United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, WEDNESDAY, JULY 24, 2013 No. 107

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WEBSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 24, 2013.

I hereby appoint the Honorable DANIEL WEBSTER, to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

THE SEVENTH UNANSWERED QUESTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 5 minutes.

Mr. WOLF. Mr. Speaker, today I've come to the floor to raise the seventh in a series of critical but unanswered questions about the terrorist attacks on the U.S. consulate and annex in Benghazi last September 11.

Despite a year of investigation in a number of committees, the American people still do not know the answers to these questions, nor do they know if they have even been asked.

With only 5 legislative days remaining before the Congress departs for August recess, I'm increasingly concerned that none of these questions will be answered by the one-year anniversary of the Benghazi attack.

According to a recent excerpt in the forthcoming book, ''Under Fire: The Untold Story of the Attack in Benghazi,'' which was published in this month's Vanity Fair magazine, Ambassador Stevens made several calls for help after reaching what he believed was a safe room on the consulate compound.

As we well know now, one call was placed to his Deputy Chief of Mission, Gregory Hicks, who was at the U.S. Embassy in Tripoli. In May, Hicks provided powerful testimony about that final conversation with Stevens.

He also called ''local militia and public-security commanders in Benghazi, pleading for help.''

What I found interesting in the Vanity Fair excerpt is that Stevens also made calls to ''nearby consulates'' on the BlackBerry of someone on his security detail. Assuming the authors are correct, the government must have the phone records from Stevens' calls to the militia and foreign consulates that night.

This raises the important question of what foreign consulates did he call, and how did these consulates respond?

If Stevens was calling foreign consulates, it also begs the question, did U.S. officials in Tripoli or Washington call any allies with assets in Libya to help respond to the attack?

Furthermore, did the Pentagon connect any NATO allies with military assets in the region that could have provided assistance that night?

Given how close many of the European allies are to the Mediterranean, wouldn't they have planes or response teams stationed in locations in or nearby the region that could have mobilized upon a request from Washington?

After speaking of force posture, what have we done to ensure that if another incident were to happen this September 11 that we're prepared to respond?

We're less than 2 months away from the 9/11 anniversary, but the American people don't know whether we're any more capable of responding to an incident in North Africa or the Middle East.

The American people have lost confidence in this investigation. We can help restore it with a bipartisan select committee.

EFFECTS OF THE SEQUESTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, I've come to this floor nearly every week since the sequester took effect in March to highlight its dangerous consequences to our national security, its harmful impact on our economy, and the pain it is causing the most vulnerable people in our country.

Now, with the sequester in its 21st week, this Congress has still not achieved the big, balanced and bipartisan solution to deficits that we need to replace the sequester and put America back on a sound fiscal path.

Only such an agreement, Mr. Speaker, can provide a viable alternative to the irrational cuts this sequestration has imposed. Those cuts are already exacerbating the many challenges we face as a Nation.

Later this week, I will be delivering meals to seniors in my district with the Meals on Wheels program, which could be delivering 4 million fewer meals nationwide as a result of the sequester.

One small business owner from my district recently reached out to my staff to say that he was personally impacted by Meals on Wheels when the

Printed on recycled paper.

grandmother who raised him was diagnosed with cancer and came to rely on Meals on Wheels during the final part of her life.

He couldn't believe that after all the good work the Prince George's County Meals on Wheels office had done, that they were being forced to reduce their operations significantly as a result of the sequester.

Surely, Mr. Speaker, the richest country on the face of the Earth does not need to leave people, particularly seniors who can't get out, hungry.

Other harmful effects on the most vulnerable Americans include an 11 percent cut to emergency unemployment insurance payments and 125,000 fewer rental assistance vouchers.

Mr. Speaker, as many as 70,000 children could be kicked out of Head Start—they're only going to be 4 once—including approximately 800 children in my own State.

I read on Monday in The Washington Post about the Whitney Young Head Start Center in Yonkers, New York, Mr. Speaker, which has served primarily Hispanic families for more than 12 years, teaching kids English and providing them medical services and meals. It closed down on Friday, a victim of sequestration.

And on Monday, an article in the Huffington Post drew attention to an effect of the sequester that represents a dangerous undermining of justice, and that is the cut to public defenders who represent defendants in the Federal court system who cannot afford their own attorneys. This fulfills the Constitutional requirement that everyone is entitled to legal representation. It can't be waived.

That report in The Washington Post says, ''The Public Defender system hasn't just been stripped bare by sequestration, its bones have been chiseled away as well.''

Mr. Speaker, can we risk delaying justice for victims and their families because our country can't afford public defenders?

Do we want cases dismissed against people who have done wrong because the Constitution says they have to have a defense that we can't afford, apparently?

I met yesterday with Maryland District Court judges, about eight of them, and they raised this issue as one of critical importance. And one of the judges, a Reagan appointee, was obviously very animated at how we were undermining the very essence of the judicial system. Surely no one on this floor intends to do that.

At the Defense Department, 650,000 civilian workers are already being furloughed 2 days a month. That's an effective cut in pay of 20 percent for hardworking people on whom we rely to maintain the national security of our country.

On July 2, I visited with civilian defense workers from Pax River Naval Air Station in St. Mary's County, and I heard from my constituents there who are being forced to stay home from work without pay. They were certainly concerned about their families' finances.

But Mr. Speaker, these hardworking and patriotic public servants were far more worried about furloughs' effect on our military readiness and support for our troops in the field on those Fridays when many are forced to stay home, and not at their post. Legally, they can't even come to work and volunteer their time.

The sequester is hurting morale and putting our security at risk, Mr. Speaker, at a moment when our troops are still in harm's way every single day, Fridays, otherwise known as furlough days, included.

I'll be going to another installation in Maryland's Fifth District on Friday, Mr. Speaker, the Naval Surface Warfare Center at Indian Head, to meet with civilian employees there. I will tell them that Congress has the ability to end the furloughs they are experiencing now.

We have the ability to keep those kids from losing Head Start, and our seniors from losing meals. We have that ability now. We can do so by coming together in a bipartisan way to replace the sequester with a balanced alternative that includes spending cuts and, yes, revenues.

This is what Budget Committee Ranking Member CHRIS VAN HOLLEN has put forward seven times, Mr. Speaker, only to see it prevented by the majority from receiving a vote.

The Speaker says, let the House work its will. Well, perhaps this is the will of the House. I hope not.

I urge my colleagues to work together across the aisle so we can end the sequester and restore fiscal discipline in a way that does not harm our security, our economy, the most vulnerable in our country, or America itself.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic in the well while another Member is under recognition.

FEAR OF MAN IS A SNARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. RIGELL) for 5 minutes.

Mr. RIGELL. Mr. Speaker, I come to the floor this morning to call for a change in the House calendar.

Mr. Speaker, leaders set priorities. They identify the challenges and opportunities that face their organization, then they assess them and put them in the right order, and then they align their organization's calendar to make sure that those top priorities get addressed. That's what the American people rightfully expect of each of us.

Overall, our calendar and the priorities of the House are right on track. I'm so proud of the legislation that we've passed that would move America to energy independence and create hundreds of thousands of jobs.

But in one very critical area we're seriously off track. Our calendar does not reflect the challenges and the top priorities of our country. Specifically, we're not on track to pass all 12 appropriations bills that fund the Federal Government for 2014.

The fact is, we're not even close to passing those bills. And with our current congressional calendar, I cannot possibly see a way that we can pass those bills by September 30, which is the end of the current fiscal year.

This is not without consequence. It damages our economy, job creation. It damages our military in a very real way. And ultimately, it hurts hardworking American families.

Now, let's look at the status of the 12 bills, and then look at the time that remains on the congressional calendar to debate and pass those bills in time to avoid what's referred to as a continuing resolution.

And make no mistake here. A continuing resolution is wholly inadequate as a financial vehicle to fund this government. It has serious adverse consequences, and that's why this topic merits the careful attention of this body, and that's why it merits a change in our congressional calendar.

Well, here are the 12 bills that must be passed. We've passed four of them. Well, that leaves eight. My math's pretty good—there are 12 bills, 4 have been completed.

Now, they're not past due right now, but they surely will be, at least some of them.

As I mentioned, this has serious repercussions. I've spent a tremendous amount of time in our district listening to the hardworking men and women who keep our country safe and those who support them.

Every time we pass a continuing resolution, our military reels with uncertainty. We have a deep obligation to the young men and women around the world who are keeping this country safe to use every dollar wisely to ensure that we get the very best equipment and support to each of them.

That's why I feel so strongly about this issue, and it burdens me when we fail the American people in this respect.

Well, let's look on at the calendar and see what we've got to work with here.

□ 1015

Mr. Speaker, we have 15 calendar days. They're indicated right here in the teal green color. These areas here represent constituent work periods. I work really hard in our constituent work periods. I know that every Member here does. It's important that we're in our districts. There's value to that—to listen and to be accountable to the good folks who sent us here.

That said, a principle function and what the American people are expecting of us is that we pass these 12 appropriations bills. So if what is referred to as the August recess is brought to this body for a vote, I will vote ''no.'' I'll encourage every Member of this body to vote ''no,'' Democrat and Republican. When an organization is facing profound challenges, you do what you must do to set it on a better course. It may be House tradition to break, but I submit that it's not wise.

Mr. Speaker, I really believe we ought to be in session 6 days a week, starting at 8 a.m.—earlier, if it were up to me—and then end around 7 p.m. Six days a week. I'm convinced that just that pressure alone would help us to find some common ground that I know exists in this place. That's why I call for a change in the calendar.

THE FUTURE OF PUBLIC BROADCASTING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I listened to my friend from Virginia. I respect his opinion; but with all due respect, I think we've got a more fundamental problem than the calendar. The Republican leadership refuses to allow a conference committee on the budget between the House and the Senate to reconcile our differences. We can be here 24 hours a day, 7 days a week; but if the Republican leadership refuses to allow the process to work, we're not going to get anywhere. And that's where we are right now.

My friends on the Appropriations Committee refuse to deal with the budget level that was passed into law 2 years ago that fixed us on a course. They have a level of funding that is literally slashing and burning Federal spending. The latest manifestation of this battle is putting in jeopardy the very existence of public broadcasting.

I would have hoped that we were past that when the last Congress targeted NPR and tried to defund the Corporation for Public Broadcasting. Luckily, the 170 million Americans who don't just listen or watch public broadcasting, but depend on it, unleashed an unprecedented show of support. As a result, the Republican leadership walked it back.

One good thing about that budget battle 2 years ago was that it called for a study to look for alternatives for the 14 percent of Federal money that supports public broadcasting. The study is in and it clearly shows there's no viable alternative to those 14 cents on the dollar.

Many of the proposals that have been suggested would actually result in less money, overall, for public broadcasting in the long term. Yet the House appropriations bill, we're told, is going to eliminate Corporation for Public Broadcasting funding.

Last summer, I had a fascinating conversation with my friend Ken Burns, who pointed out that his six projects in the pipeline would never have been made, let alone be seen, without funding for the Corporation for Public Broadcasting. So I hope you enjoyed his show last fall about the Dust Bowl, because if the Republicans have their way, you will never see his programs about the Roosevelts, Jackie Robinson, Vietnam, or Hemingway.

Remember how well it worked for Governor Romney when he singled out broadcasting as one of the five projects that he would defund? The Republicans, sadly, pander to a tiny fraction of the American public that is even a minority in their own party. Polls show two-thirds of Republicans surveyed would either keep funding for public broadcasting where it is or increase it. What resonates with some Republican primary voters is not what America wants, needs, or believes.

The unprecedented threat comes at exactly the time when America needs public broadcasting the most. ''NPR News,'' the object of the greatest Republican scorn, is the most trusted brand in American news media. PBS shows like ''Sesame Street'' have helped three generations of parents raise their children with effective, commercial-free educational program.

Locally owned news is becoming only a memory for most America, as large corporations buy up local stations and newspapers. There's no money to be made by commercial stations that cater to the special needs of rural and small-town America. Luckily, public broadcasting is there because their mission is to inform and serve, not just make money.

We must stop the attack on this critical service, especially for rural and small-town America. It's time for the 170 million Americans who depend on public broadcasting every month to again fight back and for Congress to finally listen. The radical proposal to slash public broadcasting, defund NPR, to terminate public broadcasting as we know it is a powerful signal of how far out of step the Republican leadership is from the country they're supposed to represent.

There's no reason to make public broadcasting, which Republicans including Barry Goldwater, helped launch, into a partisan issue. Public broadcasting has broad support from Republicans, independents, and Democrats alike. That's why PBS and its member stations were named number one in public trust and an excellent use of tax dollars for 10 years in a row.

It's time for the people who believe in public broadcasting to stand up to this extremism and settle the question once and for all about the future of public broadcasting. Unless we fight now, there may be nothing left to defend.

RULE OF LAW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arizona (Mr. GOSAR) for 5 minutes.

Mr. GOSAR. Mr. Speaker, I rise today to shed light on Attorney General Eric Holder's blatant disregard for the rule of law. Mr. Holder's violations of the law are egregious, and he should not be immune from prosecution or given license to act without restraint.

An ordinary citizen would go to jail for selling guns to Mexican drug cartels. An ordinary citizen would go to jail for secretly obtaining phone records and emails. An ordinary citizen would go to jail for lying to Congress about an investigation. What would happen to an ordinary citizen for lying to a judge? This is just a small part of what Attorney General Eric Holder is responsible for.

As Supreme Court Justice Brandeis said:

> In a government of laws, the existence of the government will be imperiled if it fails to observe the law scrupulously. If government becomes a lawbreaker, it breeds contempt for law. It invites every man to become a law unto himself. It invites anarchy.

I ask you, has Attorney General Eric Holder invited anarchy?

I will continue to make this case here in the people's House at the people's pulpit. Folks, I will be back.

COAL ASH AND ENERGY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, we can do better. When it comes to legislatively establishing a national energy policy to address climate change, we can and must do better. But we're not. As Members of this body, we're not doing anything. Why?

We are hamstrung by our inability to work together to do great, important, vital things here in this Chamber: things like addressing our national debt, tackling comprehensive immigration reform, and to ever, in the history of this Nation, establish a national energy plan. The only way forward is to establish a national energy plan to address climate change, something this great Nation has always lacked, and to work with public and private entities alike to get this done.

For the climate doubters out there who still question climate change, I remind them that over 200 peer-reviewed scientific studies have said that climate change is real and that man contributes significantly to it. And zero scientific peer-reviewed studies have said the opposite.

So we must craft a plan that focuses on working with the business community hand-in-hand to be competitive internationally. We must go toe-to-toe with India and China. We must craft a plan that focuses on public transportation and green infrastructure. We must pass a multiyear transportation bill. We must focus on conservation, as

demonstrated so adeptly by our own President's increase in Corporate Average Fuel Economy standards and his call to action on climate just a few weeks ago. Above all, we must compromise and work together and be inventive and creative.

I'm not calling on the President for another executive order. I'm not calling on the Senate to move one more piecemeal energy bill that lies holed up in committee. I'm calling on this House.

I know what the critics will say, and my argument is the same as theirs: it's about jobs. Setting standards for carbon-pollution limits for coal plants under the Clean Air Act will not shutter all U.S. plants. On the contrary, it will set achievable standards for existing plants until we can use a patchwork solution to transition to cleaner sources.

Still others will say the Clean Air Act is a draconian doctrine that kills job, slows down American progress, and sets us back as a technology-advanced Nation. Right? Wrong. The Clean Air Act has been the impetus for the only existing technologies that currently exist for power plants, having been required to reduce emittance by 90 percent by 2015. Without such directives coming out of the EPA over the past 40 years, such advancements by polluting power plants would never have been voluntarily made.

We can transition with incentives and a patchwork approach—and compromise.

Several weeks ago, when the President made a major drive on combating climate change, it's too bad he had to bypass Congress to do it. But as a Member of this body, I don't blame him. I would love to say we here in this Chamber would be part of the solution, but I understand why he believes we cannot.

Since Congress has abdicated its desire to pass climate legislation, natural gas has become a panacea for fossil fuel. It's dirt cheap and ''cleaner,'' they say. But it's brought about a renaissance of dirty extraction like hydrofracking or extracting gas from shale in an oftentimes negligent and toxic manner.

Also, our nuclear energy can't compete with China's solar energy. China provided over half the solar panel cells in the U.S. That's over $3.1 billion within our domestic market—$3.1 billion we could be capitalizing on, infusing small and mid-sized solar companies across the country, creating and retaining green jobs.

