S. 264

At the request of Ms. STABENOW, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. JOHANNS, Mrs. BOXER, and Mr. FRANKEN):

S. 290. A bill to reduce housing-related health hazards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am introducing two bipartisan bills pertaining to healthy housing, the Healthy Housing Council Act and the Title X Amendments Act. These bills seek to improve federal coordination of healthy housing efforts and better integrate healthy housing activities into the ongoing lead poisoning prevention work at the Department of Housing and Urban Development.

The presence of housing-related health hazards is often overlooked or is unable to be addressed, and yet these hazards are sometimes the cause of a variety of preventable diseases and conditions like cancer, lead poisoning, and asthma. While I have been working to address these hazards throughout my tenure in Congress, I was pleased that the Administration last week released its Strategy for Action to Advance Healthy Housing, a multi-department and agency effort to develop consensus-based criteria to address housing hazards that impact the health and habitation of children and families.

This new Strategy for Action calls on Federal agencies to address barriers and disincentives to the delivery of services to improve housing conditions, particularly among low-income families with young children; replicate successful local healthy housing programs on a larger scale; and conduct more research into cost-effective advances in healthy housing programming.

The Title X Amendments Act, S. 290, which I am introducing with Senators JOHANNS, FRANKEN, and BOXER, and has been in the drafting stages for many months, responds to these calls for action. It would provide HUD with the necessary authority to continue to carry out healthy housing activities while protecting important ongoing lead remediation efforts, allow grantees to improve the conditions in zero-bedroom units, and streamline eligibility for assistance. These are simple, yet necessary reforms designed to improve and expand cost-effective services, and I look forward to working with my colleagues to see them enacted.

It is also vital that we continue the type of collaboration and coordination among Federal departments and agencies, like HUD, HHS, EPA, and CDC, that resulted in the Strategy for Action to Advance Healthy Homes. Indeed, there are many programs fragmented across multiple agencies that are responsible for addressing housing-related health hazards like lead and radon, and we should strive to improve the efficiency and efficacy of these efforts by ensuring that these agencies continue to work together.

The Healthy Housing Council Act, S. 291, which Senator JOHANNS, FRANKEN, and BOXER have also cosponsored, would establish an independent interagency Council on Healthy Housing in the executive branch in order to improve coordination, bring existing efforts out of their respective silos, and reduce duplication.

The bill calls for the council to convene periodic meetings with experts in the public and private sectors to discuss ways to educate individuals and families on how to recognize housing-related health hazards and access the necessary services and preventive measures to combat these hazards. The council would also be required to hold biannual stakeholder meetings, maintain an updated website, and work to unify healthy housing data collection and maintenance.

Our goal for these bills is to help reduce the more than 5.7 million households living in conditions with moderate or severe health hazards, 23 million additional homes with lead-based paint hazards, 14,000 unintentional injury and fire deaths every year that result from housing-related hazards, and 21,000 radon-associated lung cancer deaths every year. Indeed, these numbers contribute to increasing health care costs for individuals and families, as well as for federal, state, and local governments.

Promoting low-cost measures to eliminate subpar housing can make a dramatic and meaningful difference in the lives of children and families and help reduce health care costs. I urge our colleagues to join in supporting these bipartisan bills.

By Mr. LEAHY (for himself, Ms. COLLINS, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. BLUMENTHAL, and Ms. BALDWIN):

S. 296. A bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am reintroducing the Uniting American Families Act, UAFA, which grants same-sex bi-national couples the same immigration benefits heterosexual couples have long enjoyed. This is the sixth Congress in which I have introduced this legislation, and I am proud to be joined this year by Senator COLLINS, a strong champion for American families. She cosponsored this bill last Congress, and I thank her for her leadership as she joins me as an original cosponsor today.

Preserving family unity is central to our immigration policy. President Obama understands that, which is why I was so pleased to see that he included UAFA as a core tenet of the immigration principles he outlined last month.

Even as American attitudes are changing about the civil rights of gay and lesbian Americans, the so-called Defense of Marriage Act forces many Americans to choose between the country they love and being with the people they love. This destructive policy tears families apart and forces hardworking Americans to make the heart-wrenching choice no American should have to make. Families from Maine to California experience this hardship. In Vermont, I have seen firsthand the unfairness that couples have endured as a result of our current laws and have spoken at length on their struggles in this Chamber. I have heard from a number of Vermonters who have had to make the difficult decision to leave their work and homes in Vermont in order to be able to live with their spouses in more welcoming countries; some whole spouses are legally in the U.S. temporarily but worry daily when they will be required to leave the U.S.; and some who suffer the heartbreak of a long-distance marriage when their spouses are denied even a visitor visa to spend some time with their spouses in the U.S. The Senate Judiciary Committee heard directly from families like these as well.

Over the past decade, Americans have begun to reject the notion that U.S. citizens who are gay or lesbian should not have their committed relationships recognized by the law and the protections that provides. As of last month, the District of Columbia and nine states, including Connecticut, Iowa, Maine, Maryland, Massachusetts, New Hampshire, New York, Washington, and my home state of Vermont, have legalized same-sex marriage. At the end of the 111th Congress, bipartisan votes in both the Senate and the House reversed the Military's ''Don't Ask, Don't Tell'' policy, a 17-year-old stricture that barred gay and lesbian service men and women from openly serving in the military. Consistent with the repeal of the ''Don't Ask, Don't Tell'' policy, just last week the Pentagon signaled that it will begin providing benefits to the same-sex spouses of military personnel. As they have many times in our past and will continue in the future, prevailing American attitudes are progressing toward fairness and justice. The Supreme Court is poised to decide the fate of the Defense of Marriage Act and whether that law, which deprives same-sex couples of over 1,000 Federal benefits and responsibilities, is consistent with our constitutional values.

Many of our friends around the world have embraced immigration equality for same-sex families. Today at least 25 nations, including some of our closest allies, offer immigration benefits to same-sex couples. America should join Argentina, Australia, Belgium, Brazil, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greenland, Hungary, Iceland, Israel, Luxembourg, The Netherlands, New Zealand, Norway, Portugal, Romania, South Africa, Spain, Sweden, Switzerland, and the United Kingdom in leading on this issue of civil rights and respect for the dignity of all families. I hope that Senators who supported this important advancement in our military policy will join me in calling for similar fairness and equality in our immigration laws.

Some opponents of the United American Families Act have argued that it would increase the potential for visa fraud. Of course I share the belief that all immigration applications should be screened for fraud, but I am confident that U.S. Citizenship and Immigration Services will have no more difficulty identifying fraud in same-sex relationships than they do in heterosexual marriages. The penalties for fraud under this bill would be the same as the penalties for marriage fraud. These are very strict penalties: a sentence of up to 5 years in prison, $250,000 in fines for the U.S. citizen partner, and deportation for the foreign partner. In addition, in order to qualify as a bi-national couple under UAFA, petitioners must prove that they are at least 18 years of age and in a committed, lifelong relationship with another adult. The advancement of American ideals that respect human relationships and family bonds need not and should not be impeded by such fears.

Among developed countries with cultures of respect for human rights and fairness, the United States policy in this regard is not living up to our great traditions of equal treatment under the law. We can and should do better. I hope all Senators will agree that the United States should not have a policy that forces Americans to choose between their country and the ones they love, and I urge members of this body to join Senator COLLINS and me in this effort.

