under a debt relief agreement under this section shall be spent on actual reforestation activities in Armenia, which may include the protection of reforested areas.

"(4) TERMINATION OF PROGRAM.—The authority to offer debt relief under the pilot program shall terminate five years after the date of the enactment of this Act. The authority may be renewed for 1 additional 5-year period during the 20-year reforestation period targeted by this Act if the President determines and certifies to Congress that the pilot program is effective in meeting the goals of the Act and the commitment of the Government of Armenia to returning land in Armenia to long-term sustainable forests.

The cumulative duration of the pilot program may not exceed ten total years."

#### TITLE III—ADMINISTRATIVE PROVISION

##### SEC. 301. DELEGATION.

The President (or the Administrator of the United States Agency for International Development or the Secretary of State as the President's delegatee) may draw, as appropriate, on the expertise of the United States Forest Service in designing and implementing programs pursuant to this Act relating to reforestation, watershed restoration, and monitoring of land use change.

By Mr. CORNYN (for himself and Ms. KLOBUCHAR):

S. 1549. A bill to amend chapter 87 of title 18, United States Code, to end the terrorizing effects of the sale of murderabilia on crime victims and their families; to the Committee on the Judiciary.

Mr. CORNYN. 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. 1549

*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 "Stop the Sale of Murderabilia Act of 2013".

##### SEC. 2. RESTRICTIONS ON THE MAILING AND DELIVERY PRIVILEGES OF STATE AND FEDERAL PRISONERS FOR COMMERCIAL PURPOSES.

(a) IN GENERAL.—Chapter 87 of title 18, United States Code, is amended by adding at the end the following:

##### "§ 1794. Restrictions on the mailing and delivery privileges of State and Federal prisoners for commercial purposes

"(a) IN GENERAL.—Except as provided in subsection (d), an inmate of a prison convicted of a crime of violence who knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail, any property, article, or object, with intent that the property, article, or object be placed in interstate or foreign commerce, shall be fined under this title and imprisoned not less than 6 months and not more than 10 years. Any term of imprisonment imposed under this subsection shall run consecutive to any other term of imprisonment.

"(b) PERIOD OF LIMITATIONS.—An indictment for any offense punishable under this section may be found at any time without limitation.

"(c) GUIDELINES.—The Director of the Bureau of Prisons and the head of the department of corrections, or other similar agency, for any State may promulgate uniform guidelines to restrict the privileges of any inmate of a prison that violates this section.

"(d) EXCEPTION.—An inmate of a prison may mail or deliver or cause to be delivered by mail title to real property, title to motor vehicles, or a security if—

"(1) the mailing or delivery is to satisfy debt that is—

"(A) imposed by law or a court order, including—

"(i) support obligations;

"(ii) property taxes;

"(iii) income taxes;

"(iv) back taxes;

"(v) a legal judgment, fine, or restitution;

"(vi) fees to cover the cost of incarceration, including fees for health care while incarcerated imposed under section 4048; and

“(vii) other financial obligations mandated by law or a court order; or

“(B) incurred through a contract for—

“(i) legal services;

“(ii) a mortgage on the primary residence of the immediate family of the inmate;

“(iii) the education or medical care of the inmate or a member of the immediate family of the inmate; or

“(iv) life, health, home, or car insurance; or

“(2) the consent of the inmate is required by law to transfer title for real property, a motor vehicle, or security, where a person who is not incarcerated in a prison is the owner or a co-owner of that real property, motor vehicle, or security.

“(e) DEFINITIONS.—In this section—

“(1) the term ‘prison’—

“(A) means a Federal or State correctional, detention, or penal facility or any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the Attorney General of the United States or a State; and

“(B) does not include a halfway house or location where an individual is under home confinement;

“(2) the term ‘security’ means—

“(A) a note, stock certificate, treasury stock certificate, bond, treasury bond, debenture, certificate of deposit, interest coupon, bill, check, draft, warrant, debit instrument (as that term is defined in section 916(c) of the Electronic Fund Transfer Act (15 U.S.C. 1693n(c))), money order, traveler’s check, letter of credit, warehouse receipt, negotiable bill of lading, evidence of indebtedness, certificate of interest in or participation in a profit-sharing agreement, collateral-trust certificate, pre-reorganization certificate of subscription, transferable share, investment contract, or voting trust certificate;

“(B) a certificate of interest in, certificate of participation in, certificate for, receipt for, or warrant or option or other right to subscribe to or purchase any item described in subparagraph (A); or

“(C) a blank form of any item described in subparagraph (A) or (B); and

“(3) the terms ‘State’ and ‘support obligation’ have the meanings given those terms in section 228.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 87 of title 18, United States Code, is amended by adding at the end the following:

“1794. Restrictions on the mailing and delivery privileges of State and Federal prisoners for commercial purposes.”.

### SEC. 3. CRIMINAL FORFEITURE.

Section 982(a) of title 18, United States Code, is amended by adding at the end the following:

“(9) The court, in sentencing a defendant convicted of an offense under section 1794, or of a conspiracy to commit such an offense, shall order that the defendant forfeit to the United States any real or personal property—

“(A) used or intended to be used to commit, facilitate, or promote the commission of such offense; and

“(B) constituting, derived from, or traceable to the gross proceeds that the defendant obtained directly or indirectly as a result of the offense.”.