Our attempt to deregulate or fight rules promulgated from the EPA isn't working either. Take the bill we're considering this week, the Coal Residuals Reuse and Management Act, which would set up a separate management stream which would bypass the EPA. Per the Congressional Research Service, this standard, as established by the bill, pays no mind to public health. The CRS memo, written at the request of the House and Energy and Commerce Committee states:

> This bill fails to establish minimum national safeguards, fails to establish Federal backstop authority, fails to define what facility the bill applies to, fails to contain any minimum Federal requirement to protect health and the environment.

It's time this body became a relevant advocate and participant in solving the great questions that plague our Nation today before we lose a chance to have a tomorrow.

ENERGY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, it's been a tough week for American consumers. Yesterday, it was reported that under the Federal Bureau of Land Management's new proposed onshore hydraulic fracturing regulations, businesses will suffer—as will the rate of production in developing our Nation's plentiful natural gas. Yes, a clean and affordable resource.

Reuters News reports:

> The Obama administration hopes the rules on public lands will serve as a model for State oversight of drilling on private lands.

This plan is no secret. U.S. Interior Secretary Sally Jewell said as much in her testimony before the House Natural Resources Committee in July. Make no mistake: these Federal regulations are being developed as a model to be used across the country.

The development of our Nation's domestic energy resources has been one of the few bright spots in a struggling economy. It's very clear how and why this era of growth and innovation came to be. Take a look at the production rates on State and private lands versus Federal lands and you will see why. Production is up on the former and way down on the latter. Unfortunately, the administration wants to close this gap by putting the Federal Government in control and imposing costly new mandates everywhere that production is taking place.

□ 1030

It's bad for business, Mr. Speaker. What's worse, it's bad for consumers by making the cost of heating their homes that much more expensive.

And it doesn't stop with natural gas. Coal is also in the administration's crosshairs. Only with coal, the White House has a hair trigger, a scope, and a silencer. Case in point: a sweeping new coal regulation quietly being put forward by the administration known as the Stream Buffer Zone Rule.

Yesterday, Joseph Pizarchik, Director of the Federal Office of Surface Mining Reclamation and Enforcement at the U.S. Department of the Interior, testified before the House Natural Resources Committee on the new rule. The Interior Department has largely stonewalled the Committee's investigation into the rewrite of the coal regulation and failed to comply with multiple subpoenas.

Similar to the Director's testimony, the entire rulemaking process for this new regulation has lacked transparency. What we do know is that the administration has failed to even consider the new rule's economic impact on local economies, such as those in my home State of Pennsylvania.

Unfortunately, the conduct of OSM is emblematic of the Obama administration's complete disregard for the health of our economy. As many as 220,000 jobs are at risk in the Appalachia region alone as a consequence of the proposed rule. Thousands more are at stake nationally.

DOI regulations require that OSM collaborate ''to the fullest extent possible'' with the States developing this rule. DOI regulations also require that OSM collaborate with States ''at the earliest possible time'' so that all stakeholders can evaluate the rule and consider possible alternatives.

Yesterday, when asked whether or not States have been provided with information regarding the new rule and related changes, the OSM Director stated he does not believe that there have been any contacts during the last year with the impacted States. When further pressed as to whether his office had made any contact with States and other cooperating agencies, the Director stated that he was unaware of any such communications.

Mr. Speaker, this White House will stop at no end to assault the fossil fuels industry along with the millions of jobs it supports and the low energy costs that it provides.

Mr. Speaker, protecting the environment and developing our abundant natural resources, such as coal and natural gas, are not mutually exclusive, but this is not something that this administration would like to admit.

This week, the administration continued to move ahead with policies that will cost more jobs and further harm family budgets through higher electricity rates. This week, the administration continued to grossly underestimate the cumulative impact of their regulatory actions. And this week was another tough week for the American consumer.

ISSUES FACING AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, I listened to many of my good friends and to colleagues. We are, in fact, good friends and colleagues hoping to do what is right on behalf of the American people. I always appreciate and respect those individuals who have chosen to serve the Nation, so I take issue very briefly with my good friend and colleague about the criminal acts of one of the most honest and forthright Attorney Generals of the United States of America.

Attorney General Holder has not been charged with criminal activity, except for the aggressive and desperate actions of our Republican friends. He has been noted for his great leadership on civil rights and criminal justice issues. He's been a leader on the prohibiting and fighting against human trafficking. And certainly he has been one who has stood up for our children in this Nation, and also the many law enforcement officers who are on the front lines protecting us here in America. I hope that we can respect those who offer themselves to the service of this Nation for as long as Attorney General Eric Holder has done.

I have listened to friends as well speak about the devastation of the sequester. I again suggest to my colleagues that, through H.R. 900, a simple bill that eliminates the sequester and goes back to the budget reconciliation of 2011 and, as well, to force or to push this Republican majority to move to conference, would be the better approach.

I, too, have gone and delivered meals for Meals on Wheels, and I've seen the faces of seniors who will now face serious cuts in this effort. I see the loss of 750,000 jobs. I see the impact on the economy, where the unemployment has stayed somewhat static. But when you go into the business community and the hesitation, even though Wall Street is thriving, it all points to the fact of the sequester. It has become a dirty word. It has become one that has victimized the American pubic: it has victimized young families; it has victimized college students; it has victimized seniors; it has victimized those who are ill. And yet we continue to, piece by piece, fix the FAA problem but do not address the 70,000 children that are suffering and losing seats in Head Starts.

I remember, as the Head Start seats were being lost, fathers crying when they were told by their Head Start facility that their child would no longer have a seat. It seems sad that we would cut Head Start or disaster aid by $1 billion because we have Head Start, or the Department of Transportation, $1.9 billion, when many of us know that those are the basic reasons for job creation is building America's infrastructure.

As we plod along with sequester and we see good public workers not being able to work—and might I just say, let me thank our own staff, which gets condemned all the time. You work for a U.S. Member of Congress, and every day our staff fights to help some constituent keep their house from being foreclosed on or keep a Medicare recipient continuing to get their benefits or veterans, and yet we are furloughing them. We are cutting people that are mere workers, that are working for us. They can't make ends meet. They're getting second jobs. It's a disgrace. It's an absolute disgrace. I am not going to condemn our staff—committee staff, government staff. They are working for the American people.

Then I want to offer a disagreement, Mr. Speaker. I know the Senate is going to vote on a student loan program. They say it's a compromise. Well, I've got to tell my students, because I've held campus meetings, we've met, I've got to tell them and I've got to tell the parents, yes, they're going to get a low interest rate today, but watch out for tomorrow because it's a trigger. Before you know it, they may be paying 10 percent.

They say it's a cap, but I don't know what the cap is going to be as it relates to whether a student can pay 6 percent or 7 percent, when they can stay at 3.4 percent. As someone said, why should the Federal Government be making money on the backs of students? I'm concerned about that.

Finally, Mr. Speaker, let me say there has been a lot of discussion this week about issues of race, issues of the tragedy of Trayvon Martin. I intend to introduce the Justice Exists for All Act, a review, as Senator MCCAIN has suggested, of the Stand Your Ground legislation across America. It will increase public safety. It will reduce the incidence of gun violence, among other things, by providing incentives for any State with the Stand Your Ground law to amend it to require a duty to retreat. For States that do not require a duty to retreat, we will question their Federal funding and assess their Justice Department funding and reduce it by 20 percent.

We will also decrease the incidence of gun violence resulting from vigilantes by reducing by 20 percent the funds that would otherwise be allocated for that fiscal year to any State that does not require local neighborhood watch programs be registered with a local enforcement agency, and require the Attorney General, Mr. Speaker, to study Stand Your Ground laws.

Let's speak to the pain of the American people. Let's look at ways of fixing the law.

COMMENDING ERIC WOLF ON HIS ACCEPTANCE TO THE U.S. NAVAL ACADEMY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DESJARLAIS) for 5 minutes.

Mr. DESJARLAIS. Mr. Speaker, I rise today to commend an extraordinary young man from Tennessee's Fourth Congressional District. Eric Wolf was accepted to and is now attending the United States Naval Academy in Annapolis, Maryland.

Since middle school, Eric has been preparing for a career in the military. He follows the path of both his grandfathers—one who was a marine, and the other a World War II veteran.

Eric said that he felt the call to serve his country after reading the book ''Lone Survivor,'' which led him to look at what he was doing to give back to our great Nation.

In addition to his appointment, Eric built a solid reputation in his hometown of Cleveland, Tennessee. He graduated from McCallie High School with a 4.1 GPA and was a star athlete.

Eric's drive and unabashed patriotism exemplify the best of our country. I wish him the best of luck and know that he will make us all proud.

END HUNGER NOW #19—CHEFS FIGHTING HUNGER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, for the 19th time this year, I rise to talk about my effort to End Hunger Now. Nearly every week this year, I've stood on this floor and talked about hunger in America and how we can End Hunger Now.

Today, I want to talk about a group of people who are fighting hunger around this country. At first, they may seem like an unlikely group of antihunger advocates; but look deeper, and it's easy to see how their connection to good, healthy food makes them natural allies in our effort to End Hunger Now.

Mr. Speaker, I'm talking about America's chefs, the culinary artists who cook for all of us, whether we're eating at a neighborhood restaurant or fine dining establishments. America's chefs have recognized that hunger and obesity are problems in America, and they know how important access to healthy food is for proper development no matter what age a hungry or malnourished person is.

Chefs across this country, including White House Chef Sam Kass, have rallied behind First Lady Michelle Obama's Let's Move Campaign, and especially the healthy eating component of her campaign. They understand that healthy food is critical for healthy bodies and minds. But what's less well known is that these same chefs have also picked up the mantle of hunger in America. They realize that hunger and obesity are the opposite sides of the same coin—that it's possible to be hungry and obese simply because you lack money to buy healthy foods; and, in many cases, healthier options, including fresh fruits and vegetables, simply aren't available.

That's why these chefs have been working on eliminating food deserts, those areas, both urban and rural, where there isn't access to low-cost, healthy, and nutritious foods. And they've been working with food banks and other antihunger organizations on ways to provide food to poor and needy Americans. This includes vigorously defending SNAP and the child nutrition programs.

One of the great leaders on hunger from the culinary industry is Tom Colicchio, someone I'm proud to call a friend and ally. Tom wears several hats: he's a successful restauranteur with restaurants across this country from Los Angeles to New York, and

he's a television celebrity with his role as judge on ''Top Chef''; but most recently, and more importantly to millions of Americans who may never have the opportunity to eat at one of his restaurants, Tom is an advocate for the hungry and for those who are trying to improve their lives.

He was a vocal supporter of the Child Nutrition Reauthorization Act that increased funding for school meals in order to improve the nutritional quality of food served at schools. But he's also a producer of the documentary ''A Place at the Table,'' a beautifully filmed, heart-wrenching movie about hunger in America. His role in our fight to End Hunger Now cannot be understated, and his efforts are needed and appreciated.

Then there is my dear friend, Chef Jose Andres, who brings a passion and a commitment to ending hunger. He has dedicated himself to raising awareness, challenging policymakers, and giving back to the community in ways, both large and small, that have really made a difference to ending hunger in America and around the world.

And he's not alone. Chefs like Mark Murray, Rachael Ray, Bryan Voltaggio, and Charlie Palmer, just to name a few, all lend their names, their restaurants, and themselves to the fight to End Hunger Now. Working through antihunger organizations like Share Our Strength, founded and run by my good friend Billy Shore, these chefs are reducing hunger in so many different and unique ways.

But it's not just the famous celebrity chefs who are helping. Share Our Strength has a program called Cooking Matters, where chefs teach low-income families healthier ways to cook food. Together with their Shopping Matters program, where these same families can learn how to navigate their local markets to purchase the healthiest food they can afford, these programs are fighting hunger at local levels. And the chefs involved, from Arkansas to Colorado to Massachusetts, are using their expertise to teach these families the healthiest ways to cook food.

Chefs are just one of the nontraditional groups that are out in the real world fighting hunger. They are leading by example. And their actions need to be highlighted not just on the House floor, but at the White House, at a White House conference on food and nutrition. Chefs should absolutely be part of such a conference where they can talk about their efforts and ways they can help low-income families improve their cooking and eating habits.

These chefs and the organizations they partner with are a key part of our fight to End Hunger Now. I commend them for their dedication, and I look forward to working with them in this effort.

HONORING THE LIFE OF LILLIAN KAWASAKI

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) for 5 minutes.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, today I rise to honor the life of Lillian Kawasaki, who proudly served the Los Angeles community for more than three decades, working tirelessly to protect our environment.

Lillian was an inspiration and a trailblazer. In 1990, she was named general manager of the Department of Environmental Affairs for the City of Los Angeles, becoming the first Asian American in city history to be appointed a department chief.

It is because of Lillian's leadership and her vision that Los Angeles launched major initiatives in air and water quality protection and environmental cleanup. Local businesses began investing in renewable energy thanks to Lillian Kawasaki.

I had the privilege of working with Lillian when she served as board director for the Water Replenishment District. It would be hard to find a public official more involved in her community than Lillian was.

On a personal note, it was an honor for me to call her a close friend. Lillian was an extraordinarily giving person. She always remembered birthdays and anniversaries. She asked me often how my family and my son were doing because she truly cared.

□ 1045

I offer my condolences to Lillian's husband, to her family, and to her loved ones. She was a tremendous public servant, a shining example for others, and a generous and truly kind human being, and I will miss her greatly.

DETROIT BANKRUPTCY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. KILDEE) for 5 minutes.

Mr. KILDEE. Mr. Speaker, last week, the city of Detroit, Michigan, became the largest municipality in our Nation's history to file for bankruptcy. Without a doubt, the situation in Detroit is extreme. Their problems in part have been driven by local mismanagement. But it would be an oversimplification, and I think a dangerous oversimplification, for folks to continue to lay the entire responsibility for Detroit's situation on the failure of management.

Since last week, Detroit has been on the front page of America's newspapers and has become the recent, I guess, poster child of municipal decline and insolvency. But for the few cities like Detroit that have actually filed bankruptcy, there are many other legacy cities in this country that continue to struggle day in and day out to provide basic services for their residents.

Many municipalities are facing not just fiscal insolvency but service level challenges, perhaps not on the same scale as Detroit, but that does not mean that they are immune to the problems that Detroit is facing. My own hometown of Flint, Michigan, is on that same path and is struggling every day to provide basic services in an increasing period of fiscal stress.

Detroit's bankruptcy should be a call to action to have a much bigger conversation in this country about how we support and fund our cities and our great metropolitan areas. Cities are where our creativity takes place and where much of our wealth has been generated in the past, and that can and should be the future for America's cities. Let me be clear: bankruptcy for Detroit will not be a solution to its problems or for any other city.

While it is arguable that this bankruptcy may be necessary, it will not be sufficient to solve the problem. It may bring order to an otherwise chaotic situation, but it will not solve the problem itself, and it will have real consequences for people in Detroit and southeastern Michigan and the entire State.

You can simply dissolve a corporation through bankruptcy, but you can't dissolve a city, which is a place where hundreds of thousands of people, in this case, live and raise their families.

Lots of factors have contributed to the decline of a whole subset of America's cities—population laws, trade policy that moves jobs out of those communities overseas or out of those cities into the metropolitan areas through land use practices, a municipal finance system that fails to recognize the realities of the 21st century. This is a big issue, and it is one that calls for a much larger national conversation about how we support our cities.

First, Mr. Speaker, we have to make sure to do no harm to these places that are struggling. The Republican budget that will come to this floor within the next few weeks proposes deep cuts to programs like the Community Development Block Grant program and the HOME program—a 40 percent cut for programs that are intended to help communities reposition themselves in this challenged economy. Yet, at a time when cities are facing distress, like the city of Detroit, my hometown of Flint, and many others, when the Federal Government could provide some help that would be in our national interest, we see cuts proposed to these really important programs.

So whether at the State or Federal level, we all have a role to play. It is time that all levels of government start thinking about the long-term sustainability of our cities not because it is good for those places, but because it is in our national interest. Detroit's bankruptcy should be a day of reckoning for all of us, not just for the residents of the Motor City, but for everybody.

Rethinking the way we support our cities and our metropolitan areas is not an easy conversation for us to have. It will be tough. It will cause us to challenge conventional thinking and

challenge our own views of the importance of cities.