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. 296

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

SECTION 1. SHORT TITLE; AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Uniting American Families Act of 2013''.

(b) AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.—Except as otherwise specifically provided in this Act, if an amendment or repeal is expressed as the amendment or repeal of a section or other provision, the reference shall be considered to be made to that section or provision in the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS OF PERMANENT PARTNER AND PERMANENT PARTNERSHIP.

Section 101(a) (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(K)(ii), by inserting ''or permanent partnership'' after ''marriage''; and

(2) by adding at the end the following:

''(52) The term 'permanent partner' means an individual 18 years of age or older who—

''(A) is in a committed, intimate relationship with another individual 18 years of age or older in which both individuals intend a lifelong commitment;

''(B) is financially interdependent with that other individual;

''(C) is not married to, or in a permanent partnership with, any individual other than that other individual;

''(D) is unable to contract with that other individual a marriage cognizable under this Act; and

''(E) is not a first, second, or third degree blood relation of that other individual.

''(53) The term 'permanent partnership' means the relationship that exists between 2 permanent partners.''.

SEC. 3. WORLDWIDE LEVEL OF IMMIGRATION.

Section 201(b)(2)(A)(i) (8 U.S.C. 1151(b)(2)(A)(i)) is amended—

(1) by ''spouse'' each place it appears and inserting ''spouse or permanent partner'';

(2) by striking ''spouses'' and inserting ''spouse, permanent partner,'';

(3) by inserting ''(or, in the case of a permanent partnership, whose permanent partnership was not terminated)'' after ''was not legally separated from the citizen''; and

(4) by striking ''remarries.'' and inserting ''remarries or enters a permanent partnership with another person.''.

SEC. 4. NUMERICAL LIMITATIONS ON INDIVIDUAL FOREIGN STATES.

(a) PER COUNTRY LEVELS.—Section 202(a)(4) (8 U.S.C. 1152(a)(4)) is amended—

(1) in the paragraph heading, by inserting '', PERMANENT PARTNERS,'' after ''SPOUSES'';

(2) in the heading of subparagraph (A), by inserting '', PERMANENT PARTNERS,'' after ''SPOUSES''; and

(3) in the heading of subparagraph (C), by striking ''AND DAUGHTERS'' inserting ''WITHOUT PERMANENT PARTNERS AND UNMARRIED DAUGHTERS WITHOUT PERMANENT PARTNERS''.

(b) RULES FOR CHARGEABILITY.—Section 202(b)(2) (8 U.S.C. 1152(b)(2)) is amended—

(1) by striking ''his spouse'' and inserting ''his or her spouse or permanent partner'';

(2) by striking ''such spouse'' each place it appears and inserting ''such spouse or permanent partner''; and

(3) by inserting ''or permanent partners'' after ''husband and wife''.

SEC. 5. ALLOCATION OF IMMIGRANT VISAS.

(a) PREFERENCE ALLOCATION FOR FAMILY MEMBERS OF PERMANENT RESIDENT ALIENS.—Section 203(a)(2) (8 U.S.C. 1153(a)(2)) is amended—

(1) by striking the paragraph heading and inserting the following:

''(2) SPOUSES, PERMANENT PARTNERS, UNMARRIED SONS WITHOUT PERMANENT PARTNERS, AND UNMARRIED DAUGHTERS WITHOUT PERMANENT PARTNERS OF PERMANENT RESIDENT ALIENS.—'';

(2) in subparagraph (A), by inserting '', permanent partners,'' after ''spouses''; and

(3) in subparagraph (B), by striking ''or unmarried daughters'' and inserting ''without permanent partners or the unmarried daughters without permanent partners''.

(b) PREFERENCE ALLOCATION FOR SONS AND DAUGHTERS OF CITIZENS.—Section 203(a)(3) (8 U.S.C. 1153(a)(3)) is amended—

(1) by striking the paragraph heading and inserting the following:

''(2) MARRIED SONS AND DAUGHTERS OF CITIZENS AND SONS AND DAUGHTERS WITH PERMANENT PARTNERS OF CITIZENS.—''; and

(2) by inserting '', or sons or daughters with permanent partners,'' after ''daughters''.

(c) EMPLOYMENT CREATION.—Section 203(b)(5)(A)(ii) (8 U.S.C. 1153(b)(5)(A)(ii)) is amended by inserting ''permanent partner,'' after ''spouse,''.

(d) TREATMENT OF FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended—

(1) by inserting ''or permanent partner'' after ''section 101(b)(1)''; and

(2) by inserting '', permanent partner,'' after ''the spouse''.

SEC. 6. PROCEDURE FOR GRANTING IMMIGRANT STATUS.

(a) CLASSIFICATION PETITIONS.—Section 204(a)(1) (8 U.S.C. 1154(a)(1)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii), by inserting ''or permanent partner'' after ''spouse'';

(B) in clause (iii)—

(i) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(ii) in subclause (I), by inserting ''or permanent partnership'' after ''marriage'' each place it appears;

(C) in clause (v)(I), by inserting ''permanent partner,'' after ''is the spouse,''; and

(D) in clause (vi)—

(i) by inserting ''or termination of the permanent partnership'' after ''divorce''; and

(ii) by inserting '', permanent partner,'' after ''spouse''; and

(2) in subparagraph (B)—

(A) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(B) in clause (ii)—

(i) in subclause (I)(aa), by inserting ''or permanent partnership'' after ''marriage'';

(ii) in subclause (I)(bb), by inserting ''or permanent partnership'' after ''marriage'' the first place it appears; and

(iii) in subclause (II)(aa), by inserting ''(or the termination of the permanent partnership)'' after ''termination of the marriage''.

(b) IMMIGRATION FRAUD PREVENTION.—Section 204(c) (8 U.S.C. 1154(c)) is amended—

(1) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(2) by inserting ''or permanent partnership'' after ''marriage'' each place it appears.

SEC. 7. ANNUAL ADMISSION OF REFUGEES AND ADMISSION OF EMERGENCY SITUATION REFUGEES.

Section 207(c) (8 U.S.C. 1157(c)) is amended—

(1) in paragraph (2)—

(A) by inserting '', permanent partner,'' after ''spouse'' each place it appears; and

(B) by inserting '', permanent partner's,'' after ''spouse's''; and

(2) in paragraph (4), by inserting '', permanent partner,'' after ''spouse''.

SEC. 8. ASYLUM.

Section 208(b)(3) (8 U.S.C. 1158(b)(3)) is amended—

(1) in the paragraph heading, by inserting '', PERMANENT PARTNER,'' after ''SPOUSE''; and

(2) in subparagraph (A), by inserting '', permanent partner,'' after ''spouse''.

SEC. 9. ADJUSTMENT OF STATUS OF REFUGEES.

Section 209(b)(3) (8 U.S.C. 1159(b)(3)) is amended by inserting '', permanent partner,'' after ''spouse''.

SEC. 10. INADMISSIBLE ALIENS.

(a) CLASSES OF ALIENS INELIGIBLE FOR VISAS OR ADMISSION.—Section 212(a) (8 U.S.C. 1182(a)) is amended—

(1) in paragraph (3)(D)(iv), by inserting ''permanent partner,'' after ''spouse,'';

(2) in paragraph (4)(C)(i)(I), by inserting '', permanent partner,'' after ''spouse'';

(3) in paragraph (6)(E)(ii), by inserting ''permanent partner,'' after ''spouse,''; and

(4) in paragraph (9)(B)(v), by inserting '', permanent partner,'' after ''spouse''.