### SEC. 4. CIVIL FORFEITURE.

Any property subject to forfeiture under section 982(a)(9) of title 18, United States Code, as added by this Act, may be forfeited to the United States in a civil action in accordance with the procedures set forth in chapter 46 of title 18, United States Code.

### SEC. 5. CIVIL REMEDIES.

(a) IN GENERAL.—Any person aggrieved by reason of conduct prohibited under section 1794 of title 18, United States Code, as added by this Act, may bring a civil action in an appropriate United States district court for the relief described in subsection (b).

(b) RELIEF.—In any civil action brought under subsection (a), the court may award appropriate relief, including—

(1) temporary, preliminary, or permanent injunctive relief;

(2) compensatory and punitive damages; and

(3) the costs of the civil action and reasonable fees for attorneys and expert witnesses.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 255—WELCOMING THE PRIME MINISTER OF INDIA TO THE UNITED STATES FOR MEETINGS TO ADVANCE THE UNITED STATES-INDIA PARTNERSHIP

Mr. WARNER (for himself, Mr. CORNYN, Mr. MENENDEZ, and Mr. KIRK) submitted the following resolution; which was considered and agreed to:

S. RES. 255

Whereas, on August 15, 1947, India became a sovereign, democratic nation;

Whereas India is the world’s largest democracy, embracing fundamental liberties and freedoms, justice, and the rule of law;

Whereas India is a multi-ethnic, multi-cultural, and multi-religious society that promotes tolerance, diversity, and equality;

Whereas a strong relationship with India, the world’s largest democracy, is critically important to United States interests;

Whereas the 2014 parliamentary elections in India are a further opportunity to strengthen the democratic institutions of the world’s largest democracy;

Whereas the Prime Minister of India, Dr. Manmohan Singh, has led his government in undertaking a series of reforms designed to strengthen the Indian economy and transform the bilateral economic relationship into a true strategic partnership;

Whereas India is one of the world’s fastest growing and dynamic economies, and a strong, economically competitive India is ultimately good for American business and American jobs;

Whereas the 100,000 Indians who are studying in the United States and the 2,700,000 Americans of Indian descent living in the United States, including Nobel Laureates, artists, business leaders, journalists, and public servants, have contributed enormously to the rich social, political, and economic fabric of the United States;

Whereas India serves as a pivotal and effective partner in ensuring international peace and security and is the third largest contributor of personnel to United Nations peace-keeping missions;

Whereas security and defense cooperation between the United States and India continues to grow, as India remains a steadfast partner in countering the rise of extremists and currently participates in more naval exercises with the United States than any other nation;

Whereas the Defense Trade Initiative is successfully realigning India and United States procurement processes and United States military sales to India have totaled almost \$9,000,000,000 in the last several years;

Whereas India is the largest regional contributor to reconstruction efforts in Afghani-

stan and will be an important partner in the transition of United States forces from Afghanistan in 2014;

Whereas the market economy in India has contributed to increased economic opportunities, reduced poverty, and accompanying stability;

Whereas foreign direct investment and a transparent and progressive investment climate can play a critical role in economic development in India and strengthening United States-India economic relations;

Whereas the foundation of a strong economic partnership between India and the United States requires a mutual respect for innovation and an investment environment that fosters continued research and development;

Whereas a Bilateral Investment Treaty would provide protections for investors and help unleash needed investment in India;

Whereas furthering the bilateral dialogue on trade and investment is key to broadening and deepening the economic relationship between the United States and India, which can provide both Indian and American companies increased opportunities for exports; and

Whereas a strong relationship between the people and Governments of the United States and India, based on mutual trust and respect, will enable the countries to more closely collaborate across a broad spectrum of interests, such as global peace and prosperity, counterterrorism, defense, nonproliferation, economic prosperity, energy and climate change, education, scientific research, outer space, public health, and agriculture: Now, therefore, be it

*Resolved*, That the Senate—

(1) warmly welcomes the Prime Minister of India, Dr. Manmohan Singh, on his visit to the United States, which provides a timely opportunity to reinforce the United States-India relationship and make progress on a number of fronts;

(2) believes that together, the Governments of India and the United States can bring immense benefits to their people and make enormous contributions to addressing the global challenges of the 21st century;

(3) looks forward to making progress on a range of issues to deepen and broaden the strategic partnership between India and the United States;

(4) welcomes continued progress towards a Bilateral Investment Treaty;

(5) supports progress and implementation of the landmark United States-India civil nuclear agreement;

(6) acknowledges that the progress made by the Government of India on economic reforms has opened new channels for foreign direct investment, and believes further liberalization can bring increased prosperity to both countries; and

(7) recognizes there is strong potential to grow the bilateral relationship and increase cooperation between the United States and India, elevating the relationship to an even stronger strategic partnership.

### SENATE RESOLUTION 256—DESIGNATING THE WEEK OF SEPTEMBER 23 THROUGH 29, 2013, AS “NATIONAL ADULT EDUCATION AND FAMILY LITERACY WEEK”

Mrs. MURRAY (for herself, Mr. ALEXANDER, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. BROWN, Mr. COCHRAN, Mr. ENZI, Mr. ISAKSON, Ms. WARREN, Mr. KING, Mr. HATCH, Mr. CARDIN, Ms. COLLINS, Mr. BLUNT, Mr. GRAHAM, and Mr. BAUCUS) submitted the following