These may be tough conversations, but they are absolutely necessary that we have to take on as a Nation. We cannot sit idly by and pretend that Detroit won't matter and that it won't affect us and wait for the next Detroit to happen. It is important for our Nation, it is important for our people, it is important for our competitiveness, it is important for our economy, it is important that we be a competitive place. And the only way we do that is with vital and rich growing communities, and we have to get places like Detroit and Flint and Saginaw and Pontiac and other places that are important to this economy back on that trajectory.

UNEMPLOYMENT AND JOBS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise today to draw attention to the recent rising unacceptable unemployment numbers in some regions of our Nation. The fact is Republicans control this House, and they are not only doing nothing to create jobs in America, they are actually creating more unemployment.

In my home State of Ohio, the unemployment rate jumped up to 7.2 percent. In the city of Cleveland, the unemployment rate rose from 9 percent to 10.1 percent over the past month. In the city of Lorain, unemployment dramatically rose from 8.7 to 10.6 percent. In the city of Toledo, we saw an increase in unemployment from 8.7 to 9.3 percent.

Nationally, the unemployment rate remains stalled, stuck, at 7.6 percent. But in too many neighborhoods across our country unemployment is a daily reality.

When you incorporate labor underutilization, the real national unemployment rate is actually 14.3 percent. There are currently 11.8 million, nearly 12 million, unemployed people in this country—4.3 million people have been jobless for 27 weeks or more and are considered long-term unemployed.

New Federal Government employment has declined by 65,000 persons over the past 12 months—65,000 more people spit out.

The unemployment rate for the construction industry is 9.8 percent. Manufacturing employment has declined in the past 4 straight months.

Do those job numbers sound like an economic recovery to you? What is the Republican response to these dubious unemployment and jobs numbers? Block the President.

So what do they do? Let's repeal the Affordable Care Act 38 times. And they've tried again and again to do that.

Let's not appoint budget conferees so we can negotiate a budget deal that puts people to work and strengthens the middle class. No. Sequestration is arguably the primary driver of these poor job numbers. So, let's ignore the harmful effects of sequestration. The Congressional Budget Office estimates just the unemployment resulting from sequestration costs our economy an additional 1.5 percent in lost economic growth.

Remember when the nonpartisan Congressional Budget Office estimated that sequestration would reduce economic growth and cost about 750,000 jobs? Well, they were right. We are seeing the effect of that today. The sequester was the largest cause of the negative growth numbers in the fourth quarter of last year.

According to the Bureau of Economic Analysis, the economy is growing far slower than expected, despite the fact that personal consumption and business inventory spending has increased recently. You would think that if consumer and business spending is up, we would see strong GDP growth, given that our economy is based on consumer spending.

Unfortunately, this is where the sequester and the Republican policy of cut and run, cut and run, cut and run comes into play. Government spending has declined in 11 of the last 13 quarters since the first quarter of 2010.

We may have seen robust growth if we took a sensible, long-term approach to deficit reduction instead of using the Republican shortsighted sequester and steep unfair budget cuts. They are even kicking thousands of mentally ill citizens out of their assisted housing—thousands—over 27,000 people who can't make it on their own being kicked out of their humble shelters across this country.

With the Republicans refusing to replace their mindless sequester, 600,000 civilian defense workers are currently being furloughed. The economic impact of these defense furloughs will be the loss of over an estimated $2 trillion for our economy; just in Ohio 22,000 furloughs in the civilian defense sector. The policies of this Republican House are hampering robust economic growth across our country.

The Federal Reserve agrees with what I am saying. In a recent hearing the chair of the Fed said, ''the economic recovery has continued at a moderate pace in recent quarters despite the strong headwinds created by Federal fiscal policy.''

Unfortunately, Republicans will likely continue to refuse to compromise and focus on slowing the economy even further. Congress has already cut spending by $2.5 trillion. That has real impacts on job creation. Discretionary spending is at its lowest level in 45 years. The Federal deficit is projected to be at its lowest level in recent memory. And the Treasury has actually even recently made payments on the national debt.

We need a jobs bill here, not more reckless cuts. The President has a plan; the Republicans don't. I would urge my Republican colleagues, bring to the floor the President's jobs agenda. Let's show America which party is committed to job creation in this country, not more stalling.

UPDATE ON PUERTO RICO'S POLITICAL STATUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Mr. Speaker, as we approach the birthday of the late Dr. Jose Celso Barbosa, the father of the statehood movement in Puerto Rico, I rise to update my colleagues on the progress that has been made to resolve the territory's political status.

Last November, Puerto Rico held a referendum. As I described in a floor speech the following week, the results show that a majority of the U.S. citizens of Puerto Rico do not support the current territory status, a supermajority favor statehood among the three alternative options, and more voters want statehood than any other option, including the current status. These results are now part of the historical record, and they cannot be dismissed or diminished by those who find them inconvenient.

Now that American citizens living in an American territory have informed their national government, in a free and fair vote, that they do not consent to a political status that deprives them of the most basic democratic rights, it is incumbent upon the Federal Government to take appropriate action in response. For the President and Congress to do otherwise would be to contravene the principles that have made this country a light to the world.

Today, I can report that positive steps have been taken. In April, the administration requested an appropriation of $2.5 million, which would be provided to the Puerto Rico Elections Commission to conduct the first federally-funded status vote in the territory's history, with the specific purpose of resolving this issue. The administration's action was favorably received by Members of Congress from both sides of the aisle, who rarely find common ground. Earlier this month, thanks to the leadership of Congressmen WOLF, FATTAH, and SERRANO, that funding was approved by the Appropriations Committee, confirming that the effort to secure fair treatment for Puerto Rico is not, and should never become, a partisan issue.

The committee's report endorses the conditions proposed by the administration stating that Federal funding will not be obligated until DOJ has certified that the ballot and voter education materials are compatible with U.S. laws and policies, thereby ensuring that the vote will deal with one or more status options that can actually be implemented and that would settle the issue.

I will continue to fight for the approval of this appropriation by the full

House and for its retention in any conference negotiation with the Senate.

There is additional progress to report on another front in this struggle. In May, I introduced stand-alone legislation that proceeds from the indisputable premise that statehood obtained more votes than any other option in the November referendum. The bill outlines the rights and responsibilities of statehood and asks voters in Puerto Rico whether they accept those terms.

□ 1100

If a majority says ''yes,'' the bill provides for the President to submit legislation to admit Puerto Rico as a State after a transition period.

Two months after its introduction, this bill already enjoys support from 100 Members of Congress from both parties and from every region of this country despite the predictable opposition of the status quo party in Puerto Rico and its allies in Congress. I always find it ironic when some of my colleagues from the States, who, along with their constituents, enjoy all the benefits of statehood, seek to prevent my constituents from exercising those same rights and responsibilities. I have concluded that these forces cannot be reasoned with. They must simply be defeated, and they will be.

Next week, I will appear as a witness at a Senate hearing on the November referendum and the Federal response to that vote. Just as I told a United Nations committee last month, I will testify that I have faith that the Federal Government will fulfill its obligation to facilitate Puerto Rico's transition to a democratic and dignified status but that deeds, not words, are required.

Much work remains to be done, and like any civil rights struggle, it will not be easy; but through our sound and steady action, we are closer than ever to finally realizing Dr. Barbosa's dream of equality for the U.S. citizens of Puerto Rico.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 1 minute a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend John Reynolds, Volusia County Baptist Church, Orange City, Florida, offered the following prayer:

Father, we are humbly grateful for Your blessings on our lives and on our Nation. We ask Your forgiveness in every area where we have failed You.

I pray these honorable Representatives elected to serve You here in this House will seek, find, and follow Your wisdom. You can give simple solutions to complex problems. Our country needs a revival of solutions.

I pray, also, for the needs of all in the House today. Bless them, their families, and their constituents with Your loving care and protection.

Please bless and protect those serving in our military striving to maintain the peace and freedom we enjoy. May we not neglect nor abuse those blessings.

My Father, at Your instruction, I pray for all those in authority over me. I ask that You help Your people to be good citizens for Your glory and the good of this Nation.

In Jesus' name I pray.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. DAINES. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. DAINES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. DUNCAN) come forward and lead the House in the Pledge of Allegiance.

Mr. DUNCAN of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will remind the House that on July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun.

At 3:40 p.m. today, the Chair will recognize the anniversary of this tragedy by observing a moment of silence in their memory.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 23, 2013.

Hon. JOHN BOEHNER,
The Capitol,
Washington, DC.

DEAR MR. SPEAKER: In light of the fact that I have been working with Alabama Governor Robert Bentley to find the earliest possible date for the special election which will occur following my resignation, so that my successor can be seated at the earliest possible time during the 113th Congress, I wish to inform you that I will resign my seat effective 11:59 p.m., August 2, 2013.

Sincerely,

JO BONNER,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 23, 2013.

Hon. ROBERT BENTLEY,
Governor, State Capitol,
Montgomery, Alabama.

DEAR GOVERNOR BENTLEY: Pursuant to our conversations, I am notifying you that I will resign from Congress at 11:59 p.m. on August 2, 2013. I share your view that the seat should be vacant for as short a time as possible, and I am pleased the August 2nd date will allow the special election to be completed during 2013.

I remain grateful to the people of the First District of Alabama for allowing me the honor of representing them. Thank you for your leadership.

Sincerely,

JO BONNER,
Member of Congress.

WELCOMING PASTOR JOHN REYNOLDS

The SPEAKER. Without objection, the gentleman from Florida (Mr. MICA) is recognized for 1 minute.

There was no objection.

Mr. MICA. Mr. Speaker, it's a great honor today to introduce to the House our Guest Chaplain, Dr. John Reynolds of Orange City, Florida.

To our good fortune in Florida, he was invited by four families to found a church in Orange City, Florida, in 1996. It now has 1,500 members—one of the largest congregations in Volusia County in central Florida—and supports hundreds of missionaries worldwide. In addition to his pastoral work, Dr. Reynolds has preached at conferences across the Nation and foreign countries. His leadership and willingness to help others is an inspiration to us all.

Dr. Reynolds graduated in 1964 from Tennessee Temple College in Chattanooga and started his church ministry. He returned to Temple Baptist Seminary and graduated in 1968. His life experiences include many positions, which include president of a Christian recording company, vice-president of development at his alma mater, and minister of music.

Dr. Reynolds married his lovely wife, Becky, in 1964. They have four children, two of whom are preachers.

Mr. Speaker, I ask my colleagues to join me in welcoming Dr. Reynolds and

his wife, Becky. We thank him for offering this morning's opening prayer in the United States House of Representatives.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DENHAM). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

PRESIDENT SPEAKS ON THE ECONOMY

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, I was interested today to hear that the President was going to give a speech about the economy. After all, Republicans have a plan for growth and jobs. We've been focused on that plan, and we certainly welcome the President's ideas.

But the White House says not to expect any new proposals in this speech. The President himself said it isn't going to change any minds. All right, so exactly what will change? What's the point? What's it going to accomplish? I've probably got the answer: nothing. It's a hollow shell. It's an Easter egg with no candy in it.

If the President wants to help, he ought to approve the Keystone pipeline that has bipartisan support here in the House. He ought to work with the bipartisan majority to delay the health care bill to give the American people, their families, and individuals the same break he wants to give to big businesses. And he ought to stop threatening to shut down the government unless we raise taxes. Because Americans aren't asking, Where are the speeches? They're asking, Where are the jobs?

ANNIVERSARY OF DEATHS OF CAPITOL POLICE OFFICERS JOHN GIBSON AND JACOB CHESTNUT

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, as Speaker BOEHNER has said, later today Members and staff from both parties will come together to remember the tragic shooting that occurred 15 years ago in this Capitol when a lone gunman tried to enter the building through what we now know as the Memorial Door. U.S. Capitol Police Detective John Gibson and Officer Jacob Chestnut—Gibson from Virginia and Chestnut from Maryland—courageously placed themselves between the gunman and not only all of us who serve here but all of us who visit here.

They gave their lives, Mr. Speaker, to protect this institution that is the foundation of our democracy. They died protecting the many people who come here each day to serve our country, to see their government in action, and put so much of themselves into making America better and stronger and safer for us all.

On this day—and every day—let us remember the heroic sacrifice of Detective Gibson and Officer Chestnut and let us appreciate the dedicated and often unsung service of the United States Capitol Police personnel, who stand watch every hour over our safety, our lives, and our ability to perform our duties without fear of violence.

May God bless their families and keep us safe.

FOURTH AMENDMENT

(Mr. DUNCAN of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN of South Carolina. Mr. Speaker, in the run-up to the American Revolution, American colonialists were concerned over the English Government's use of general warrants—giving British authorities the right to enter into private homes or businesses without evidence of wrongdoing—to search for and seize anything they considered contraband under English laws and taxation. This led to the Founding Fathers including this in the United States Constitution:

> Amendment IV. The right of people to be secure in their persons, houses, papers, and effects, against unreasonable search and seizures, shall not be violated and no warrants shall be issued but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons or things to be seized.

That is why this debate over NSA programs is so important. Americans should be secure in their private papers—electronic or otherwise—against unreasonable searches and seizures.

IMMIGRATION REFORM

(Mr. CICILLINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CICILLINE. Mr. Speaker, earlier this year, the United States Senate passed a bipartisan immigration bill that brings each of our 50 States under the umbrella of a single, uniform immigration policy that is easy to understand, is fair, focuses on uniting families, protects new immigrants from exploitation, secures our borders, and creates a path to citizenship for new Americans. It's critical for us to seize this moment.

A group of Republicans and Democrats are working to craft a bipartisan House proposal that establishes a roadmap that is achievable and accompanied by a demonstration of the responsibilities of citizenship for the millions of men and women already living here today to aspire to become citizens of this great Nation. The American people deserve a vote on comprehensive immigration reform.

According to the Center for American Progress, immigration reform would create 121,000 jobs each year for the next 10 years. In addition, the Congressional Budget Office estimates that fixing our broken immigration system will reduce the Federal deficit by about $200 billion over the next 10 years and about $700 billion in the decade after that.

For far too many years, Congress has failed the American people on this issue. I urge my colleagues on both sides of the aisle to do what is right for our country and for families all across America and fix our broken immigration system.

SUPPORT CANCER RESEARCH

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. Mr. Speaker, I come to the floor today to talk about the benefits of cancer research and the importance of the National Institutes of Health, or NIH.

In my home State of Ohio, over 66,000 people will be diagnosed with cancer this year and over 25,000 will lose their battle with this devastating disease. Like every State, Ohio receives essential funding from the NIH each year. The NIH funds lifesaving medical research leading to the development of innovative ways to prevent, diagnose, and treat cancer. This research takes place at universities, hospitals, cancer centers, and labs across my State, including the Case Comprehensive Cancer Center and the James Cancer Center at Ohio State University.

In addition to the benefits of combating cancer and so many other diseases, NIH funding also produces tens of billions of dollars in new economic activity across the country. According to the Ohio Council of Medical Deans, every dollar invested in biomedical research translates to a $2.21 investment in the local economy. In 2012 alone, Ohio received almost $800 million in NIH funding, which supported more than 13,000 jobs.

Cancer is a disease that does not discriminate against age or race. Many people have friends or loved ones who have been affected by this terrible disease. I urge my colleagues to support cancer research.

□ 1215

DEVASTATING FUNDING CUTS TO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, the 2014 Transportation, Housing and Urban Development appropriations bill, which is currently awaiting consideration on the House floor, has a devastating 50 percent cut to the Community Development Block Grant program. These

grants provide eligible communities with funding to increase economic activity and create jobs.

Many regions, including western New York, have benefited from the availability of Community Development Block Grants to support neighborhood reinvestment, affordable housing, and economic development.

Mr. Speaker, this program has a strong history of bipartisan support since its creation by President Gerald Ford in 1974. Shamefully, the amount funded this year is actually $1 billion less than what was allocated to the program 39 years ago.

I'm proud to have joined over 100 of my House colleagues to express concern with this funding cut and urge Community Development Block Grant funding to be fully restored. These cuts, that come at the expense of our local communities, would have a negative impact on the national economy.

OBAMACARE EMPLOYMENT

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, every week I hear from constituents who are being hurt by the implementation of the Affordable Care Act. The law is imposing new costs on businesses and workers, reducing take-home pay, reducing the number of jobs available, and reducing the number of hours employees are working.

Survey after survey confirms that the anecdotes I hear from back home are true for Americans across the country. A survey of 300 accountants finds that employers are holding back on hiring workers and that some are even paring back their payrolls.

CNBC reports that doctors are skeptical and confused about the implementation of the law. Workers, doctors, and employers have every right to be confused since the Affordable Care Act is being implemented haphazardly and without regard to the law as it is written. Beneficiaries will sign up for subsidies without income verification.