(b) WAIVERS.—Section 212(d) (8 U.S.C. 1182(d)) is amended—

(1) in paragraph (11), by inserting ''permanent partner,'' after ''spouse,''; and

(2) in paragraph (12), by inserting '', permanent partner,'' after ''spouse''.

(c) WAIVERS OF INADMISSIBILITY ON HEALTH-RELATED GROUNDS.—Section 212(g)(1)(A) (8 U.S.C. 1182(g)(1)(A)) is amended by inserting '', permanent partner,'' after ''spouse''.

(d) WAIVERS OF INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS.—Section 212(h)(1)(B) (8 U.S.C. 1182(h)(1)(B)) is amended by inserting ''permanent partner,'' after ''spouse,''.

(e) WAIVER OF INADMISSIBILITY FOR MISREPRESENTATION.—Section 212(i)(1) (8 U.S.C. 1182(i)(1)) is amended by inserting ''permanent partner,'' after ''spouse,''.

SEC. 11. NONIMMIGRANT STATUS FOR PERMANENT PARTNERS AWAITING THE AVAILABILITY OF AN IMMIGRANT VISA.

Section 214(r) (8 U.S.C. 1184(r)) is amended—

(1) in paragraph (1), by inserting ''or permanent partner'' after ''spouse''; and

(2) in paragraph (2), by inserting ''or permanent partnership'' after ''marriage'' each place it appears.

SEC. 12. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN ALIEN SPOUSES, PERMANENT PARTNERS, AND SONS AND DAUGHTERS.

(a) SECTION HEADING.—

(1) IN GENERAL.—The heading for section 216 (8 U.S.C. 1186a) is amended by striking ''AND SONS'' and inserting '', PERMANENT PARTNERS, SONS,''.

(2) CLERICAL AMENDMENT.—The table of contents is amended by amending the item relating to section 216 to read as follows:

''Sec. 216. Conditional permanent resident status for certain alien spouses, permanent partners, sons, and daughters.''.

(b) IN GENERAL.—Section 216(a) (8 U.S.C. 1186a(a)) is amended—

(1) in paragraph (1), by inserting ''or permanent partner'' after ''spouse''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting ''or permanent partner'' after ''spouse'';

(B) in subparagraph (B), by inserting ''permanent partner,'' after ''spouse,''; and

(C) in subparagraph (C), by inserting ''permanent partner,'' after ''spouse,''.

(c) TERMINATION OF STATUS IF FINDING THAT QUALIFYING MARRIAGE IMPROPER.—Section 216(b) (8 U.S.C. 1186a(b)) is amended—

(1) in the subsection heading, by inserting ''OR PERMANENT PARTNERSHIP'' after ''MARRIAGE''; and

(2) in paragraph (1)(A)—

(A) by inserting ''or permanent partnership'' after ''marriage''; and

(B) in clause (ii)—

(i) by inserting ''or has ceased to satisfy the criteria for being considered a permanent partnership under this Act,'' after ''terminated,''; and

(ii) by inserting ''or permanent partner'' after ''spouse''.

(d) REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.—Section 216(c) (8 U.S.C. 1186a(c)) is amended—

(1) in paragraphs (1), (2)(A)(ii), (3)(A)(ii), (3)(C), (4)(B), and (4)(C), by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(2) in paragraph (3)(A), (3)(D), (4)(B), and (4)(C), by inserting ''or permanent partnership'' after ''marriage'' each place it appears.

(e) CONTENTS OF PETITION.—Section 216(d)(1) (8 U.S.C. 1186a(d)(1)) is amended—

(1) in subparagraph (A)—

(A) in the heading, by inserting ''OR PERMANENT PARTNERSHIP'' after ''MARRIAGE'';

(B) in clause (i)—

(i) by inserting ''or permanent partnership'' after ''marriage'';

(ii) in subclause (I), by inserting before the comma at the end '', or is a permanent partnership recognized under this Act''; and

(iii) in subclause (II)—

(I) by inserting ''or has not ceased to satisfy the criteria for being considered a permanent partnership under this Act,'' after ''terminated,''; and

(II) by inserting ''or permanent partner'' after ''spouse''; and

(C) in clause (ii), by inserting ''or permanent partner'' after ''spouse''; and

(2) in subparagraph (B)(i)—

(A) by inserting ''or permanent partnership'' after ''marriage''; and

(B) by inserting ''or permanent partner'' after ''spouse''.

(f) DEFINITIONS.—Section 216(g) (8 U.S.C. 1186a(g)) is amended—

(1) in paragraph (1)—

(A) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(B) by inserting ''or permanent partnership'' after ''marriage'' each place it appears;

(2) in paragraph (2), by inserting ''or permanent partnership'' after ''marriage'';

(3) in paragraph (3), by inserting ''or permanent partnership'' after ''marriage''; and

(4) in paragraph (4)—

(A) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(B) by inserting ''or permanent partnership'' after ''marriage''.

SEC. 13. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN ALIEN ENTREPRENEURS, SPOUSES, PERMANENT PARTNERS, AND CHILDREN.

(a) IN GENERAL.—Section 216A (8 U.S.C. 1186b) is amended—

(1) in the section heading, by inserting '', PERMANENT PARTNERS,'' after ''SPOUSES''; and

(2) in paragraphs (1), (2)(A), (2)(B), and (2)(C), by inserting ''or permanent partner'' after ''spouse'' each place it appears.

(b) TERMINATION OF STATUS IF FINDING THAT QUALIFYING ENTREPRENEURSHIP IMPROPER.—Section 216A(b)(1) (8 U.S.C. 1186b(b)(1)) is amended by inserting ''or permanent partner'' after ''spouse'' in the matter following subparagraph (C).

(c) REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.—Section 216A(c) (8 U.S.C. 1186b(c)) is amended, in paragraphs (1), (2)(A)(ii), and (3)(C), by inserting ''or permanent partner'' after ''spouse''.

(d) DEFINITIONS.—Section 216A(f)(2) (8 U.S.C. 1186b(f)(2)) is amended by inserting ''or permanent partner'' after ''spouse'' each place it appears.

(e) CLERICAL AMENDMENT.—The table of contents is amended by amending the item relating to section 216A to read as follows:

''Sec. 216A. Conditional permanent resident status for certain alien entrepreneurs, spouses, permanent partners, and children.''.

SEC. 14. DEPORTABLE ALIENS.

Section 237(a)(1) (8 U.S.C. 1227(a)(1)) is amended—

(1) in subparagraph (D)(i), by inserting ''or permanent partners'' after ''spouses'' each place it appears;

(2) in subparagraphs (E)(ii), (E)(iii), and (H)(i)(I), by inserting ''or permanent partner'' after ''spouse'';

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

''(F) PERMANENT PARTNERSHIP FRAUD.—An alien shall be considered to be deportable as having procured a visa or other documentation by fraud (within the meaning of section 212(a)(6)(C)(i)) and to be in the United States in violation of this Act (within the meaning of subparagraph (B)) if—

''(i) the alien obtains any admission to the United States with an immigrant visa or other documentation procured on the basis of a permanent partnership entered into less than 2 years before such admission and which, within 2 years subsequent to such admission, is terminated because the criteria for permanent partnership are no longer fulfilled, unless the alien establishes to the satisfaction of the Secretary of Homeland Security that such permanent partnership was not contracted for the purpose of evading any provision of the immigration laws; or

''(ii) it appears to the satisfaction of the Secretary of Homeland Security that the alien has failed or refused to fulfill the alien's permanent partnership, which the Secretary of Homeland Security determines was made for the purpose of procuring the alien's admission as an immigrant.''; and

(4) in paragraphs (2)(E)(i) and (3)(C)(ii), by inserting ''or permanent partner'' after ''spouse'' each place it appears.

