

By Mr. TESTER (for himself, Mr. MORAN, Mr. UDALL of New Mexico, Mr. BEGICH, Ms. HEITKAMP, Mrs. MURRAY, Mr. HEINRICH, and Mr. WALSH):

S. 2188. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Indian Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. MURRAY (for herself, Mr. BLUNT, Mr. MENENDEZ, Mr. JOHNSON of South Dakota, and Mr. SCHATZ):

S. Res. 405. A resolution expressing support for the designation of the week of March 31 through April 4, 2014, as "National Assistant Principals Week"; considered and agreed to.

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

S. Res. 406. A resolution designating April 4, 2014, as "National Association of Junior Auxiliaries Day"; considered and agreed to.

By Mr. SESSIONS (for himself, Mr. SHELBY, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WALSH, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 407. A resolution honoring former Senator and Rear Admiral Jeremiah Andrew Denton, Jr; considered and agreed to.

ADDITIONAL COSPONSORS

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 113

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

S. 192

At the request of Mr. BARRASSO, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 231

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 231, a bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 539

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 539, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 727

At the request of Mr. MORAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 727, a bill to improve the examination of depository institutions, and for other purposes.

S. 822

At the request of Mr. LEAHY, the names of the Senator from Colorado (Mr. BENNET) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 822, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 917

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced do-

mestically by certain qualifying producers.

S. 945

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 945, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 1011

At the request of Mr. JOHANNES, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1011, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 1116

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1116, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1155

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

S. 1405

At the request of Mr. SCHUMER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1405, a bill to amend title XVIII of the Social Security Act to provide for an extension of certain ambulance add-on payments under the Medicare program.

S. 1431

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1468

At the request of Mr. BROWN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1468, a bill to require the Secretary of Commerce to establish the Network for Manufacturing Innovation and for other purposes.

S. 1803

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1803, a bill to require certain protections for student loan borrowers, and for other purposes.

S. 1862

At the request of Mr. BLUNT, the name of the Senator from New Jersey

(Mr. BOOKER) was added as a cosponsor of S. 1862, a bill to grant the Congressional Gold Medal, collectively, to the Monuments Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

S. 1961

At the request of Mr. MANCHIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1961, a bill to protect surface water from contamination by chemical storage facilities, and for other purposes.

S. 2008

At the request of Ms. LANDRIEU, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2008, a bill to strengthen resources for entrepreneurs by improving the SCORE program, and for other purposes.

S. 2094

At the request of Mr. BEGICH, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Maine (Mr. KING), the Senator from Alabama (Mr. SHELBY), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 2094, a bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel.

S. 2103

At the request of Mr. BOOZMAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2103, a bill to direct the Administrator of the Federal Aviation Administration to issue or revise regulations with respect to the medical certification of certain small aircraft pilots, and for other purposes.

S. 2121

At the request of Mr. WALSH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2121, a bill to repeal title II of the REAL ID Act of 2005.

S. 2122

At the request of Mr. HATCH, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2122, a bill to amend titles XVIII and XIX of the Social Security Act to repeal the Medicare sustainable growth rate and to improve Medicare and Medicaid payments, and for other purposes.

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 2122, *supra*.

S. 2125

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2125, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among

areas of the United States in the delivery of such communications.

S. 2153

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2153, a bill to establish a National Regulatory Budget, and for other purposes.

S. 2157

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2157, a bill to amend titles XVIII and XIX of the Social Security Act to repeal the Medicare sustainable growth rate and to improve Medicare and Medicaid payments, and for other purposes.

S. 2161

At the request of Mr. INHOFE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2161, a bill to prohibit the Administrator of the Environmental Protection Agency from issuing any final rule under the Clean Air Act until the date on which the Administrator improves certain employment effect analyses under that Act.

S. 2182

At the request of Mr. WALSH, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2182, a bill to expand and improve care provided to veterans and members of the Armed Forces with mental health disorders or at risk of suicide, to review the terms or characterization of the discharge or separation of certain individuals from the Armed Forces, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. RES. 384

At the request of Mr. KAINE, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. Res. 384, a resolution expressing the sense of the Senate concerning the humanitarian crisis in Syria and neighboring countries, resulting humanitarian and development challenges, and the urgent need for a political solution to the crisis.

S. RES. 403

At the request of Mr. MURPHY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 403, a resolution condemning the actions of the Government of Turkey in restricting free expression and Internet freedom on social media.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. TESTER (for himself, Mr. MORAN, Mr. UDALL of New Mexico, Mr. BEGICH, Ms. HEITKAMP, Mrs. MURRAY, Mr. HEINRICH, and Mr. WALSH):

S. 2188. A bill to amend the Act of June 18, 1934, to reaffirm the authority

of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Indian Affairs.

Mr. TESTER. Mr. President, I rise today to introduce legislation to correct a historical wrong.

My legislation is a necessary amendment to the Indian Reorganization Act of June 18, 1934. It addresses a Supreme Court ruling that was, in my opinion, wrong.

On February 24, 2009, the Supreme Court issued its decision in the *Carcieri v. Salazar* case. In that decision the Supreme Court held that the Secretary of the Interior exceeded his authority in taking land into trust for a tribe that was not under Federal jurisdiction, or recognized, at the time the Indian Reorganization Act was enacted in 1934.

It has now been 5 years since that decision. This decision has had a significant impact on tribes in every part of this country, whether it is the Poarch Band of Creek Indians, which is facing spurious litigation over its status as a tribe; the Samish Tribe of Washington, which has been waiting 4 years for a *Carcieri* determination; or the Little Shell Tribe of my home State of Montana, who could be affected by this ruling if they are granted Federal recognition, as they should be.

Moreover, the *Carcieri* decision has spawned more harmful litigation, including *Salazar v. Patchak*, where the Supreme Court ruled that individuals have 6 years to challenge a tribe's trust land acquisition, and *Big Lagoon Rancheria v. California*, where the Ninth Circuit essentially ruled that there is no time limit on challenging a tribe's status or its trust land acquisitions.

The legislation I am introducing today is a necessary step in the process to reaffirm the Secretary's authority to take land into trust for tribes, regardless of when they were recognized by the Federal Government. The amendment ratifies the prior trust acquisitions of the Secretary, who, for the past 75 years, has been exercising the authority to take lands into trust, as intended by the Indian Reorganization Act.

Perhaps the most serious impact for tribes if Congress lets this decision stand is the creation of two classes of tribes—those who were recognized as of 1934, whose rights and status are secure, and those who were recognized after 1934, whose rights and status can be perpetually challenged. Allowing two classes of tribes is unacceptable and is contrary to prior Acts of this Congress. In 1994, Congress passed the Federally Recognized Indian Tribe List Act to ensure that all tribes are treated equally, regardless of their date of recognition.

Finally, I know that there are a number of my colleagues who have an interest in this legislation and would like to see changes to this bill. I want to let you know that I stand ready to work with each of you to craft a bill that the