We don't truly know what we'll get until October, but we can say with confidence that it won't be what the President promised years ago. Americans won't be saving $2,500 a year, many will lose the coverage they have, and others will have to switch to a new doctor.

Many promises have already been broken, and more disappointment is bound to happen.

OFFENSIVE REMARKS ABOUT DREAMERS

(Mr. BEN RAY LUJÁN of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, recently, one of our Republican colleagues made remarks about the Hispanic community and children that have no place in our public discourse. These words offend DREAMers, who have been brought to this country through no fault of their own, and they offend our entire Nation.

In talking about DREAMers, Representative STEVE KING said:

> For every one who's a valedictorian, there's another 100 out there who weigh 130 pounds, and they've got calves the size of cantaloupes because they are hauling 75 pounds of marijuana across the desert.

Mr. Speaker, I don't know what's more disappointing, that the most extreme voices in the Republican Conference continue to make appalling comments about the Hispanic community or that the rest of my Republican colleagues are silent on this kind of offensive and outrageous rhetoric.

At a time when we should be working together to address our broken immigration system, these hateful words only seek to divide rather than bring people together to find common ground.

It's no wonder that the American people continue to see House Republicans as out of touch when comments like these are made.

ENERGY VISION 2020

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, Energy Vision 2020, it's an all-American, all-of-the-above energy vision that puts our Nation on the path to energy independence and security.

How? We don't take anything off the table. We harvest and explore all of our energy options, not stifle them. We do this through real regulatory reform, cutting red tape, and empowering private market innovation.

We work to keep our projects and technologies safe. If a venture is dangerous or environmentally unsafe, then say ''no.'' But the key is, ''no'' can't be the final answer.

Regulatory agencies must become partners in progress with America's industries and businesses, striving to reach our full potential and finding the answers we need to get there.

There will be opponents to progress. Environmental extremists will throw their tired rhetoric around with no basis in scientific fact. But we can't sit idly by, letting America remain dependent on foreign energy sources and letting other countries seize our businesses and innovation opportunities.

Energy 2020 will get us focused. It's the next great horizon of American exceptionalism.

AMERICAN JOBS ACT

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it's now been 934 days since I came to Congress and there has not been a single vote on serious legislation to address our unemployment crisis.

Amidst the distractions, amidst the scandals, amidst the tragedies, the single overriding focus of the American people remains the same: jobs and the economy. The polls speak volumes.

Mr. Speaker, today I'm taking an important step to end distractions and get the Congress back to work for the people, for the unemployed, for the suffering. Today, I am reintroducing President Obama's American Jobs Act, which expired last year without even reaching the House floor. The American Jobs Act is popular for a reason: independent analysts have shown it would create 1.9 million jobs.

Mr. Speaker, bring this bill to a vote and you will restore public trust in the Congress of the United States of America. The American Jobs Act deserves a vote. Mr. Speaker, our mantra should be: jobs, jobs, jobs.

OBAMACARE

(Mr. COTTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COTTON. Mr. Speaker, more than 100,000 Arkansans work in retail, restaurant, lodging, and other service sectors. These service industries have helped keep the American economy afloat in recent years.

From restaurants like U.S. Cafe in Dardanelle, where I flipped burgers and fried fish as a teenager, to the convention hotels in Hot Springs, Arkansans rely on service industries every day as both employees and customers.

Unfortunately, the Obama administration's many failed policies are imperiling our service sector. Nowhere is this more true than with ObamaCare. Service-oriented companies often have large and shifting workforces, they operate on extremely thin margins, and they cannot thrive on uncertainty. ObamaCare brings nothing but uncertainty.

The House took an important step last week by voting to delay both the employer and the individual mandates in ObamaCare, but the only real solution is to repeal this awful law. Otherwise, service-sector employees and businesses will suffer continued setbacks, which means our economy will suffer yet another blow.

DEFENDING FREEDOMS PROJECT: NABEEL RAJAB

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I rise to discuss a Bahraini prisoner of conscience, Nabeel Rajab, a prominent human rights activist and the president of the Bahrain Center for Human Rights. Nabeel Rajab was sentenced to 3 years in jail simply for engaging in nonviolent political protests.

Nabeel Rajab is not alone. Scores of prisoners are incarcerated in Bahrain because they have called for meaningful reforms. Nabeel Rajab's abusive treatment by Bahraini security forces starkly contradicts Bahrain's pronouncements of full-fledged support for human rights.

I ask for the immediate release of Nabeel Rajab and seek the full support of Congress and the Obama administration.

Nabeel Rajab is a focus of the Defending Freedoms Project, a collaborative initiative spearheaded by the Tom Lantos Human Rights Commission that invites Members of Congress to stand up for prisoners of conscience around the world through various actions. Today, I invite my colleagues to take part in this important nonpartisan opportunity. Our voices can make a difference in the release of these prisoners.

DAINES SPEAKS IN SUPPORT OF AMASH AMENDMENT

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Mr. Speaker, after spending 12 years in the technology sector—more specifically, cloud computing—I know firsthand the power that data holds. I also understand the potential for abuse and the threats to Americans' civil liberties that come with mass collections of data.

Recent reports of the NSA blanket collection of Americans' phone records demonstrate the serious need for reforms to protect liberty and prevent abuse. That's why I'm proud to support Congressman AMASH's amendment to prevent the NSA from using the Patriot Act to collect the records of Americans who are not subject to a Patriot Act investigation.

This amendment helps protect law-abiding Americans from government overreach. The status quo is not unacceptable, and I hope this amendment will be a driving force for much-needed reforms and greater transparency and accountability.

We've seen what Big Government looks like. No one would have thought that the IRS would turn against the American people, and yet here we are. We must always be vigilant and guarded against the overreach of power.

I will continue fighting to defend liberty. I urge my colleagues to support this amendment and stand for Americans' Fourth Amendment protections.

SAINT ANNE CATHOLIC PARISH 40TH ANNIVERSARY

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, this weekend, Saint Anne Catholic Parish in Union City is celebrating its 40th anniversary festival.

Saint Anne was founded in 1860 as a mission in the old Alvarado District before the city of Union City even existed. The current parish was established in 1973 and has been serving the surrounding community ever since.

Today, Saint Anne is one of the largest parishes in my congressional district, with over 5,000 parishioners, led by my friend, Father Geoffrey Baraan. With Father Geoffrey's guidance, Saint Anne helps serve the ethnically and culturally diverse community of Union City, and it helps ensure that the church lives up to its core mission, to ''lead with compassion.''

Through its parishioners, youth ministry, and hardworking staff, Saint Anne continues to help the homeless and the hungry of its community. This annual festival serves as a celebration and a reminder of the hard work and selfless service that went into building Saint Anne's. The funds raised during the festival will help the church continue to serve with collaboration, fellowship, and stewardship.

I wish Saint Anne all the best and hope they have a great 40th anniversary festival.

LACEY ACT

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, an American can be tried in a U.S. court and sent to an American prison for violating an obscure foreign law. Yes, you heard that right. That has already happened under a little-known provision in the Lacey Act.

The Lacey Act became the law in 1900 as a good protection against poachers, but it's been expanded since. Now, if you unknowingly import a product that violates a regulation from an exporting country, you can end up in a U.S. Federal courtroom and sent to a Federal prison.

One seafood importer spent 6 years in jail for importing lobsters that violated a regulation in Honduras. A few lobster tails were too small, and they were shipped in plastic instead of cardboard. Even the Honduran Government said these rules were obsolete.

Then Gibson Guitar had to pay $350,000 to settle Federal charges that the company bought wood from Madagascar that was a sixth of an inch too thick.

It's time to end unreasonable and unconstitutional prosecutions of Americans on American soil for obscure foreign laws. The Lacey Act violates the rule of law and it needs to be changed.

DEROGATORY STATEMENTS REGARDING DREAMERS

(Mr. HINOJOSA asked and was given permission to address the House for 1 minute.)

Mr. HINOJOSA. Mr. Speaker, America expects Members of Congress to exemplify what is great about our country. They expect us to represent virtues of tolerance, respect, and intelligence. Generalizations about children, about entire races of people are intolerant, disrespectful, and not very intelligent. Our country expects better from us. Recent comments made by one colleague across the aisle are far below those expectations.

Forget for a moment that the DREAM Act is the right thing to do and will help grow our economy. Forget that most DREAMers are the best and the brightest of our country, and that passing the DREAM Act will increase DREAMers' earnings by an aggregate of 19 percent, totaling $148 billion in wages by 2030, triggering more spending on goods and services throughout our economy and generating $181 billion in increased economic growth by 2030, creating millions of jobs for Americans. Forget that providing a strong incentive for DREAMers to further their education will add 223,000 college diplomas to the workforce and open doors to better paying jobs. Forget all that, and remember that these are children and young adults. These are human beings. They deserve better than the derogatory statements of my Republican colleague. The American people deserve better.

□ 1230

COLLEGE AFFORDABILITY AND ACCESSIBILITY

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the Federal Government is not the master puppeteer of higher education, though a litany of burdensome regulations suggest that's what it's angling for.

We all want college to be more affordable and we want to ensure students throughout the country who work hard have the opportunity to attend a high-quality school. But Federal attempts to regulate those goals into existence unilaterally are counterproductive and costly.

Restrictive regulations stifle pioneering institutions at a time when forward-thinking solutions are desperately needed to meet the changing demands of an increasingly diverse American student body.

With less punitive Federal intervention, Congress will be able to work carefully with students, families, educators, and higher learning institutions to address the issues of college affordability, accountability, and transparency during the reauthorization of the Higher Education Act.

The administration should think outside the box with us so that education can be more accessible and affordable. We should start by reducing the size of the costly regulatory footprint in higher education.

CUTS TO EPA FUNDING

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, yesterday, I was dismayed to see the Interior, Environment Appropriations Subcommittee approve a 2014 funding bill that cuts EPA funding by 34 percent. Such a drastic, unnecessary cut would prevent EPA from addressing critical air quality, water quality, and climate change issues that have direct impacts on human health.

As everyone knows by now, we are already feeling the impacts of climate change—stronger storms, more severe droughts, hotter heat waves. But it's our children and our grandchildren who will bear the brunt of these impacts in the future.

Children are especially vulnerable to the effects of climate change. We've already seen that there are higher rates of asthma and infectious diseases in children. These proposed cuts to EPA will only make things worse.

Mr. Speaker, we have the opportunity and the responsibility to act now to protect our children and our grandchildren from the impacts of climate change.

I urge my colleagues, let's stop these shortsighted political games and start taking action to address climate change and protect the long-term health of future generations.

KILAH DAVENPORT CHILD PROTECTION ACT

(Mr. PITTINGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTINGER. Mr. Speaker, I rise today to ask once more that my colleagues in Congress will help protect children by cosponsoring the Kilah Davenport Child Protection Act.

Until recent changes by the North Carolina legislature, the punishment for someone who caused permanent, severe, mental and physical injury to a child in our State was just 4 to 6 years. Sadly, inadequate, and ambiguous child abuse laws are not unique to North Carolina.

My little friend Kilah was severely abused by her caretaker, who smashed her head against a wall, leaving her with minimal function for the rest of her life. As a father and a grandfather, I was deeply moved by her situation, as I'm sure you are.

Now is the time to find an appropriate response to ensure the safety and the protection of our most precious treasures—America's children. This new legislation focuses on child abusers guilty of the most heinous acts of abuse. Those who destroy a child's future should receive much more than a slap on the wrist.

May God bless Kilah and her family and all whom we seek to protect.

REPRESENTATIVE STEVE KING'S DISGRACEFUL REMARKS

(Mr. SIRES asked and was given permission to address the House for 1 minute.)

Mr. SIRES. Mr. Speaker, I rise today to speak on the disgraceful remarks recently made by another Member of this body.

My parents brought me to this country at the age of 11. They brought me here for the freedoms, they brought me here for the opportunities, and they never told me to strap 75 pounds of marijuana on my thighs so we can sell it in America.

It is disgraceful that a Member of this body would demean this House and what this country represents when you make remarks like that. I recognize that not all Members of this body feel the same way.

I represent Ellis Island and the Statue of Liberty, two monuments that symbolize the history of America as a Nation of immigrants. So when you make remarks like one of the Members made, it's not only ignorant, but quite frankly stupid, not recognizing the history of this country.

CALLING ATTENTION TO PRISONER OF CONSCIENCE ZHU YUFU

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to bring attention to the plight of Zhu Yufu.

Today, Zhu Yufu has been in prison in China for 520 days. He is a prisoner of conscience, unable to enjoy the fundamental freedoms enshrined in the Universal Declaration of Human Rights.

An advocate for democracy, Christian dissident and poet Zhu Yufu helped found the unrecognized Democracy Party of China. For this, he was arrested for ''inciting subversion of state power.''

Zhu Yufu cannot speak for himself, so others, including myself, must advocate on his behalf. My own efforts in support of Zhu Yufu are part of a project created by the Tom Lantos Human Rights Commission through which Members of Congress can bring attention to the plight of prisoners of conscious.

Through this work, we seek to pierce the darkness and shatter the silence that has enveloped Zhu Yufu and others like him.

Silence is not an option. Silence means Zhu Yufu likely will remain in prison and the Government of China will elude accountability for its deplorable human rights violations.

I call on all people of conscience to raise their voices in support of Zhu Yufu.

WE NEED A NEW AGENDA

(Ms. TITUS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TITUS. Mr. Speaker, this past weekend, I was shocked to hear the new standard for productivity, leadership, and good governance set here in the House of Representatives. Rather than looking at the success of the American people, the Speaker of the House said we should be judged by the number of laws we repeal.

This isn't a standard; this is an excuse for failure. Good governance is not measured by the 38 times that we voted to repeal health care. It is measured by the ability to compromise and create substantial solutions to the issues facing this country.

While House Republicans continue to obstruct, repeal, and repeat, 11 million undocumented immigrants remain in the shadows; 7 million students bear the burden of high student loan rates; 16.7 million children risk going to bed hungry; and every single woman in this country makes 77 cents to the dollar made by a man.

I say it is time that we need a new agenda and certainly a new standard for success.

RECOGNIZING HELEN SILLIMAN AND FLOSSIE BRAGG

(Mr. COLLINS of New York asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of New York. Mr. Speaker, I come to the House floor to recognize the contributions of two great women from New York's 27th Congressional District.

Tonight, Helen Silliman and the late Flossie Bragg will be honored in South Wales for becoming the first female firefighters in Erie County 50 years ago.

It was back in 1963 when Helen and Flossie decided to join the ranks of what was then an all-male department. In doing so, they made history in not only South Wales, but all of Erie County.

As a result, Helen and Flossie became pioneers for women in the fire service in western New York, leading the way for women to join the ranks of volunteer fire companies, which is now commonplace.

Today, it is estimated there are 35- to 40,000 women involved in volunteer fire services across this great country.

I want to thank and acknowledge Helen and Flossie for helping to lead the way.

HOUSE REPUBLICAN LEADERS' ''TO DON'T'' LIST

(Mr. DEUTCH asked and was given permission to address the House for 1 minute.)

Mr. DEUTCH. Mr. Speaker, a new NBC poll says that 83 percent of Americans disapprove of the job Congress is doing. But that shouldn't be surprising when we are not doing any job at all.

House Republican leaders are working off of a ''to don't'' list: don't pass

gun violence legislation that could save lives; don't pass equal pay for women that could boost family incomes; don't help homeowners refinance, which could save families money; don't pass immigration reform that could grow our economy; don't create a national infrastructure bank that could create new jobs; and don't pass a green energy bill that could finally tackle climate change.

It doesn't have to be this way, but when your agenda is to do nothing, it's easy to get nothing done when you operate off of a ''to don't'' list. Solving problems and reaching compromise may be hard work, but it's the work the American people sent us here to do.

FIGHTING FOR AMERICAN JOBS

(Mr. MCKINLEY asked and was given permission to address the House for 1 minute.)

Mr. MCKINLEY. Mr. Speaker, later today, the President will once again refocus his efforts on jobs. Well, House Republicans never lost our focus on jobs.

We have a plan to create jobs, grow our economy, and to secure our future for all Americans by expanding opportunity, not expanding government.

Our plan holds government accountable to hardworking taxpayers; our plan reins in runaway government spending; our plan combats waste and abuse in government; our plan promotes an all-of-the-above all-American energy strategy that will create jobs, lower energy costs, and strengthen our national security.