SEC. 15. REMOVAL PROCEEDINGS.

Section 240 (8 U.S.C. 1229a) is amended—

(1) in the heading of subsection (c)(7)(C)(iv), by inserting ''PERMANENT PARTNERS,'' after ''SPOUSES,''; and

(2) in subsection (e)(1), by inserting ''permanent partner,'' after ''spouse,''.

SEC. 16. CANCELLATION OF REMOVAL; ADJUSTMENT OF STATUS.

Section 240A(b) (8 U.S.C. 1229b(b)) is amended—

(1) in paragraph (1)(D), by inserting ''or permanent partner'' after ''spouse''; and

(2) in paragraph (2)—

(A) in the paragraph heading, by inserting '', PERMANENT PARTNER,'' after ''SPOUSE''; and

(B) in subparagraph (A), by inserting '', permanent partner,'' after ''spouse'' each place it appears.

SEC. 17. ADJUSTMENT OF STATUS OF NONIMMIGRANT TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE.

(a) PROHIBITION ON ADJUSTMENT OF STATUS.—Section 245(d) (8 U.S.C. 1255(d)) is amended by inserting ''or permanent partnership'' after ''marriage''.

(b) AVOIDING IMMIGRATION FRAUD.—Section 245(e) (8 U.S.C. 1255(e)) is amended—

(1) in paragraph (1), by inserting ''or permanent partnership'' after ''marriage''; and

(2) by adding at the end the following:

''(4)(A) Paragraph (1) and section 204(g) shall not apply with respect to a permanent partnership if the alien establishes by clear and convincing evidence to the satisfaction of the Secretary of Homeland Security that—

''(i) the permanent partnership was entered into in good faith and in accordance with section 101(a)(52);

''(ii) the permanent partnership was not entered into for the purpose of procuring the alien's admission as an immigrant; and

''(iii) no fee or other consideration was given (other than a fee or other consideration to an attorney for assistance in preparation of a lawful petition) for the filing of a petition under section 204(a) or 214(d) with respect to the alien permanent partner.

''(B) The Secretary shall promulgate regulations that provide for only 1 level of administrative appellate review for each alien under subparagraph (A).''.

(c) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS PAYING FEE.—Section 245(i)(1)(B) (8 U.S.C. 1255(i)(1)(B)) is amended by inserting '', permanent partner,'' after ''spouse''.

SEC. 18. APPLICATION OF CRIMINAL PENALTIES TO FOR MISREPRESENTATION AND CONCEALMENT OF FACTS REGARDING PERMANENT PARTNERSHIPS.

Section 275(c) (8 U.S.C. 1325(c)) is amended to read as follows:

''(c) Any individual who knowingly enters into a marriage or permanent partnership for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined not more than $250,000, or both.''.

SEC. 19. REQUIREMENTS AS TO RESIDENCE, GOOD MORAL CHARACTER, ATTACHMENT TO THE PRINCIPLES OF THE CONSTITUTION.

Section 316(b) (8 U.S.C. 1427(b)) is amended by inserting '', permanent partner,'' after ''spouse''.

SEC. 20. NATURALIZATION FOR PERMANENT PARTNERS OF CITIZENS.

(a) IN GENERAL.—Section 319 (8 U.S.C. 1430) is amended—

(1) in subsection (a)—

(A) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(B) by inserting ''or permanent partnership'' after ''marital union'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''or permanent partner'' after ''spouse''; and

(B) in paragraph (3), by inserting ''or permanent partner'' after ''spouse'';

(3) in subsection (d)—

(A) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(B) by inserting ''or permanent partnership'' after ''marital union'';

(4) in subsection (e)(1)—

(A) by inserting ''or permanent partner'' after ''spouse'';

(B) by inserting ''by the Secretary of Defense'' after ''is authorized''; and

(C) by inserting ''or permanent partnership'' after ''marital union''; and

(5) in subsection (e)(2), by inserting ''or permanent partner'' after ''spouse''.

(b) SAVINGS PROVISION.—Section 319(e) (8 U.S.C. 1430(e)) is amended by adding at the end the following:

''(3) Nothing in this subsection may be construed to confer a right for an alien to accompany a member of the Armed Forces of the United States or to reside abroad with such member, except as authorized by the Secretary of Defense in the member's official orders.''.

SEC. 21. APPLICATION OF FAMILY UNITY PROVISIONS TO PERMANENT PARTNERS OF CERTAIN LIFE ACT BENEFICIARIES.

Section 1504 of the LIFE Act Amendments of 2000 (division B of Public Law 106–554; 114 Stat. 2763–325) is amended—

(1) in the heading, by inserting '', **PERMANENT PARTNERS,**'' after ''**SPOUSES**'';

(2) in subsection (a), by inserting '', permanent partner,'' after ''spouse''; and

(3) in each of subsections (b) and (c)—

(A) in each of the subsection headings, by inserting '', PERMANENT PARTNERS,'' after ''SPOUSES''; and

(B) by inserting '', permanent partner,'' after ''spouse'' each place it appears.

SEC. 22. APPLICATION TO CUBAN ADJUSTMENT ACT.

(a) IN GENERAL.—The first section of Public Law 89–732 (8 U.S.C. 1255 note) is amended—

(1) in the next to last sentence, by inserting '', permanent partner,'' after ''spouse'' the first 2 places it appears; and

(2) in the last sentence, by inserting '', permanent partners,'' after ''spouses''.

(b) CONFORMING AMENDMENT.—Section 101(a)(51)(D) (8 U.S.C. 1101(a)(51)(D)) is amended by striking ''or spouse'' and inserting '', spouse, or permanent partner''.

By Ms. LANDRIEU:

S. 311. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. LANDRIEU. Mr. President, I rise today to introduce legislation entitled the Lower Mississippi River National Historic Site Study Act. This bill will direct the Secretary of the Interior to study the suitability and feasibility of designating sites in Plaquemines Parish along the Lower Mississippi River Area as units of the National Park System. I know there are several of my colleagues across the aisle that do not want to authorize such studies because they only target one area, or because it potentially will cost the Federal Government a modest amount to conduct such a study. I can appreciate those sentiments, but the good news with this particular study, is that the local government feels this is so important to get done, they are willing to pay for all or some of the study if necessary, because they know these sites deserve Federal recognition as a unit of the National Park Service.

This area in Southeastern Louisiana has contributed much to our Nation's history, and there are many stories that have yet to be preserved for future generations. Unless Congress acts to preserve these historical assets, they will be lost forever. That is why I am again for the fourth time, introducing this legislation. It is important that this legislation become law and I look forward to working with my colleagues to enact it.

In order to be designated as a unit in the National Park System, the Department of the Interior must first conduct a special resources study to determine whether an area possesses nationally significant natural, cultural or recreational resources to be eligible for favorable consideration.

This is exactly what my bill does—it asks the Department of the Interior to take the first step in determining what I already know—that the Lower Mississippi River Area would be a suitable and feasible asset to the National Park Service.