These are commonsense solutions that the American people deserve. It is not fair that Washington liberals keep offering up only more spending and political games. Real solutions to real problems, that's the American commitment.

WOMEN'S HISTORY MUSEUM

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, did you know that last Sunday marked the anniversary of the day in 1917 when 16 women demanded the right to vote in front of the White House? They were sentenced to 60 days in the workhouse for demanding universal suffrage for women.

Did you know that tomorrow is the day when in 1892 Doris Fleischman Bernays was born? She was to become the first married woman to get a passport in her own name and to get her name on her daughter's birth certificate.

Or did you know that the famous Ginger Rogers-Fred Astaire partnership ended in part because she was angry over gender pay standards? She grew tired of being paid half of what her male colleagues were paid in films in which she was starring.

These are the sorts of things that one day visitors will learn about at the National Women's History Museum when it opens its doors—with a goal of educating, inspiring, and empowering women.

After all, American history is her story too. That is why I have introduced with MARSHA BLACKBURN H.R. 863, a bill to create such a museum. Join it and make your mother proud.

REPRESENTATIVE STEVE KING'S IGNORANT COMMENTS

(Mr. RUIZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUIZ. Mr. Speaker, Representative KING's recent comments about children of immigrants are a disgrace to this institution. These comments are unacceptable and just plain wrong on so many levels.

We may not all agree on the best way to fix our Nation's broken immigration system, but we can all agree that it's broken.

Comments like Representative KING's don't do anything to solve problems or bring us closer to a true bipartisan solution on immigration. They only exacerbate the problem of extreme partisanship and inject needless divisiveness into the conversation on how to best reform our immigration system.

This sort of ideologically driven and hateful rhetoric has no place in this institution, and it must stop. It is time for both parties to put down the partisan talking points and make a good faith effort to work together to have a conversation and not a confrontation.

We need to act, and we need to act now. We don't have time for this partisan gamesmanship. We must reduce our deficit by passing this comprehensive immigration reform.

CREATE JOBS AND GROW THE ECONOMY

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Mr. Speaker, on the floor today we've heard some of our colleagues in the majority, starting with the Speaker of the House, demand the President work with Congress to create jobs and grow the economy. If Republicans were willing to spend time on these issues, that would really be good news.

I think it is necessary for us to have a reality check. In the 6 months of this Congress, with the Republicans in the majority, there has been no jobs bill brought to the floor; there has been no budget bill brought to the floor. The budget is the blueprint for job creation, for deficit reduction, for growing the economy, for creating jobs, for keeping America competitive, for making sure that America is number one.

At the beginning of the year, the Republicans said, we want regular order, we want to pass a budget bill—and we did—and then the Senate will pass a budget that is not a good budget and not a statement of our values, but nonetheless, a bill passed the House. They said, we want regular order, we want the Senate to pass a budget bill before we can proceed with any jobs legislation.

□ 1245

Over 3 months ago—I think nearly 4 months ago—the Senate passed a budget bill—again, a blueprint for job creation, deficit reduction, growth in the economy. The minute the Senate passed the bill, the Republicans said, Never mind.

Never mind? No. It is our business to mind, to mind this Congress to make sure that we create solutions, that we get results, that we are in the business of job creation in the public and private sectors with public and private partnerships. With no budget and with no jobs bill, that cannot happen.

So when the Speaker of the House comes to the floor and makes demands on the President—and the President has made offer, after offer, after offer. He has extended the hand of cooperation so many times that I want to count his fingers to see how intact his hand is because of the reaction from the Republicans. The Republicans' response to the President's offer of cooperation? Nothing.

''Nothing'' is our agenda.

Does ''nothing'' work for you, Mr. President?

Our timetable: ''Never.''

Does ''never'' work for you? Because that's the only time that we are going to work together with you to pass a jobs bill.

Previous speakers talked about jobs being created. Why? By giving tax cuts to the wealthiest people in our country?

I am so glad that the President is out there today, saying that we are going to build jobs and build our economy from the middle class out. It's really important that the prosperity of our country is enjoyed by many more people and, in fact, is inspired by their ingenuity, by their creativity, by their entrepreneurship; and we have to have policies that incentivize that.

Today, the President will put more ideas on the table to grow our economy. He recognizes—and I think we on the Democratic side all agree—that the economy best works when it grows from the middle out, not by the trickle down, top down.

Our friends on the Republican side said, Trickle down, what's wrong with that? If it trickles down, it could create jobs. If that happens, that's great. If it doesn't, that's the free market. If it doesn't create jobs, in their words, so be it.

So be it? No, I don't think so.

Our country has come a long way since the depths of the Great Recession, which was caused by these very same trickle-down policies. Tax cuts

for the rich, that is the Republican jobs program.

Do you know what is interesting to me? Coming up in September is the 5-year anniversary of the meltdown, of the announcement of the meltdown during the Bush administration. Under the trickle-down policies and the laissez, laissez, laissez, laissez, laissez, laissez-faire attitudes of the Republicans in Congress and in the White House, we were facing a great meltdown of our financial institutions, a great recklessness by some—not all—on Wall Street, causing joblessness on Main Street.

And what's interesting about it is, when we were notified finally—when we asked, what's going on here? and they finally told us what was happening—no less a person than the Chairman of the Fed said, in response to a description given by the Secretary of the Treasury, Secretary Paulson, about the seriousness of the meltdown that was occurring—and this was Thursday night—that we could, by Monday, have no economy.

Have no economy? That is the place that these trickle-down policies—this laissez-faire attitude toward no regulation and no supervision—took us in our economy coming up 5 years ago in September.

That's why it's really important for the President to be out there and for the public to understand, not so that we can create divisions between Democrats and Republicans, but so that we can come together as a people and make the decisions here about a budget that does grow the economy by creating jobs while reducing the deficit at the same time, keeping America number one—that we build the infrastructure of America, that we make it in America by giving incentives for jobs to stay here rather than, as the Republicans suggest, to give tax breaks to businesses that send jobs overseas. Building the infrastructure of America. Make It In America. Have our communities suggest how they would like to grow with the proper education of our children, with the safety of our neighborhoods, with the security of our people.

So, really, it's almost like another universe to listen to the Republicans talk about the economy when they have had a complete ''never, nothing'' agenda and timetable for bringing a jobs bill to the floor that really does address the challenges that working families in our country face.

On the positive side, I am very pleased that the President's strategy for growth, of course, which is centered around the middle class, ensures that every American has the opportunity to have a good job that pays enough to support a middle-income life, a strong education that equips our youth for the job market, a home that is not at risk of being taken away as it was 5 years ago, a retirement free of financial anxiety, secure health care with decent benefits, a higher minimum wage.

And when I talk about what happened 5 years ago, what's interesting to me is that the Republicans still have the nerve to be asking the question: Are you better off now than you were 5 years ago?

Five years ago, we weren't going to have an economy by Monday. We weren't going to have an economy by Monday under their policies. The President has led us out of that Great Recession. He did so in the first 2 years with a Democratic Congress that had a recovery package and initiatives to grow the economy. Since then, it has been, again, the ''never, nothing'' timetable and agenda of the Republicans. How much faster our economy could be growing if the Republicans would cooperate with their ideas and the President's, working together in a bipartisan way to get the job done for the American people.

While I'm at it, I want to put in a word for our agenda for America's women and families.

When women succeed, America succeeds. It's an agenda that recognizes and values the work of women in the workplace by having pay equity, by raising the minimum wage, by rewarding work. It's an agenda that helps women balance home and work by saying—and we will be celebrating the 20-year anniversary of the implementation of family medical leave—that we need some paid sick leave as well and paid maternity leave as well. Third is the need—and a bigger issue that will take a longer time in facing the challenge—for affordable quality child care for all of America's families so that our children can be learning while their parents are earning. An important component of it is the entrepreneurship of women in the workplace. Women's business ownership is the fastest growing rate of small business growth in our country, minority women-owned businesses as well.

So we do believe that our economy will grow, that our families will prosper, that our Nation will continue to be number one to the extent that we invest in the middle class and in those aspiring to it, and that we should place a special emphasis on women in the workplace, because, again, when American women succeed, America succeeds.

That's how we want to ignite the American Dream—to build ladders of opportunity for all who want to work hard, play by the rules, and take responsibility.

We have work to do. Let's do it instead of living in a world of illusion in which the leadership won't bring a real jobs bill to the floor that can be enacted into law. The Speaker has said that it isn't a measure of success as to how many bills you can enact; it's about how much law you can repeal.

You haven't even succeeded in that. You haven't repealed anything. So let's get to work on the positive side to create jobs. That's the best thing that we can do for the American people, and let's do it soon.

''Never'' doesn't work for us.

REVISIONIST HISTORY

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Madam Speaker, I will be happy to address some of the revisionist history.

If we want to talk about reality testing, how about the fact that, in September of 2008, Democrats had controlled every level of power in the United States Congress for some 20 months, but we didn't hear a peep out of them until Lehman Brothers failed?

And, oh, by the way, who was on watch at the New York Fed when that happened? Timothy Geithner. He was rewarded by becoming President Obama's Treasury Secretary.

For the first 2 years of the Obama administration, it was so anti-employer that no wonder the recovery was, indeed, a jobless recovery and that it has continued in that mode until today.

And don't get me started about the Affordable Care Act. That has been a wet blanket on job creation in this economy. The President knows it, which is why he revised things last week.

And, oh, by the way, if he wants to reach out his hand to us, how about sending people from the agencies to our committees who at least will stop the propensity for prevarication when they will not admit to the fact that they have contingency plans in place for delaying and downsizing the implementation of the Affordable Care Act as they were, in fact, planning that very measure when those people came to the committee and spoke under oath.

WE MUST ACT NOW ON IMMIGRATION REFORM

(Mr. DENHAM asked and was given permission to address the House for 1 minute.)

Mr. DENHAM. Madam Speaker, first, I would like to extend some thanks to Chairman GOWDY and Ranking Member LOFGREN, not only for giving me the privilege and the honor to speak before their Subcommittee on Immigration yesterday, but as well to have conversations in my district and to have conversations in my State with a number of constituents that are affected by our immigration policy.

This is something we have to act on now. This is something for which we need to make sure we've got a top-to-bottom approach. It is an issue on which Republicans and Democrats can actually come together that is vitally important to our economy and to the greatness of our country: making sure that our border security is actually secure, not only with a fence and greater law enforcement, but by actually redeploying the security technology and surveillance equipment from Afghanistan; making sure that we've got the

internal security as we move forward—an E-Verify system—making sure that we can actually verify the jobs within our communities so we can address not only jobs, but the high unemployment in so many areas; making sure that we actually have a temporary worker program so that we can address our ag economy.

Let's make sure that we have a top-to-bottom approach. So I ask that this body address this in a bipartisan fashion.

PROVIDING FOR CONSIDERATION OF H.R. 2218, COAL RESIDUALS REUSE AND MANAGEMENT ACT OF 2013, AND PROVIDING FOR CONSIDERATION OF H.R. 1582, ENERGY CONSUMERS RELIEF ACT OF 2013

Mr. BURGESS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 315 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 315

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2218) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1582) to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than $1 billion and will cause significant adverse effects to the economy. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-19. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. DENHAM). The gentleman from Texas is recognized for 1 hour.

□ 1300

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 315 provides for consideration of two pieces of legislation passed by the Committee on Energy and Commerce. The first, H.R. 2218, the Coal Residuals Reuse and Management Act of 2013 introduced by my friend on the committee, Mr. MCKINLEY from West Virginia, passed out of committee with a strong bipartisan vote with 54 bipartisan cosponsors. The second piece of legislation, H.R. 1582, the Energy Consumers Relief Act of 2013, was introduced by my friend Mr. CASSIDY from Louisiana.

The rule before us today provides for 1 hour of general debate on each of the bills included in the rule. A total of nine amendments were made in order between the two bills, six on the Democratic side and three on the Republican side. Further, the minority is afforded the customary motion to recommit, allowing for yet another opportunity to amend each piece of legislation before it's final vote.

H.R. 2218, the Coal Residuals Reuse and Management Act of 2013, is a product of hours of work over the course of the past few years that the gentleman from West Virginia (Mr. MCKINLEY) has put in to perfect this legislation. Indeed, the legislation includes numerous provisions offered by Democrats and even reflects input by President Obama's own Environmental Protection Agency.

This legislation was prompted by a move in June of 2010 by the Environmental Protection Agency to regulate coal combustion residuals. In this rule, the Environmental Protection Agency set out three proposals for coal residuals, commonly referred to as coal ash. Coal residuals are often recycled in an environmentally sound fashion and repurposed for use in roads, parks, golf courses, and any other number of safe manners. Unfortunately, many in the industry viewed these proposed Environmental Protection Agency regulations as placing barriers to the continued use or recycling of coal ash.

In response to these concerns, Mr. MCKINLEY's bill would provide for minimum Federal standards but allow States to craft a permitting program that could be tailored to the needs in each individual State. The bill makes clear that it does not provide the Environmental Protection Agency with new rulemaking authority. Further, it requires the Environmental Protection Agency to defer to the States with respect to the regulation of coal ash. This would allow Sates to protect human health and the environment by adapting an existing solid waste regulatory program for coal ash. To ensure adequate safety measures for human health, the bill requires installation of groundwater monitoring at all structures that receive coal ash.

The second bill included in today's rule has been carefully designed to protect consumers from a runaway Environmental Protection Agency which, in my experience as a member of the Committee on Energy and Commerce, constantly uses some pretty strange figures and some funny math in depicting the so-called benefits of its rules and rarely fully admits to the full cost of the rules it promulgates.

Since the beginning of President Obama's, Lisa Jackson's, and Gina McCarthy's tenure with the Federal Government, the Environmental Protection Agency has promulgated regulations imposing billions of dollars in costs on our critical power infrastructure. Famously, the Environmental Protection Agency has been so out of control that the President himself was required to intervene and pull the ozone rule in August of 2011, knowing that the cost to the country far outweighed the benefits that the Environmental Protection Agency was claiming.

In response to this out-of-control agency, Dr. CASSIDY has carefully crafted H.R. 1582, the Energy Consumers Relief Act, which would add another measure of protection for consumers legitimately frightened of whether or not they will be able to afford their air-conditioning this summer or their heating this fall, or even to turn on their lights at nighttime.

The bill is straightforward. It requires that, before promulgating a final rule that would impose an aggregate cost of $1 billion on the American people, the Environmental Protection Agency must consult with the Secretary of Energy, a Cabinet member who will be working for the very same President as the Administrator at the Environmental Protection Agency. The Energy Secretary must then determine that the rule before him would not cause significant adverse effects to the economy or to electric reliability, as is his job. That's what his mission statement is as the top energy official for our country.

For too long, the Environmental Protection Agency has dictated our energy policy rather than simply our environmental policy. Former Energy Secretary Steven Chu seemed to have no problem passively delegating his job to Lisa Jackson. I suppose he was too busy losing America's money to solar companies. The era of the Environmental Protection Agency dictating energy policy must end, and this bill is a solid step toward that goal.

Mr. Speaker, American consumers are struggling. They watch the cost of food as it rises right before their eyes. They watch the gas prices. Where are they going? Nowhere but up. They watch their electricity bills. They are also going up. There is no relief in sight on the horizon under this President and this administration.

House Republicans have not abandoned their promises to protect consumers from an out-of-control bureaucracy imposing cost after cost on the American people. Today's legislation is yet another few arrows in the quiver to stop the Federal Government from taking more money out of Americans' pockets.

As I encourage my colleagues to vote ''yes'' on the rule and ''yes'' on the two underlying bills, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from Texas (Mr. BURGESS) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I would like to begin my remarks by correcting my friend from Texas with reference to his 1-minute statement previous to the time that we began the rule.

As I understood him, he said that for the last 20 months, Democrats have controlled every level of power. Somewhere along the line, I think my friend must be very confused about what the responsibilities of the United States House of Representatives is and are.

That said, my recollection is that in this Congress, which has consumed 6 months, and in the previous one, which took 2 years, that my friends in the Republican Party have controlled the House of Representatives. Unless there is no longer one level of power in Washington, something is misunderstood by me.

Mr. Speaker, the House faces a number of pressing issues that have bipartisan support and that we could be addressing in our limited time before the August recess. For example, we could be reforming in a comprehensive manner our Nation's immigration system. We could be ending the sequester. I have not met a Democrat or a Republican that did not say that the sequester was a bad idea. We could be addressing the doubling of student loan interest rates. We could be having a conference on a farm bill, or we could be appointing—something that I still find very strange—we could be appointing budget conferees.

It used to be that having a conference around this place was a real opportunity for Members, and Members sought to be on the conference. I know my first experience I was fascinated by the fact that I'm on a conference with the other body, the United States Senate. Little did I know that their rules provided for them to vote by proxy, but I came to learn that perhaps it wasn't as important as I thought it was, but it is important to the process.

But for any of these important issues to be addressed, Members would have to work together to resolve their differences. Instead, we're spending our time on two bills that my friends across the aisle know will never become law. I don't have to be a betting person to bet anybody in this institution that what we are discussing here today will not become the law of the land. The reason that I know that is we've already done it four times, this same measure, and it didn't see the light of day in the other body. This one ain't going to either.

These bills today show what I've been saying for quite some time now, and it's that my Republican colleagues really are not manifesting interest in actually fixing our country's problems. In fact, it seems that they're more happy to simply bring Congress to a standstill and call that success.

Mr. Speaker, political victories are not victories for struggling families. In case these bills are not clear enough evidence, my friends recently released their messaging plan for the August work period in our respective districts. That plan is called ''Fighting Washington for All Americans.'' Wow. Despite the irony, I would almost want to call it hypocrisy of sitting Members of Congress trying to paint themselves as outsiders and reformers while ignoring their key role in creating the gridlock. Fighting Washington for All Americans urges Members to consider Washington as a place where nothing good happens, so the less governing that gets done, the better. Yet these two bills today completely contradict those ideas.

H.R. 1582 gives the Department of Energy unprecedented authority to veto Environmental Protection Agency-related regulations. Not only does the bill prevent the EPA from finalizing critical public health and environmental rules, it instructs the Department of Energy to conduct a duplicative and convoluted analysis without any new resources. These are the people that say bureaucracy is a problem, and yet they're creating additional bureaucracy within the framework of these two measures.

□ 1315

I said yesterday in the Rules Committee I would be astounded at how much time it's going to take the Energy Department and the EPA to coordinate their efforts. Evidently, these people haven't been trying to talk to these bureaucrats the way that I have over the course of time, and it requires, this measure does, extra examination, despite the Office of Management and Budget's interagency review of all regulations, which includes the Department of Energy, in the review of EPA rules.

I did a little research, Mr. Speaker, on how many times over the course of the time that I've been here that Members on the other side have offered measures, that did not become law, to abolish the Department of Energy. Hear me loud and clear: to abolish the Department of Energy.

Now we come today, after that having been done numerous times, we come today and the Energy Department is the answer. These same people wanted to, I guess everything with an ''E'' that's in the Cabinet, they wanted the Department of EPA to be abolished at one time, the Department of Education. They need to change their acronyms over there or else they'll find themselves abolished, if they don't get past A, B, C, D—E.

Not only does the bill prevent the EPA from finalizing critical public health and environmental rules, it instructs the Department of Energy to do, as I said, duplicative measures.

As for H.R. 2218, the Coal Residuals Reuse and Management Act, the second bill being considered under this rule today, it encourages, in my view, a race to the bottom, where the State willing to have the least protections will become the dumping ground for the entire country.

I said last night that I would be mad today. I tempered myself with my passion over my reflections of my comments in the Rules Committee, but I cannot but return to them when I think of the community that I live in, and have lived in for now coming up on 51 years, where every one of the Superfund Brownfields was in the minority community. Every dump that ever dumped anything in Broward County was in minority communities—treatment waste across the street from where I live, and I guess perhaps these people have not had those experiences.

While there are certainly inefficiencies within the Federal Government—and they are numerous—the 2008 coal ash spill in Kingston, Tennessee, is evidence that the Environmental Protection Agency has an important role to play in protecting our Nation's public health.

This bill would allow States to undertake permitting programs for the management of coal ash; and let me talk about what's in coal ash. People seem to think that coal ash is all of this great stuff. Coal ash has in it mercury, lead, cadmium, hexavalent chromium, if you can say that. These are things that are poisonous. And yes, it is true that we have managed under the regulations to constrain ourselves with many of these products that have been utilized for benefit, but do not mistake arsenic and cadmium and lead for anything other than harmful products.

The Federal environmental standards that are put forward here do not take into contemplation how important it is to establish uniform protections for our Nation's health and environment.

Let me return to the Kingston, Tennessee, situation. The Tennessee Valley Authority is still paying in excess of $1 billion, somewhere in the neighborhood of $1.2 billion for taking this stuff and dumping it in Uniontown, Alabama, 100 feet from where people live; and, I suggest, as is the case in the community that I am privileged to serve, where people that are friends of mine have died as a result of not coal ash but dumps being in their communities and incinerators burning it, and it's the same in many respects.

I compliment Florida Power & Light, the largest utility in my State, for destroying their two coal ash plants in Fort Lauderdale, and we still find that Florida Power & Light still manages their business well enough to make handsome profits.

As far as electric rates going up, I would suggest to my friend, it's sort of like health care measures. And I continue to ask everybody, tell me the day, before there was anything called ObamaCare, tell me the day when your insurance rates for health went down. Tell me the day that your utilities went down. I don't recall any period where that happened; and somewhere along the line, we need to address these things in meaningful ways.

Different standards in each State provide an economic incentive to send coal ash to the State with the lowest level of regulation. This bill will not ensure the safe disposal of coal ash or make current law any stronger.

Fighting Washington—that's what you're getting ready to say in August—does not keep our air and water clean. Fighting Washington does not provide the sick with medical treatment. Fighting Washington does not keep Wall Street from preying on the American people. Fighting Washington does not provide student loans for children who aren't going to be able to return to school this year because of the prohibitive costs.

Fighting Washington does not provide immigration reform in a comprehensive manner. And somewhere along the line we have to understand there are more than 11 million people in this country that are here illegally. And I can point to you people that work right around this Capitol—and a few that are in it—that we rely upon, that we need to straighten this law out about. But we prefer to fight Washington.

Fighting Washington doesn't help the Centers for Disease Control prevent us from having diseases. At Robert E. Lee High School in Fairfax County, one of the best counties for education in this country, they've had a recall of students for tuberculosis, something I thought we had pretty much abolished. But when we can't find the necessary research money and we can't find the necessary provisions—largely because we're fighting Washington—then we're going to have other outbreaks like that that we have to contend with.

Fighting Washington doesn't provide the National Institutes of Health the things to do to provide women's health and male research in order for us to better the health of the United States of America.

Fighting Washington makes for great talking points, and might even make for great fundraising. It might make for a good bumper sticker, but it is far from a serious strategy to actually make this country better. A better title than ''Fighting Washington for Americans'' would be ''Washington Fighting for Americans.''

Now this do-nothing Congress, and I've been here 21 years, is giving new meaning to do nothing. And all of this repealing things didn't just start this year. Next week, we'll be back here on the floor talking more repeal. We're going to have something called the REINS Act. We're real good up here at naming things—R-E-I-N-S. We're going to be doing some more repealing.

But in the 112th Congress—I looked back—we had 137 votes to block actions to prevent pollution. We had 55 votes targeted at the Department of Energy. We had 57 votes to defund or repeal clean energy initiatives. We had 47 votes to promote offshore drilling. We had 81 votes targeted at the Department of the Interior. We had 87 votes to undermine protections for public lands and wilderness. We had 53 votes to block actions that address climate change. We had 38 votes to dismantle the Clean Water Act. So 317 repeal votes. I've changed you-all's name. It's no longer the Republicans; it's the ''Repealicans.'' You must be people that just repeal.

And over in the other body, they're ''Republistructionists'' because their whole objective—and that gets ignored here when we start talking about who's responsible for what. It gets ignored that the minority in the other body has arcane rules that permit them to block everything, and that's what they've done, everything you haven't blocked or sought to repeal. Here we have been trying to get health care for people, and you-all are voting to repeal health care 39 different times.

I'm tired of voting on that kind of stuff. I want to vote on something that's going to provide some jobs for America. I want to vote on something that's going to help some students have some jobs when they get out of school. I want to vote on something that's going to allow for technology and innovation to catch up with what's going on in the world. I want to make sure that we exact our responsibilities, particularly with reference to education.

I just left a meeting with homeless providers and nonprofits. I want to make sure that there's Meals on Wheels. I want to vote on something to make sure that every child has an equal opportunity for a very good education in this country. I want to vote on something that's going to look 50 years down the road to what America looks like, and not 50 months from now, or not 1 month from now in August when you're going to be fighting Washington.

I'm going to be up here with you in Washington, and we are consummate insiders, and it's ridiculous for you to go home and try to tell somebody you're anything other than that. And you do control one-third of the legislative body. And you do have exacting responsibilities given to you under Article I that you're not exercising. You have the Ways and Means' ability. You have the numbers to undertake to do those things.

So, yeah, I'm mad. And I think many in America are mad, too, with a Congress that's doing nothing.

I reserve the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute for a couple of brief responses.

First off, I don't know whether the gentleman misheard or only caught me

in midsentence. I was responding to the minority leader's statement about this September is the 4-year anniversary of the crash in the economy, and the preceding 20 months, from September of 2008, in the Congress, all of the levers of power were handled by the Democrats.

Now, on this issue of fighting Washington, good strategy, bad strategy, I can't address that. But I do know what's going on out in this country—people are frightened of Washington. They're not fighting Washington; they are scared. Why are they scared? What are they seeing with the NSA? What do they see with the TSA when they go to the airport? What are they seeing with the IRS? Nobody likes the IRS to start with, but now people are concerned that their First Amendment rights are going to be trampled by an out-of-control Federal agency. And I have to tell you what, Mr. Speaker, it all devolves back to the administration. Yeah, the Congress has its own problems, but the administration is actually what is driving the frightening of America, not the fighting of America.

I now yield 5 minutes to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Speaker, I rise today in support of the rule.

For over 33 years, Congress has wrestled unproductively on how to deal with coal ash, which is an unavoidable by-product of burning coal.

The bill before us today provides a resolution, finally, to this issue and avoids kicking the can down the road.

H.R. 2218 has two parts. The first part codifies the previous EPA studies that were conducted in 1993 and 2000 under Bill Clinton, both of them. I have copies of it here. And perhaps those that need to read those reports would understand that in the 1993 and in the 2000 reports, they concluded that coal ash is a nonhazardous material and should be beneficially recycled for use in products such as concrete block, brick, wallboard, and used in our roads and bridges across America.

The second part, unfortunately they're not aware of it yet, but if they'd read the bill, they would find that it has been significantly rewritten since last year. We listened to what people were saying. We listened to the EPA, we listened to the administration, and incorporated those into this bill, so that this second part now provides for all new and existing landfills to be State run, using a Federal law known as RCRA, which in and of itself incorporates the Federal guidelines for protecting ''human health and the environment.''

Consequently, disposal requirements under H.R. 2218 will require composite liners, dust control, groundwater monitoring, financial assurances, emergency action plans, inspections, and structural stability, just to name a few. In fact, the EPA states that RCRA's primary goals are to:

Protect human health and the environment, to reduce the amount of waste generated, and to ensure that wastes are managed in an environmentally sound manner.

□ 1330

For the first time, there will be a uniform national standard for disposing of coal ash. However, as you just heard, you hear opponents of this legislation state this legislation does not protect human health and the environment. But quite frankly, that's not the case.

H.R. 2218 not only includes nine different references and sections of RCRA which protect human health and environment, but also incorporates the existing RCRA part 258 regulation.

To use the words of the EPA, ''EPA believes that part 258 criteria represents a reasonable balance ensuring the protection of human health and the environment.''

The opponents of this measure seem to lack a fundamental understanding, Mr. Speaker. There are jobs at stake here, 316,000 jobs across America. It's really that simple.

A compromise is available. Anyone who opposes this rule will continue to support the status quo. If we do nothing, coal ash, which is generated every day in 48 of the 50 States, will continue to be disposed of. The status the way it's been since the 1950s and '60s and the unwarranted stigma that's associated with recycled materials will continue.

Fortunately, finally, today, after listening and compromising and working together, there appears to be an emerging consensus to allow for the beneficial recycle of coal ash, and the concerns raised by a previous Congress have been addressed.

Mr. Speaker, after 33 years of fussing with this issue, it's time to put it to rest.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

And would the Speaker be kind enough to tell both sides how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Florida has 13½ minutes remaining. The gentleman from Texas has 17½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Several of our colleagues, including the previous speaker, are suggesting that this bill is better than previous versions. But this is actually the worst version yet from a public health and environmental perspective.

All you have to do is look at the Statement of Administration Policy to see how this bill has gotten worse. The administration is concerned that there's no clear and appropriate authority for taking corrective action on unlimited or leaking impoundments or units.

Unlike H.R. 2273, from the last Congress, this says that an unlined impoundment that is found to be contaminating groundwater only has to close after alternative disposal capacity is available at the same site. Well, many of these facilities don't have the space for additional capacity at the same site. That means that the pollution can go on for years, or even indefinitely.

This bill is the worst version of coal ash legislation yet. That's why all the environmental groups oppose this legislation. They even sent a letter to the House today that states, ''This bill is more dangerous to human health and environment than previous versions of this legislation.''

Mr. Speaker, I'm very sad today. One of my college classmates is being funeralized, or has been funeralized as we are speaking. Her funeral was at 11 o'clock. She lives in a community called Golden Heights. In Golden Heights, in a 2-square mile radius from a dump that dumped into that community for a considerable period of time, the incidence of cancer of dear friends of mine, male and female, is inordinately high by comparison to any other place in the State of Florida.

Something is wrong with the picture of continuing to pollute and to not be mindful of who are the victims of that pollution.

Mr. Speaker, I make the distinction that I was not talking about coal ash, and I'm glad I don't live near one of those places where they are dumping like in Uniontown, Alabama.

If we defeat the previous question, I'm going to offer an amendment to the rule to bring up H.R. 2070, Representative TIM BISHOP's bill to protect consumers from price gouging at the gas pump.

To discuss his bill, I would like now to yield 3 minutes to the distinguished gentleman from New York (Mr. BISHOP), my friend.

Mr. BISHOP of New York. Mr. Speaker, I thank the gentleman for yielding.

I rise in opposition to the rule, and urge my colleagues to defeat the previous question so that the House can consider pro-consumer, job-protecting legislation, the Federal Price Gouging Prevention Act, which would deter the sale of gasoline at excessive prices.

I introduced this legislation so that my constituents and Long Island businesses are not harmed by unscrupulous business practices designed solely to increase profit margins.

My constituents are facing rising prices at nearly every turn, on top of stagnated wage growth. They're worried about paying for college, paying the mortgage, saving for retirement, or just paying for groceries. They're also wondering what Congress is doing for them to create jobs and to raise their standard of living.

AAA estimates gas prices are expected to increase as the summer continues. In fact, AAA reports that the average price per gallon is up to $4 on Long Island from $3.87 a week ago. This comes as Americans are heading to Long Island's beaches, historic villages, and open spaces. Excessive gas

prices will cost Long Island businesses and jobs, and that's something that we cannot let happen on Long Island or anywhere else in this country.

The east coast is also in the midst of hurricane season, which can bring out the unscrupulous who would take advantage of hardworking families, as we witnessed in the aftermath of Sandy. In fact, just this week a New York State judge fined one Long Island gas station, and two others have reached settlements with the New York Attorney General's Office for price gouging.

This Congress should protect those harmed by natural disasters so they don't have to worry about price gouging while they rebuild their homes, communities, businesses, and livelihoods. Let's do it now before the next crisis erupts.

Mr. Speaker, I urge my colleagues to defeat the previous question, support consumers and jobs, and support the Federal Price Gouging Prevention Act.

Mr. BURGESS. Mr. Speaker, let me yield myself 30 seconds for response, pending which I'm going to yield 2 minutes to the gentlelady from West Virginia.

In the brief 7 months that I have spent on the Rules Committee in this Congress, there's only one time where the administration has not issued a veto threat to legislation we were considering under the Rules Committee. This is H.R. 2218, Mr. MCKINLEY's bill. They voiced problems, but they did not issue a veto threat. That is a red letter day in this institution.

Every other piece of legislation that's come to the floor has done so under a threat of a veto by the administration.

I yield 2 minutes to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Speaker, I rise today in strong support of the rule and the two underlying energy bills that the House will consider today. I'm a proud cosponsor of both of these bills because they will protect West Virginia jobs and prevent increases in electricity costs for many of those millions of folks across this country that cannot afford it.

My colleague, Mr. MCKINLEY, has worked tirelessly to see that H.R. 2218 has met the demands and answered the questions.