As many from Louisiana are already aware, this area has vast historical significance with cultural history. In the 1500s, Spanish explorers traveled along the banks of the river. In 1682, Robert de LaSalle claimed all the land drained by the area. In 1699, the site of the first fortification on the Lower Mississippi river, known as Fort Mississippi. Since then, it has been home to ten different fortifications, including Fort St. Phillip and Fort Jackson.

Fort St. Philip, which was originally built in 1749, played a key role during the Battle of New Orleans when American soldiers blocked the British Navy from going upriver. Fort Jackson was built at the request of General Andrew Jackson and partially constructed by famous local Civil War General, P.G.T. Beauregard. This fort was the site of the famous Civil War battle known as the ''Battle of Forts'' which is also referred to as the ''night the war was lost.'' As you can see, from a historical perspective, this area has many treasures that provide a glimpse into our past. These are treasures that have national significance and they should be maintained and preserved.

In addition, there are many other important and unique attributes to this area. This area is home to the longest continuous river road and levee system in the U.S. It is also home to the ancient Head of Passes site, to the Plaquemines Bend, and to two National Wildlife Refuges.

Finally, this area has a rich cultural heritage. Over the years, many different cultures have made this area home, including Creoles, Europeans, Indians, Yugoslavs, African-Americans and Vietnamese. These cultures have worked together to create the infrastructure for the transport of our Nation's energy, which is being produced by these same people off our shores in the Gulf of Mexico. They have also created a vibrant fishing industry that contributes to Louisiana's economy.

I think it is easy to see why this area would make an excellent addition to the National Park Service. However, the longer Congress takes to act, the greater the opportunity for these treasures and their rich history to erode away. Unfortunately, this area has weathered the passing of several hurricanes, including Katrina and most recently Isaac, and is now suffering from the impacts of the BP oil spill. All of these events threaten to destroy these historical assets, but this need not be the case. These assets need protection and this is the first step in securing it. That is why I am re-introducing this bill—to conduct a study to determine the suitability and feasibility of including this area in the system and ultimately to begin the process of adding this area as a unit of the National Park Service. I look forward to working with my colleagues to quickly enact this bill.

By Mr. JOHANNS (for himself and Mrs. FISCHER):

S. 317. A bill to require the Inspector General of the Environmental Protection Agency to include certain assessments in reports; to the Committee on Environment and Public Works.

Mr. JOHANNS. Mr. President, I rise today to discuss changes needed at the Environmental Protection Agency to rebuild public trust and transparency.

The reviews of this agency are almost unanimous from my constituents in Nebraska. Quite frankly, my constituents are frustrated, and sometimes just plain angry. While the details and specific issues will vary from one industry to another, the theme seems to always be the same: Nebraskans think EPA doesn't understand domestic businesses, nor do they understand job creation—from specific industries, to their employees, to their customers. They think the agency is not transparent, is arrogant, and oftentimes unresponsive. I hear this from ag producers, I hear it from the construction industry, I hear it from electricity providers, I hear it from city managers and mayors.

Do you know what else. These folks don't speak with an R or a D beside their name but, rather, an A for American. Their message is loud, it is very clear, and it is unmistakable: EPA is overreaching, overbearing, and overstepping boundaries that have long existed. The request is always the same. They ask: Senator, what can you do? What can you do to change how they act?

Nebraskans' frustration is driven by both what EPA is trying to do—meaning the content of their rules and standards—as well as how the agency is making its decisions. So today I will be introducing several proposals to address these two areas.

My first proposal addresses how EPA conducts business by increasing transparency in policy decisions. I am introducing a bill that brings agency guidance documents under the coverage of the Congressional Review Act. As currently written, the CRA covers only substantial agency rules. Meanwhile, EPA has made use of what they call guidance documents to simply circumvent the accountability that comes with the rulemaking process, while still making major policy changes. Using guidance documents also shields the policy change from being reversed by Congress under the Congressional Review Act.

Perhaps, though, the most obvious example was the use of a guidance document to expand the regulatory reach of EPA and the Corps of Engineers over bodies of water not currently covered. They did this by expanding the definition of ''waters of the United States'' under the Clean Water Act. The changes are extremely controversial, so the agencies chose a path that intentionally minimized oversight and legal responsibility. In other words, they did an end-run around us—they did an end-run around the American people and Congress.

My bill closes this loophole by ensuring that guidance documents are covered by the Congressional Review Act just as similar regulations would be.

Senators Barrasso, Grassley, Paul, Coats, and Fischer have agreed to cosponsor this commonsense change, and I want to say thank you to them for this critical support.

The idea behind this is simple and straightforward: Major policy changes pursued through the use of guidance documents need to come here. They need to have our scrutiny, the scrutiny of the public, and the congressional oversight rules need to apply. It is that straightforward.

My second proposal likewise promotes transparency by addressing how the agency responds to our States. It says simply this: If a State is developing its plan to implement a rule or a standard established by the EPA under the Clean Air Act, any reasonable request that a State makes to the agency for technical support, data, or modeling must be honored.

Here is why this is important: State governments are equal partners in much of the work the EPA does. That is the law. In fact, the law specifically recognizes the prominent role States have. Section 101 of the Clean Air Act, for example, notes that:

> . . . air pollution control at its source is the primary responsibility of States and local governments.

The law further declares that its purpose is, in part:

> . . . to provide technical and financial assistance to State and local governments in connection with the development and execution of their air pollution prevention and control programs.

Also, section 101 of the Federal Water Pollution Control Act declares:

> It is the policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution . . .

Unfortunately, the EPA is not honoring that language—although it is abundantly clear—and is instead treating State agencies as second-class citizens. For evidence of this, we need look no farther than the text of a recent court opinion.

In a case last year involving the Clean Air Act, the DC Circuit Court of Appeals ultimately struck down an EPA rule known as the Cross-State Air Pollution Rule or the transport rule. Here is what the court said:

> (t)he Federal Government sets air quality standards for pollutants. The States have the primary responsibility for determining how to meet those standards and regulating sources within their borders.

Well, the trouble, according to the opinion, is that the EPA ignored the law. That is truly what the court ruled: EPA snubbed their nose at us, Congress, and therefore the law. It did not give the States the time needed to develop a plan to meet the standards. Instead, EPA tried to force-feed States the implementation plan EPA developed.

I can say with some certainty that my home State of Nebraska is much better off when allowed to develop a plan tailored to our State, rather than to accept a ''one size fits all,'' ''my way or the highway,'' overreaching Federal plan.

The court explained it this way:

> . . . (t)he Clean Air Act affords States the initial opportunity to implement reductions required by EPA under the good neighbor provision. But here, where EPA quantified States' good neighbor obligations, it did not allow the States the initial opportunity to implement the required reductions with respect to sources within their borders.

The court's conclusion in turn was absolutely and abundantly clear:

> . . . EPA's Transport Rule violates federal law. Therefore, the rule must be vacated.

That is the holding of the court.

My bill targets the relationship between EPA and the States, and takes steps to restore the equal footing that has been eroded over the past several years by the EPA. My bill says, very simply, if a State has a question about the data or the modeling driving a standard, the EPA cannot shut them out or slow-walk their request. They have to be responsive. So no more hiding the ball, as the saying goes, just simple transparency and a true partner working relationship.

The third good government bill I am introducing addresses broad frustration with what I would call the EPA bombshells. By that I mean the agency's failure to obey current law directing them to publish regulatory agendas. This is remarkable. It is remarkable that EPA continues to struggle with telling the public what rules are coming. But they do.

As a child, I always enjoyed birthday parties and all the surprises. But EPA regulations are no party for people, and they shouldn't come as a surprise.

Well, it turns out that several executive orders and existing statutes instruct EPA to tell the public what exactly is on its regulatory agenda. Section 602 of the Regulatory Flexibility

Act, for example, requires the agencies to publish:

During the months of October and April of each year . . . a regulatory flexibility agenda which shall contain a brief description of the subject area of any rule which the agency expects to propose . . .

Also, Executive Order 12866 requires the EPA to update its regulatory agenda twice a year.

These updates are supposed to be published in a document known as the Unified Agenda. It seems clear to me; unfortunately, not clear to EPA. EPA has ignored these requirements. It failed to publish an agenda in the spring of 2012, it published nothing in October, and then waited until December 2012 to publish anything at all. That is not acceptable. The administration simply played hide-the-ball until after the election.

My bill instructs the EPA Office of Inspector General—known as EPA's OIG—to assess whether EPA obeys the law and publishes its regulatory agenda according to deadlines. The OIG is tasked with reviewing what EPA does and reporting on problems, abuses, and efficiencies. My legislation simply directs the OIG to include in its reports a tally of whether EPA has met its legal requirements to publish planned regulations.

My point here is that EPA simply needs to meet its legal requirements. It needs to be transparent, which means simply to be honest with the American people about new regulations it is planning.

My fourth and final EPA bill puts some teeth behind my request that the agency deal with the American people in an honest way. It shouldn't be needed, but it is. It simply says we will reduce EPA's budget if the agency fails to meet its legal deadlines for regulatory agenda setting. If a deadline passes and the agency has not published its agenda, then the Office of the Administrator loses $20,000 per week until the deadline is met. If this approach sounds familiar, that is because this bill is modeled after a provision in the highway bill that passed with substantial bipartisan margins in both the Senate and the House last year. Section 1306 of the highway bill authorizes the rescission of $20,000 per week from agencies that fail to complete documents required by transportation projects. The rationale is straightforward and accepted by Congress: If an agency does not complete its work according to reasonable schedules, then the budget gets decreased.

I have outlined four commonsense solutions designed to respond to reasonable concerns of real people and to respond to their heartfelt frustration with this agency. But, above all, they promote transparency and they promote responsible government.

I urge my colleagues to assist and cosponsor these proposals that bring transparency and a dose of reality to an out-of-control Federal agency.

By Mr. DURBIN (for himself and Mr. COCHRAN):

S. 323. A bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions; to the Committee on Finance.

Mr. DURBIN. Mr. President, today I am introducing the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act with my colleague Senator THAD COCHRAN.

More than 26 million American adults are living with chronic kidney disease. Fortunately, many of these individuals are able to improve their condition through medication and lifestyle change.

But more than half of a million Americans live with irreversible kidney failure or end-stage renal disease. They have only two choices to survive—both of them hard. They can receive regular and frequent dialysis or they can receive a kidney transplant.

In 1972, Congress made a commitment to individuals with end-stage renal disease, or ERSD, to cover the treatment they needed, including possible transplants, under Medicare, regardless of their age.

Organ transplantation is a medical success story. Thousands of kidney transplants are done every year, and for the patients fortunate enough to receive a donated organ, the quality and length of their lives can be dramatically improved.

But not everyone who needs a donated kidney receives one. There are currently more than 100,000 Americans on the waiting list for a kidney transplant.

Last year, 15,000 transplants were performed while more than 30,000 people were added to that waitlist.

Derek Haney is one of the lucky ones who beat those odds and received a kidney transplant.

Derek is a brave young man raised in Effingham, IL, a small city in central Illinois.

In 2008 the unexpected happened. Derek became chronically ill. After regular trips to the hospital, Derek's doctors discovered that his kidneys were only functioning at 10 percent. At the age of 23, Derek was diagnosed with end stage renal disease.

For the next two and a half years of his life, Derek underwent dialysis. Three times a week he would go in a 4-hour dialysis treatment, while he waited for a kidney. The dialysis treatments meant that Derek had to put his college plans on hold, but he continued to work full-time and never gave up hope.

On July 15, 2010, Derek got his new kidney.

Two and a half years later, Derek is still healthy. He is pursuing a degree in business administration at a local community college. He hopes to transfer soon to a university where he can work toward a CPA license.

Fortunately for Derek and his family, Medicare covered the expense of dialysis—more than $75,000 a year for 2½ years. Medicare also paid for Derek's kidney transplant at a cost of about $110,000.

For the last two and a half years, Medicare has covered the expensive immunosuppressive medication Derek must take for the rest of his life to ensure that his body doesn't reject his new kidney.

Here's the problem: Derek's Medicare coverage runs out in July.

Without Medicare coverage, Derek will be burdened with prescription drug costs of roughly $1500 per month—more than he and almost any family could afford.

There is an unfair and unrealistic gap in coverage for people with end stage renal disease who, like Derek, are neither elderly nor disabled.

For those transplant recipients, Medicare coverage, including coverage of immunosuppressive drugs, ends 36 months after transplantation.

If only the need to continue the immunosuppressive drugs also ended 36 months after transplantation. But it doesn't.

Without immunosuppressive drugs to prevent rejection, many patients find themselves back in a risky and frightening place—in need of a new kidney.

A recent New England Journal of Medicine report estimates that extending immunosuppressive drug coverage to people who now lose it after 36 months will save Medicare approximately $200 million a year by helping to prevent kidney rejections.

Extending immunosuppressive drug coverage saves lives and it saves money.

Sadly, Derek isn't alone. It is estimated that over 45,000 successful transplant recipients are at risk of losing their immunosuppressive drug coverage.

This makes no sense morally, medically or economically.

I am pleased to join my Republican colleague, Senator COCHRAN, in introducing the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act.

This bipartisan legislation would allow kidney transplant recipients to continue Medicare coverage for the purpose of immunosuppressive drugs only. All other Medicare coverage would end 36 months after the transplant.

Our legislation will reduce the need for dialysis and repeated kidney transplants. It will provide reliable, sustained access to critically important, life-saving medications for thousands of Americans.

In both moral and economic terms, this is the right decision and I urge our colleagues to join us in passing this reasonable, targeted, lifesaving bill.

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. 323

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 ''Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2013''.

SEC. 2. EXTENDED MONTHS OF COVERAGE OF IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT PATIENTS AND OTHER RENAL DIALYSIS PROVISIONS.

(a) MEDICARE ENTITLEMENT TO IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT RECIPIENTS.—

(1) KIDNEY TRANSPLANT RECIPIENTS.—Section 226A(b)(2) of the Social Security Act (42 U.S.C. 426–1(b)(2)) is amended by inserting ''(except for eligibility for enrollment under part B solely for purposes of coverage of immunosuppressive drugs described in section 1861(s)(2)(J))'' before '', with the thirty-sixth month''.

(2) INDIVIDUALS ELIGIBLE ONLY FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—

(A) Section 1836 of the Social Security Act (42 U.S.C. 1395o) is amended—

(i) by striking ''Every'' and inserting ''(a) IN GENERAL.—Every''; and

(ii) by inserting at the end the following new subsection:

''(b) INDIVIDUALS ELIGIBLE FOR IMMUNOSUPPRESSIVE DRUG COVERAGE.—Beginning on January 1, 2014, every individual whose insurance benefits under part A have ended (whether before, on, or after such date) by reason of section 226A(b)(2) is eligible for enrollment in the insurance program established by this part solely for purposes of coverage of immunosuppressive drugs.''.