And to my colleague from Florida, when he stated that he's glad he doesn't live in these areas, guess what? We do. So it's exceedingly important to us that we do this the right way. And that's why I'm supporting the framework for state regulation that will ensure that coal ash will be used productively.

I visited the Sutton Dam in my district for its 50-year anniversary. And I can tell you, I was there when it was built, and I was there 50 years later. As they were describing the Sutton Dam and how successful it's been—and it's still a fortress of strength, holding the water back—they started talking about the construction materials used 50 years ago.

And guess what?

Coal ash was one of those construction materials that was used to strengthen this dam, and to also have it stand the test of time.

So, I think the regulatory uncertainty that's been around for years about what to do about coal ash has really cut the use of coal ash by millions of tons. But also, wouldn't we rather be recycling and reusing this in a productive measure, rather than increasing the impoundments and increasing any kind of risk to the environment?

This bill just makes perfect sense.

And the second bill addresses the growing number of billion-dollar EPA rules. In my view, billion-dollar EPA rules have two major costs: costs of jobs, and the cost to seniors and those on fixed incomes and the folks who are trying to heat their homes or cool their homes to be able to meet the high cost of electricity. So these make great sense to me.

I'm very proud of my colleague from West Virginia for bringing this to the floor for the fifth time, and it will pass again.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

The previous speaker is a person that, there are few in Congress that I have greater respect for. I certainly understand the dynamics of living in communities. In my judgment, she's absolutely correct that what we should be doing is everything we can to constructively make sure that we are about the business of ensuring the health of the communities that we live in.

So, to that degree, while I stand by my position that I'm glad I don't live next to these facilities, unfortunately, I live close to, and have for some time, facilities that have been harmful that claimed that they were protecting the health and the environment of people.

Mr. Speaker, yesterday in the Rules Committee, my friend from Illinois (Mr. SHIMKUS) said something that I would like to correct. He'll be down here, I'm sure, later today or whenever this measure comes up. He noted that the Environmental Protection Agency testified ''that they do not oppose'' this coal ash bill.

I want to make sure that everyone knows that the Environmental Protection Agency said that because they are not permitted to take a position on legislation, only the administration is allowed to say they support or oppose legislation. And in the administration position last night, they did not say that they don't support the coal ash bill, nor was it a veto threat.

I would urge my colleague from Texas to point me to the time that Barack Obama has vetoed something.

One of the things, I've been on that committee—he's been there 7 months. I've been there years, and I've been there with other Presidents, and it is not uncommon for Congress to propose and to have the administration oppose and vice versa.

Mr. Speaker, both of these bills before us today are so tilted toward commercial operations that they reflect a warped sense of what is important to the people in this great country of ours. These bills undermine environmental laws that have been proven to protect communities and provide for the development of energy to run America.

While we need to develop laws that promote energy and commerce, snide commentary regarding failed policies at the Department of Energy ignores the number of successes through the years under different administrations and this one that the Department of Energy has put forward.

We cannot, in many respects, develop laws that promote energy and commerce and ignore the consequences of those activities. Pollution is not equivalent to progress.

Mr. Speaker, I urge my colleagues to oppose this rule and the underlying bills, and I ask unanimous consent to insert the text of my amendment to the rule in the RECORD, along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I urge my colleagues to vote ''no'' and to stop being ''Repealicans'' and be about the business of trying to do something constructive in this House of Representatives.

I would ask them to vote ''no'' and defeat the previous question. I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we all know, in order for this economy to flourish, energy has to be available and energy has to be affordable. Unfortunately, the situation we've seen in recent years is anything but that.

The Department of Energy was created back in the 1970s in response to the Arab oil embargo. The Department of Energy was created to deal with the situation of scarcity.

□ 1345

Unfortunately, the Department of Energy has not evolved since that time. And where do we find ourselves today? We find ourselves right on the threshold, right on the horizon of America being an energy exporter, again, for the first time in a couple of decades. That's a huge change.

Has the Department of Energy changed and kept pace with the reality that is going on in development of energy in State lands, private lands, and, yes, some Federal lands? Have they kept pace with the development within the industry? I submit they have not. I submit that they have been an impediment.

Yes, I'd be happy to work on improving where the Department of Energy could be, in fact, a facilitator rather than an obstruction for developing energy for our economy. Because we know without available and affordable energy, the promise that the economy can create the number of jobs that it needs to create—not just to replace those jobs that have been lost, but all of those people who are getting to the age where they expect a job to be there for them—and without that energy production, it's not going happen.

Now, I do want to talk about the other bill that's before us today, Dr. CASSIDY's bill, H.R. 1582. Let's think about this for a minute. The Congress works its will on a bill. It becomes law. That law then goes to the regulatory agency. They work their will on the bill. And we all know the story. A thousand-page bill here on the floor of the House can generate 10,000 pages of regulation in the Federal Register.

I don't know about you, Mr. Speaker, but it's hard to discipline myself to wake up every morning and read what was written in the Federal Register the day before. The American people who are out there creating and producing certainly don't have time to do that.

But when these rules are then visited upon the people, what happens then? Well, they just simply have to accept the effect of those rules. Congress did that a couple of years ago. They are not playing in that arena any longer.

Here's what Dr. CASSIDY says. He says that before promulgating a final rule that would impose an aggregate cost of $1 billion on the American people, the Administrator of the EPA has to consult with the Secretary of Energy. This seems like a logical and straightforward maneuver. In fact, we will talk about the REINS Act in the weeks to come. And they have to come back to Congress and get us to either say ''yes'' or ''no'' on that regulation that is going to have such a profound effect on the American people.

Mr. Speaker, I've been in business before. I've made investments before. I know very well if someone comes to investors with a cash call and says you're going to have to pony up a lot more money here, the very least that the investor expects at that point is a pro forma, a profit and loss sheet, or some reasonable expectation that there can be a return on investment.

You say, Wait a minute, nobody's coming to the American people with a cash call. Well, it's called April 15. And it is a cash call. And we owe them that scrutiny. The Congress owes them that scrutiny; the Department of Energy owes them that scrutiny. I would assert we owe them an up-or-down vote on those regulations that are going to have such a profound effect on the economy.

Mr. Speaker, today's rule provides for the consideration of two critical bills ensuring that the American people are not further penalized by out-of-control policies coming out of the Environmental Protection Agency. Consumers need relief, it is clear.

For that reason, I urge an ''aye'' vote on the previous question, an ''aye'' vote on the rule, and an ''aye'' vote on the two underlying bills.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 315 OFFERED BY MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2070) to protect consumers from price-gouging of gasoline and other fuels, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2070.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against Ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BURGESS. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 224, nays 191, not voting 18, as follows:

[Roll No. 399]

YEAS—224

Aderholt	Brooks (AL)	Cook
Alexander	Brooks (IN)	Cotton
Amash	Broun (GA)	Cramer
Amodei	Buchanan	Crawford
Bachmann	Bucshon	Crenshaw
Bachus	Burgess	Culberson
Barr	Calvert	Daines
Barton	Camp	Davis, Rodney
Benishek	Cantor	Denham
Bentivolio	Capito	Dent
Bilirakis	Cassidy	DeSantis
Bishop (UT)	Chabot	DesJarlais
Black	Chaffetz	Diaz-Balart
Blackburn	Coffman	Duffy
Bonner	Cole	Duncan (SC)
Boustany	Collins (GA)	Duncan (TN)
Brady (TX)	Collins (NY)	Ellmers
Bridenstine	Conaway	Farenthold

Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—191

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—18

Barletta
Bustos
Campbell
Cárdenas
Carter
Coble
Cohen
Grimm
Herrera Beutler
Horsford
McCarthy (NY)
Pallone
Rokita
Rush
Schock
Sewell (AL)
Speier
Whitfield

□ 1413

Messrs. McINTYRE and LARSON of Connecticut, Ms. MENG, and Mr. GARAMENDI changed their votes from ''yea'' to ''nay.''

Messrs. GRAVES of Missouri and CULBERSON changed their votes from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. COHEN. Mr. Speaker, I was unavoidably detained during rollcall vote 399, if present, I would have voted "no."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 188, not voting 13, as follows:

[Roll No. 400]

AYES—232

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—188

Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore

Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Barletta
Bustos
Campbell
Coble
Grimm
Herrera Beutler
Horsford
McCarthy (NY)
Owens
Pallone
Rokita
Simpson
Tipton

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1422

Mr. LOEBSACK changed his vote from ''present'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

The SPEAKER pro tempore (Mr. NUGENT). Pursuant to House Resolution 312 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2397.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1425

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, July 23, 2013, amendment No. 66 printed in House Report 113–170 offered by the gentlewoman from Hawaii (Ms. HANABUSA) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on amendments printed in House Report 113–170 on which further proceedings were postponed, in the following order:

Amendment No. 48 by Mr. JONES of North Carolina.

Amendment No. 51 by Mr. LAMALFA of California.

Amendment No. 55 by Mr. MULVANEY of South Carolina.

Amendment No. 60 by Mr. STOCKMAN of Texas.

Amendment No. 62 by Mrs. WALORSKI of Indiana.

Amendment No. 65 by Ms. BONAMICI of Oregon.

The Chair will reduce to 2 minutes the time for each electronic vote in this series.

AMENDMENT NO. 48 OFFERED BY MR. JONES

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. JONES) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 246, not voting 10, as follows:

[Roll No. 401]

AYES—177

Alexander
Amash
Amodei
Bass
Becerra
Bilirakis
Bishop (NY)
Blumenauer
Bonamici
Boustany
Brady (PA)
Braley (IA)
Broun (GA)
Buchanan
Burgess
Camp
Capuano
Cassidy
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Coffman
Cohen
Cole
Collins (GA)
Conyers
Courtney
Cummings
Daines
Davis (CA)
DeFazio
DeGette
DeLauro
DesJarlais
Dingell
Doggett
Doyle
Duffy
Duncan (TN)
Edwards
Ellison
Eshoo
Esty
Farenthold
Farr
Gabbard
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Gosar
Graves (GA)
Grayson
Green, Gene
Griffith (VA)
Grijalva
Gutiérrez
Hahn
Hall
Hanna
Harris
Hensarling
Higgins
Himes
Hinojosa
Holt
Honda
Huelskamp
Hultgren
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Keating
Kennedy
Kirkpatrick
Kuster
Labrador
Larson (CT)
Lee (CA)
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lucas
Lummis
Lynch
Maffei
Massie
Matsui
McClintock
McDermott
McGovern
McIntyre
McKinley
Meadows
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, George
Moore
Mulvaney
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Nolan
Nugent
O'Rourke
Pastor (AZ)
Paulsen
Payne
Perry
Peterson
Petri
Pingree (ME)
Pitts
Pocan
Poe (TX)
Polis
Posey
Price (GA)
Quigley
Radel
Rangel
Ribble
Rohrabacher
Ross
Roybal-Allard
Rush
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schrader
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Sinema
Sires
Slaughter
Smith (NJ)
Southerland
Speier
Stockman
Stutzman
Thompson (CA)
Tierney
Tonko
Tsongas
Upton
Walden
Walz
Waters
Waxman
Welch
Westmoreland
Yarmuth
Yoder
Yoho
Young (AK)

NOES—246

Aderholt
Andrews
Bachmann
Bachus
Barber
Barr
Barrow (GA)
Barton
Beatty
Benishek
Bentivolio
Bera (CA)
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bucshon
Butterfield
Calvert
Cantor
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Castor (FL)
Castro (TX)
Clyburn
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Davis, Danny
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
Deutch
Diaz-Balart
Duckworth
Duncan (SC)
Ellmers
Engel
Enyart
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Garcia
Gardner
Gerlach
Gingrey (GA)
Goodlatte
Gowdy
Granger
Graves (MO)
Green, Al
Griffin (AR)
Guthrie
Hanabusa
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Holding
Hoyer
Hudson
Huffman
Huizenga (MI)
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson, Sam
Joyce
Kaptur
Kelly (IL)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
Latta
Levin
LoBiondo
Long
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McCollum
McHenry
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Miller (FL)
Miller, Gary
Moran
Mullin
Murphy (FL)
Murphy (PA)
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pittenger
Pompeo
Price (NC)
Rahall
Reed
Reichert
Renacci
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Rothfus
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Schiff
Schneider
Schock
Schwartz
Schweikert
Scott, Austin
Scott, David
Sewell (AL)
Shea-Porter
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smith (WA)
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walorski
Wasserman Schultz
Watt
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Young (FL)
Young (IN)

NOT VOTING—10

Barletta
Bustos
Campbell
Coble
Grimm
Herrera Beutler
Horsford
McCarthy (NY)
Pallone
Rokita

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1429

Mr. LAMALFA changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 51 OFFERED BY MR. LAMALFA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. LAMALFA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 188, not voting 10, as follows:

[Roll No. 402]

AYES—235

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barr
Barrow (GA)
Barton
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Danny
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Rush
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vargas
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—188

Amash
Andrews
Barber
Bass
Beatty
Becerra
Bentivolio
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Barletta
Bustos
Campbell
Coble
Grimm
Herrera Beutler
Horsford
McCarthy (NY)
Pallone
Rokita

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1433

Ms. DUCKWORTH changed her vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 55 OFFERED BY MR. MULVANEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from South Carolina (Mr. MULVANEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 215, noes 206, not voting 12, as follows:

[Roll No. 403]

AYES—215

Amash
Andrews
Barton
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Collins (GA)
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Duncan (SC)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Foster
Frankel (FL)
Fudge
Garamendi
Garcia
Garrett
Goodlatte
Gosar
Gowdy
Grayson
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutiérrez
Hahn
Hanabusa
Harris
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Labrador
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Massie
Matheson
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Mica
Michaud
Miller, George
Moore
Moran
Mulvaney
Murphy (FL)
Nadler
Napolitano

Neal
Negrete McLeod
Nolan
O'Rourke
Pascrell
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Radel
Rangel
Richmond
Rohrabacher
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Southerland
Speier
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Veasey
Velázquez
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Westmoreland
Wilson (FL)
Woodall
Yarmuth

NOES—206

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barber
Barr
Barrow (GA)
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cartwright
Cassidy
Cole
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (TN)
Ellmers
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Hultgren
Hunter
Hurt
Jenkins
Johnson (OH)
Johnson, Sam
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
LaMalfa
Lamborn
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Maloney, Sean
Marchant
Marino
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Schock
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stockman
Takano
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Turner
Upton
Valadao
Vargas
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—12

Barletta
Bustos
Campbell
Coble
Gohmert
Grimm
Herrera Beutler
Horsford
McCarthy (NY)
Pallone
Rokita
Rush

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1438

Messrs. GRAVES of Georgia and POSEY changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 60 OFFERED BY MR. STOCKMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. STOCKMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 137, noes 286, not voting 10, as follows:

[Roll No. 404]

AYES—137

Aderholt
Amodei
Bachmann
Barber
Barr
Barrow (GA)
Barton
Bentivolio
Bilirakis
Bishop (UT)
Black
Bridenstine
Brooks (IN)
Broun (GA)
Bucshon
Burgess
Capito
Chabot
Coffman
Collins (NY)
Crawford
Culberson
Daines
Davis, Danny
Davis, Rodney
DeFazio
Dent
DeSantis
DesJarlais
Diaz-Balart
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Foster
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harris
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Jones
Jordan
Kelly (PA)
King (IA)
Kingston
Kirkpatrick
Labrador
Latta
Lipinski
LoBiondo
Luetkemeyer
Maffei
Marchant
Marino
Massie
Matheson
McCaul
McClintock
McGovern
McHenry
McIntyre
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Mullin
Neugebauer
Palazzo
Pearce
Pitts
Poe (TX)
Posey
Price (GA)
Reed
Renacci
Rice (SC)
Roe (TN)
Rohrabacher
Rooney
Ros-Lehtinen
Ross
Rothfus
Royce
Ryan (WI)
Scalise
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Southerland
Stewart
Stockman
Stutzman
Thompson (PA)
Tiberi
Tipton
Wagner
Weber (TX)
Webster (FL)
Westmoreland
Williams
Wolf
Yoder
Yoho
Young (AK)

NOES—286

Alexander
Amash
Andrews
Bachus
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Buchanan
Butterfield
Calvert
Camp
Cantor
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (GA)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
DeGette
Delaney
DeLauro
DelBene
Denham
Deutch
Dingell
Doggett
Doyle
Duckworth
Duffy
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Forbes
Fortenberry
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gosar
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (CA)
McCollum
McDermott
McKeon
McNerney
Meehan
Meeks
Meng
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pocan
Polis
Pompeo
Price (NC)
Quigley
Radel
Rahall
Rangel
Reichert
Ribble
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Roskam
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Simpson
Sires
Slaughter
Smith (TX)
Smith (WA)
Speier
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wenstrup
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Young (FL)
Young (IN)

NOT VOTING—10

Barletta
Bustos
Campbell
Coble
Grimm
Herrera Beutler
Horsford
McCarthy (NY)
Pallone
Rokita

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1443

Ms. LINDA T. SÁNCHEZ of California changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 62 OFFERED BY MRS. WALORSKI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 185, not voting 10, as follows:

[Roll No. 405]

AYES—238

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barber
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Keating
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Takano
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—185

Amash
Andrews
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Barletta
Bustos
Campbell
Coble
Grimm
Herrera Beutler
Horsford
McCarthy (NY)
Pallone
Rokita

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1447

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. TAKANO. Mr. Chair, on rollcall vote No. 405, I inadvertently voted "aye." I intended to vote "no."