(B) CONFORMING AMENDMENT.—Sections 1837, 1838, and 1839 of the Social Security Act (42 U.S.C. 1395(p), 42 U.S.C. 1395(q), 42 U.S.C. 1395(r)) are each amended by striking ''1836'' and inserting ''1836(a)'' each place it appears.

(3) ENROLLMENT FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1837 of the Social Security Act (42 U.S.C. 1395(p)) is amended by adding at the end the following new subsection:

''(m)(1) Any individual who is eligible under section 1836(b) to enroll in the medical insurance program established under this part for purposes of coverage of immunosuppressive drugs may enroll only in such manner and form as may be prescribed by regulations, and only during an enrollment period described in this subsection.

''(2) An individual described in paragraph (1) may enroll beginning on the first day of the third month before the month in which the individual first satisfies section 1836(b).

''(3) An individual described in paragraph (1) whose entitlement for hospital insurance benefits under part A ends by reason of section 226A(b)(2) on or after January 1, 2014, shall be deemed to have enrolled in the medical insurance program established by this part for purposes of coverage of immunosuppressive drugs.''.

(4) COVERAGE PERIOD FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—

(A) IN GENERAL.—Section 1838 of the Social Security Act (42 U.S.C. 1395q) is amended by adding at the end the following new subsection:

''(g) In the case of an individual described in section 1836(b), the following rules shall apply:

''(1) In the case of such an individual who is deemed to have enrolled in part B for coverage of immunosuppressive drugs under section 1837(m)(3), such individual's coverage period shall begin on the first day of the month in which the individual first satisfies section 1836(b).

''(2) In the case of such an individual who enrolls in part B for coverage of immunosuppressive drugs under section 1837(m)(2), such individual's coverage period shall begin on the first day of the month in which the individual first satisfies section 1836(b) or the month following the month in which the individual so enrolls, whichever is later.

''(3) The provisions of subsections (b) and (d) shall apply with respect to an individual described in paragraph (1) or (2).

''(4) In addition to the reasons for termination under subsection (b), the coverage period of an individual described in paragraph (1) or (2) shall end when the individual becomes entitled to benefits under this title under section 226(a), 226(b), or 226A.''.

(B) CONFORMING AMENDMENTS.—Section 1838(b) of the Social Security Act (42 U.S.C. 1395q(b)) is amended, in the matter following paragraph (2), by adding ''or section 1837(m)(3)'' after ''section 1837(f)'' each place it appears.

(5) PREMIUMS FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1839 of the Social Security Act (42 U.S.C. 1395r) is amended—

(A) in subsection (b), by adding at the end the following new sentence: ''No increase in the premium shall be effected for individuals who are enrolled pursuant to section 1836(b) for coverage only of immunosuppressive drugs.''; and

(B) by adding at the end the following new subsection:

''(j) DETERMINATION OF PREMIUM FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—The Secretary shall, during September of each year, determine and promulgate a monthly premium rate for the succeeding calendar year for individuals who enroll only for the purpose of coverage of immunosuppressive drugs under section 1836(b). Such premium shall be equal to 35 percent of the monthly actuarial rate for enrollees age 65 and over, determined according to paragraph (1), for that succeeding calendar year. The monthly premium of each individual enrolled for coverage of immunosuppressive drugs under section 1836(b) for each month shall be the amount promulgated in this subsection. Such amount shall be adjusted in accordance with subsections (c) and (f).''.

(6) GOVERNMENT CONTRIBUTION.—Section 1844(a) of the Social Security Act (42 U.S.C. 1395w(a)) is amended—

(A) in paragraph (3), by striking the period at the end and inserting ''; plus'';

(B) by adding at the end the following new paragraph:

''(4) a Government contribution equal to the estimated aggregate reduction in premiums payable under part B that results from establishing the premium at 35 percent of the actuarial rate under section 1839(j) instead of 50 percent of the actuarial rate for individuals who enroll only for the purpose of coverage of immunosuppressive drugs under section 1836(b).''; and

(C) by adding at the end the following flush matter:

''The Government contribution under paragraph (4) shall be treated as premiums payable and deposited for purposes of subparagraphs (A) and (B) of paragraph (1).''.

(7) EXTENSION OF SECONDARY PAYER REQUIREMENTS FOR ESRD BENEFICIARIES ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1862(b)(1)(C) of the Social Security Act (42 U.S.C. 1395(y)(b)(1)) is amended by adding at the end the following new sentence: ''With regard to immunosuppressive drugs furnished to an individual who enrolls for the purpose of coverage of immunosuppressive drugs under section 1836(b) on or after January 1, 2014, this subparagraph shall apply without regard to any time limitation, except that when such individual becomes entitled to benefits under this title under sections 226(a) or 226(b), or entitled to or eligible for benefits under this title under section 226A, the provisions of subparagraphs (A) and (B), and the time limitations under this subparagraph, respectively, shall apply.''.

(8) ENSURING COVERAGE UNDER THE MEDICARE SAVINGS PROGRAM.—Section 1905(p)(1)(A) of the Social Security Act (42 U.S.C. 1396d(p)(1)(A)) is amended by inserting ''or an individual who is enrolled under part B for the purpose of coverage of immunosuppressive drugs under section 1836(b)'' after ''section 1818''.

(9) PART D.—Section 1860D–1(a)(3)(A) of the Social Security Act (42 U.S.C. 1395w–101(a)(3)(A)) is amended by inserting ''(but not including an individual enrolled solely for coverage of immunosuppressive drugs under section 1836(b))'' before the period at the end.

By Mr. CORNYN (for himself, Mr. MCCONNELL, Mr. ROBERTS, Mr. HATCH, Mr. COCHRAN, Mr. GRASSLEY, Mr. SHELBY, Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Ms. COLLINS, Mr. ENZI, Mr. CRAPO, Ms. MURKOWSKI, Mr. CHAMBLISS, Mr. GRAHAM, Mr. ALEXANDER, Mr. BURR, Mr. COBURN, Mr. THUNE, Mr. ISAKSON, Mr. VITTER, Mr. CORKER, Mr. BARRASSO, Mr. WICKER, Mr. JOHANNS, Mr. RISCH, Mr. KIRK, Mr. COATS, Mr. BLUNT, Mr. MORAN, Mr. PORTMAN, Mr. BOOZMAN, Mr. TOOMEY, Mr. HOEVEN, Mr. RUBIO, Mr. JOHNSON of Wisconsin, Mr. PAUL, Mr. LEE, Ms. AYOTTE, Mr. HELLER, Mr. SCOTT, Mr. FLAKE, Mr. CRUZ, and Mrs. FISCHER):

S.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

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

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

S.J. RES. 7

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE—

''SECTION 1. Total outlays for any fiscal year shall not exceed total receipts for that fiscal year, unless two-thirds of the duly chosen and sworn Members of each House of Congress shall provide by law for a specific excess of outlays over receipts by a roll call vote.

''SECTION 2. Total outlays for any fiscal year shall not exceed 18 percent of the gross domestic product of the United States for the calendar year ending before the beginning of such fiscal year, unless two-thirds of the duly chosen and sworn Members of each House of Congress shall provide by law for a specific amount in excess of such 18 percent by a roll call vote.

''SECTION 3. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year in which—

''(1) total outlays do not exceed total receipts; and

''(2) total outlays do not exceed 18 percent of the gross domestic product of the United States for the calendar year ending before the beginning of such fiscal year.

''SECTION 4. Any bill that imposes a new tax or increases the statutory rate of any tax or the aggregate amount of revenue may pass only by a two-thirds majority of the duly chosen and sworn Members of each House of Congress by a roll call vote. For the purpose of determining any increase in revenue under this section, there shall be excluded any increase resulting from the lowering of the statutory rate of any tax.

''SECTION 5. The limit on the debt of the United States shall not be increased, unless three-fifths of the duly chosen and sworn Members of each House of Congress shall provide for such an increase by a roll call vote.

''SECTION 6. The Congress may waive the provisions of sections 1, 2, 3, and 5 of this article for any fiscal year in which a declaration of war against a nation-state is in effect and in which a majority of the duly chosen and sworn Members of each House of Congress shall provide for a specific excess by a roll call vote.

''SECTION 7. The Congress may waive the provisions of sections 1, 2, 3, and 5 of this article in any fiscal year in which the United States is engaged in a military conflict that causes an imminent and serious military threat to national security and is so declared by three-fifths of the duly chosen and sworn Members of each House of Congress by a roll call vote. Such suspension must identify and be limited to the specific excess of outlays for that fiscal year made necessary by the identified military conflict.

''SECTION 8. No court of the United States or of any State shall order any increase in revenue to enforce this article.

''SECTION 9. Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except those for repayment of debt principal.

''SECTION 10. The Congress shall have power to enforce and implement this article by appropriate legislation, which may rely on estimates of outlays, receipts, and gross domestic product.

''SECTION 11. This article shall take effect beginning with the fifth fiscal year beginning after its ratification.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 31—CELEBRATING BLACK HISTORY MONTH

Mrs. GILLIBRAND (for herself, Ms. MIKULSKI, Mr. FRANKEN, Ms. LANDRIEU, Mrs. BOXER, Mr. CARDIN, Mr. WHITEHOUSE, Mr. COCHRAN, Mr. LEVIN, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. COONS, Mr. SCHATZ, Mr. BEGICH, Mr. MANCHIN, Mrs. HAGAN, Mrs. SHAHEEN, Mr. CASEY, Mr. BROWN, Mr. WICKER, Mr. UDALL of Colorado, Mr. NELSON, Mr. SCHUMER, Mr. PRYOR, Ms. CANTWELL, Mr. PORTMAN, Mr. ISAKSON, Mr. WYDEN, Mr. WARNER, Mr. MERKLEY, Mr. DURBIN, Mrs. MCCASKILL, Ms. STABENOW, Mrs. FEINSTEIN, Mr. COWAN, and Mr. REED of Rhode Island) submitted the following resolution; which was considered and agreed to:

S. RES. 31

Whereas, in 1776, the United States of America was imagined, as stated in the Declaration of Independence, as a new nation dedicated to the proposition that ''all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness'';

Whereas, on November 19, 1863, President Abraham Lincoln, in reference to the Declaration of Independence, stated, ''Four score and seven years ago our fathers brought forth, upon this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.'';

Whereas the history of the United States includes injustices and the denial of basic, fundamental rights at odds with the words of the founders of the United States and the sacrifices commemorated at Gettysburg, Pennsylvania;

Whereas the injustices committed in the United States include approximately 250 years of slavery, 100 years of lynchings, denial of both fundamental human and civil rights, and withholding of the basic rights of citizenship;

Whereas inequalities and injustices in our society still exist today;

Whereas Sojourner Truth, Frederick Douglass, Harriet Tubman, W.E.B. Dubois, Booker T. Washington, Charles Hamilton Houston, the Tuskegee Airmen, Lena Horne, Ralph Bunche, Jackie Robinson, Constance Baker Motley, James Baldwin, Dorothy Height, Thurgood Marshall, and Shirley Chisholm each lived a life of incandescent greatness while many African Americans lived, toiled, and died in obscurity, never achieving the recognition they deserved, but paved the way for future generations to succeed;

Whereas many African-American men and women worked against racism to achieve success, such as James Beckwourth, Bill Pickett, Colonel Allen Allensworth, Clara Brown, and many others who were pivotal in the exploration and westward expansion of the United States;

Whereas pioneers such as David Dinkins, Mae Jemison, Arthur Ashe, Oprah Winfrey, James Earl Jones, Clarence Thomas, Ursula Burns, Alice Walker, Ronald Brown, Alexis Herman, Kenneth Chenault, and Magic Johnson have all served as positive beneficiaries of our forefathers and as great role models and leaders for future generations;

Whereas, on November 4, 2008, and again on November 6, 2012, the people of the United States elected an African-American man, Barack Obama, as President of the United States, and African Americans continue to serve the United States at the highest levels of the government and Armed Forces;

Whereas Carter G. Woodson, the ''Father of Black History'', stated, ''We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else.' '';

Whereas Black History Month, celebrated during the month of February, dates back to 1926 when Carter G. Woodson set aside a special period of time in February to recognize the heritage and achievement of black Americans;

Whereas, on February 22, 2012, President Barack Obama and First Lady Michelle Obama, along with former First Lady Laura Bush, celebrated the groundbreaking of the National Museum of African American History and Culture on the National Mall in Washington, D.C.;

Whereas Hiram Rhodes Revels, Blanche Kelso Bruce, Edward William Brooke, Carol Moseley Braun, Barack Obama, and Roland Burris have all served as African-American firsts in the exclusive body known as the United States Senate; and

Whereas, on January 2, 2013, Tim Scott became the first African American to serve as Senator of South Carolina, and on February 7, 2013, William ''Mo'' Cowan became the first African American to represent Massachusetts in the Senate since 1978: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges that all of the people of the United States are the recipients of the wealth of history given to us by black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path that lies ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to recognize the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and to understand the experiences that have shaped the United States;

(5) remembers the injustices that African Americans have endured and commends the African-American community for overcoming those injustices and changing the course and nature of history by forging the fight for equality; and

(6) agrees that while the United States began in division, the United States must now move forward with purpose, united tirelessly as one Nation, indivisible, with liberty and justice for all, and honor the contribution of all pioneers who help ensure the legacy of these great United States.

SENATE RESOLUTION 32—CONGRATULATING THE NORTH DAKOTA STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE 2012 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I FOOTBALL CHAMPIONSHIP SUBDIVISION TITLE

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

S. RES. 32

Whereas the North Dakota State University (referred to in this preamble as ''NDSU'') Bison won the 2012 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division I Football Championship Subdivision title game in Frisco, Texas, on January 5, 2013, in a hard fought victory over the Sam Houston State University Bearkats by a score of 39 to 13;

Whereas the NDSU Bison and coach Craig Bohl had an incredible 2012 season with 14 wins and 1 defeat;

Whereas NDSU has won 10 NCAA Football Championships;

Whereas, during the championship game, the NDSU Bison offense scored 39 points against the Sam Houston State Bearkats;

Whereas Coach Bohl and his staff have instilled character and confidence in the NDSU players and have done an outstanding job with the Bison football program;

Whereas the leadership of President Dean Bresciani and Athletic Director Gene Taylor