(By unanimous consent, Mr. DENT was allowed to speak out of order.)

WASHINGTON KASTLES CHARITY CLASSIC

Mr. DENT. Mr. Chairman, do you see this trophy before us? We've been on this House floor many times to celebrate baseball victories, football victories, or, I should say, baseball debacles in our case. But we celebrate a lot of things, also golf.

I want to point out that we had a wonderful experience last week, Thursday night, with the Washington Kastles, who are seated up in the Members' gallery. We had a wonderful bipartisan game of tennis between, obviously, the Members, Republican and Democrat intermixed, as well as members of the media.

I'm pleased to report to you that there were two teams, the Stars and the Stripes. My colleagues here, Mr. WATT, Ms. EDWARDS, and SHELLEY MOORE CAPITO, were on the Stripes, and I'll introduce the Stars team in a moment. Mr. BISHOP will do that. We had a wonderful game.

We should also let you know, too, that members of the media played. I should let you know that part of Stripes' team included David Gregory of ''Meet the Press.'' He's a bigger problem on the tennis court than he is in an interview on ''Meet the Press.'' I also want you to know he's got a big serve. You've got to watch him. Our coach was Leander Paes, who's seated in the gallery, a professional. Our team also included former Senator John Breaux; SHELLEY MOORE CAPITO, a Division I player from Duke. Did I say, ''Go Lehigh''? That's basketball. Sorry. There was also Peter Cook from Bloomberg; myself; DONNA EDWARDS, who received the Good Sportsmanship Award; MEL WATT, who I must say was one of the most feisty players I've seen; Mark Ein, the owner of the Washington Kastles, who's also here; David Gregory; Jonathan Karl from ABC News; and Hans Nichols from Bloomberg—a very competitive individual, I might add. It was a great time had by all.

I know it's never appropriate to gloat when you win, but we'll do it anyway since we're Members of Congress. Here's our trophy. Stripes beat the Stars.

At this time, I yield to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Thank you very much. I appreciate my friend for yielding, although I must point out I don't remember Coach DOYLE gloating like that when we won the baseball game.

We had a great night, and I was pleased to play with my fellow Members: JIM COSTA, MIKE MCINTYRE, and CHERI BUSTOS. We had two members of the press from Fox News: Ed Henry and Bret Baier. We had two people from the White House: Gene Sperling and Alan Krueger. We had Ben Olsen from D.C. United. We had Ambassador Dino Djalal, and we were joined by three members of the Kastles: Murphy Jensen, Martina Hingis, and Anastasia Rodionova.

Mr. DENT. Now I yield to the gentleman from California (Mr. COSTA).

Mr. COSTA. Thank you very much.

I, too, want to thank my colleagues who participated with the Stars and Stripes. Fun was had by all. We raised a good amount of money for charity. I want to thank the Kastles for their wonderful hospitality. I got a tennis lesson from my partner, Martina Hingis.

But I do have, from a reliable source, that the Stripes, our opposition, pulled in two ringers from the Main Street media with NBC's David Gregory and Bloomberg's Hans Nichols. These two failed to disclose their professional tennis status in an amateur charitable tournament. So much for press ethics under full disclosure.

Mr. DENT. I now yield to the gentleman from North Carolina (Mr. MCINTYRE).

Mr. MCINTYRE. Mr. Chairman, when you talk about helping with education, when you talk about helping food banks, and when you talk about helping our military families, it really was worth raising a racket about. That's what happened down at the Kastle stadium. We want to thank them for their hospitality.

Tennis is a lifetime sport, but this offers a lifeline to those in need in our schools, those who are hungry, and also to our military families. We appreciate the great opportunity. It truly was a great time to have the ball in our court to do something in a positive way.

Mr. DENT. Reclaiming my time, I just wanted to say, in conclusion, it was a wonderful cause. Many charities were supported.

I should also let you know the Washington Kastles are playing tonight down at the waterfront. Get down there and watch them. It's not tennis anyone; it's tennis everyone. So get out there and do it.

Mr. Chairman, I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair reminds Members that the rules do not allow references to occupants of the gallery.

AMENDMENT NO. 65 OFFERED BY MS. BONAMICI

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon (Ms. BONAMICI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 264, noes 154, not voting 15, as follows:

[Roll No. 406]

AYES—264

Aderholt
Alexander
Andrews
Bachmann
Barr
Barton
Bass
Beatty
Becerra
Bera (CA)
Bilirakis
Bishop (GA)
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Bridenstine
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Bucshon
Burgess
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cárdenas
Carney
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Cicilline
Clarke
Cleaver
Clyburn
Cohen
Cole
Cook
Costa
Courtney
Cramer
Crowley
Cuellar
Daines
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Duckworth
Ellison
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gerlach
Gibson
Gohmert
Goodlatte
Gosar
Granger
Graves (GA)
Green, Al
Griffith (VA)
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Hoyer
Huelskamp
Huffman
Hunter
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kuster
Labrador
LaMalfa
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lynch
Maloney, Sean
Massie
Matsui
McCarthy (CA)
McCaul
McCollum
McDermott
McGovern
McIntyre
McKinley
McMorris Rodgers
McNerney
Meadows
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Miller, George
Mullin
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunes
Nunnelee
Owens
Palazzo
Pascrell
Pastor (AZ)
Pelosi
Perry
Peters (CA)
Peterson
Petri
Pingree (ME)
Pocan
Poe (TX)
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reichert
Richmond
Roe (TN)
Rogers (AL)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sires
Smith (MO)
Smith (TX)
Southerland
Speier
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Titus
Tsongas
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walden
Walorski
Walz
Wasserman Schultz
Waters
Webster (FL)
Welch
Westmoreland
Whitfield
Williams
Wilson (FL)
Woodall
Yarmuth
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—154

Amash
Amodei
Bachus
Barber
Barrow (GA)
Benishek
Bentivolio
Bishop (NY)
Bishop (UT)
Black
Brady (TX)
Braley (IA)
Brooks (AL)
Buchanan
Cantor
Carson (IN)
Chabot
Chaffetz
Chu
Clay
Coffman
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cooper
Cotton
Crawford
Crenshaw
Culberson
Cummings
Davis (CA)
DeSantis
Doggett
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gowdy
Graves (MO)
Grayson
Green, Gene
Griffin (AR)
Gutiérrez
Hanna
Heck (NV)
Holding
Holt
Honda
Hudson
Huizenga (MI)
Hultgren
Hurt
Jenkins
Johnson (OH)
Johnson, Sam
Joyce
Kelly (IL)
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Lamborn
Levin
Long
Lujan Grisham (NM)
Lummis
Maffei
Maloney, Carolyn
Marchant
Marino
Matheson
McClintock
McHenry
McKeon
Meehan
Meng
Miller (FL)
Moore
Moran
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Neugebauer
O'Rourke
Olson
Paulsen
Payne
Pearce
Perlmutter
Peters (MI)
Pittenger
Pitts
Polis
Pompeo
Radel
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Rogers (KY)
Rohrabacher
Roskam
Rothfus
Royce
Ryan (OH)
Ryan (WI)
Schock
Schweikert
Scott, Austin
Sessions
Shuster
Sinema
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Stockman
Terry
Thompson (PA)
Thornberry
Tipton
Tonko
Turner
Upton
Velázquez
Walberg
Watt
Weber (TX)
Wenstrup
Wilson (SC)
Wittman
Wolf
Womack
Yoder

NOT VOTING—15

Barletta
Bustos
Campbell
Coble
Doyle
Grijalva
Grimm
Herrera Beutler
Horsford
Luján, Ben Ray (NM)
McCarthy (NY)
Meeks
Pallone
Rokita
Waxman

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1457

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1500

AMENDMENT NO. 67 OFFERED BY MR. KILMER

The Acting CHAIR. It is now in order to consider amendment No. 67 printed in House Report 113–170.

Mr. KILMER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 10002. None of the funds made available by this Act may be used to issue to a civilian employee of the Department of Defense a denial of a security clearance pursuant to Department of Defense Directive 5220.6 that lists in the notice of specific reasons of the clearance decision (as defined in section 3.2 of such Directive) financial hardships because of a ''furlough caused by sequestration''.

The Acting CHAIR. Pursuant to House Resolution 312, the gentleman from Washington (Mr. KILMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. KILMER. Mr. Chairman, this amendment seeks to protect the continued employment of needed and trusted Department of Defense civilian employees. DOD civilian employees who are critical to our national security mission may be in danger of losing their security clearances and their jobs if financial hardships from being furloughed result in financial delinquencies.

Right now, the DOD has issued vague guidance that they will take into account the impact that sequestration is having on servicemembers' financial situation.

While I appreciate those efforts, I believe that Congress should strengthen our commitment to our servicemembers by ensuring no funds are used to deny the renewal of security clearances to workers who are only experiencing financial hardship as a result of sequestration.

I believe this is a commonsense amendment, and it is my hope that it will receive strong support. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I claim the time.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I understand the gentleman's intense interest in trying to protect these folks who would be affected by sequestration, but awarding or granting or giving a national security clearance is not a simple thing and it should not be taken lightly. If the Department of Defense or government agency decides that a person doesn't really qualify, they feel that they don't deserve a national security clearance, if the phrase ''furlough caused by sequestration'' is included in the denial, then the denial is null and void. You can't deny it if it is claimed that it's due to sequestration, and that's not fair. That's not fair to our national security. It's not fair, actually, to the Defense Department, and I just think this is not a good idea.

But I know what the gentleman wants to accomplish and would like to work with him to figure out how to do this without denying the Defense Department the right to deny a security clearance to someone that they think is not a good risk for a security clearance.

I reserve the balance of my time.

Mr. KILMER. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. HECK).

Mr. HECK of Washington. Mr. Chairman, I want to thank Congressman KILMER for offering this amendment today and, frankly, for his tireless advocacy on behalf of our men and women in our civil service who support our servicemembers and veterans every day. Without this amendment, hardworking men and women who live in the district I represent and who work at Joint Base Lewis-McChord risk losing their security clearance through furloughs that are no fault of their own, thus complicating their employment situation. We should not let that happen.

The issue this amendment aims to resolve is yet another in a long series of issues that show why budgeting by sequestration is bad policy. I don't think anyone in this Chamber actually thinks civilian employees should lose their security clearance because they were furloughed, but the way sequestration was designed makes that a very real possibility.

This is a good amendment to fix a bad policy. I strongly urge my colleagues to support it.

Mr. YOUNG of Florida. Mr. Chairman, I continue to reserve.

Mr. KILMER. Mr. Chairman, I appreciate the remarks on the specific language of the amendment, and I do hope that we will continue to work through the conference process to address any concerns about the language because we can all agree that this is a serious issue. It is extremely important that the DOD continues to grant security clearances to employees who are charged with doing critical and sensitive work.

There are many factors that DOD considers when determining if an individual can do these important jobs and to ensure that an employee is trustworthy. Sequestration-related furloughs and any financial hardships that come from sequestration are not an employee's fault. No civilian employee should be denied a security clearance because of Congress' inability to undo sequestration.

I urge my colleagues to support this amendment and support DOD civilians and the work they do for our country.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, again I sympathize with what the gentleman is trying to do. It's just the problem in the denial, if they use the phrase ''furlough caused by sequestration,'' they can't deny that request for a security clearance, and there may be a lot of good reasons why that person should be denied.

And so it's a question of do we protect the national security by giving the Defense Department the authority to deny regardless of what the furlough language is, or do we allow this amendment, which is probably poorly written; and we would like to work with the gentleman to write it in such a way that it doesn't cause us great distress. But I just don't want to see someone who should be denied a security clearance given one because of a technicality.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. KILMER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KILMER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

AMENDMENT NO. 69 OFFERED BY MR. NADLER

The Acting CHAIR. It is now in order to consider amendment No. 69 printed in House Report 113–170.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title) insert the following:

SEC. _____. None of the funds made available in this Act may be used for the continued detention of any individual who is detained, as of the date of the enactment of this Act, by the United States at United States Naval Station, Guantanamo Bay, Cuba, and who has been approved for release or transfer to a foreign country.

The Acting CHAIR. Pursuant to House Resolution 312, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this amendment prohibits funds from being used to detain cleared individuals held at Guantanamo. Of the 166 people currently being held there, 86 have been cleared for release; that is, they have not been charged with any offense. They have been found guilty of nothing, and they have been judged by our military to pose no threat to the United States if released. We should release them now. Holding these 86 people who have been cleared for release is against everything we claim to stand for.

In response to this very situation, President Obama asked: Is this who we are?

I hope today we will answer: No, we are better than that.

I hope we support this amendment and move expeditiously to support the release of these detainees. It is truly astonishing that in 2013 the United States continues to hold people indefinitely who have not been charged, let alone convicted of any crime, who admittedly do not pose any threat to the United States. They should be released.

Guantanamo is an affront to America and to the founding principle of the United States that no person should be deprived of liberty without due process of law. Our continuing to hold prisoners indefinitely, without charge and without trial, is a rebuke to our professed support of liberty.

If they've been judged not to pose a threat and we hold them anyway, what kind of message are we sending? By what claim of right do we hold people in jail who have been charged with nothing, whom we're not bringing to trial, and who we have decided pose no threat to us? What are we saying about the United States and our values? We must change course and we ought to support this amendment.

Now, I know some will say these are dangerous terrorists. No, they're not. They're people who were captured in some way who have been judged by our military not to pose a threat to the United States, who have not been charged as terrorists, who have not been judged as terrorists. Some of them may be simply victims to the fact that we paid bounties to people in Afghanistan to turn in people who they said were terrorists. The Hatfields turned in the McCoys because—why not?—we were giving them a couple of thousand dollars.

So anyone who has not been charged with a crime, who has not been convicted, and who we have already decided poses no threat ought to be released. And, therefore, this amendment says no funds may be used to continue their confinement. I urge its adoption.

I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, the amendment would allow, and probably require, that a very large number of detainees from Guantanamo are sent back home to their home country or a country that they might have come to. They're detainees for a reason. They are detainees because they inflicted harm or danger or threats or death to our American interests, our American soldiers. They came from the battlefield.

Now, we know that two of the former detainees who have been sent back to their country established a group that's run by those two former Gitmo detainees, and so I don't think it's a good idea. I think we should keep the detainees that are dangerous. Until such time as they meet the requirements of the law, they should stay at Guantanamo. They would have to ensure that the remaining Gitmo detainees, whom most judge as the most dangerous, will not be released or otherwise brought into the homeland where U.S. citizens could be threatened.

Second, the present law ensures that, prior to releasing Guantanamo detainees to a foreign country, a careful and deliberate assessment must be made that the detainee is not likely to re-engage in terrorist activities.

What's wrong with that? There's nothing wrong with that, so why change it? Why turn these people loose to go back to the battlefield, which many of them that have been released have already done, causing additional harm to our troops. So I'm strongly opposed to this amendment.

I reserve the balance of my time.

□ 1515

Mr. NADLER. I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. I thank the gentleman from our Judiciary Committee for yielding.

And I want to say to my very good friend from Florida, the chair of the Defense Appropriations Committee, whom I greatly respect, I'm afraid there's a misunderstanding. This amendment is only about those detainees who have been cleared for release or transfer. This is not about the entire 166 people who are there.

These are the people who, after a very careful review, have been cleared for release by the intelligence community and by the Joint Chiefs of Staff. So we're holding these people without cause. We're holding them because we've let our rhetoric get ahead of ourselves.

The fact is that they would be released to their countries of origin. Their countries of origin are going to watch them. But these are people who we have found we have nothing to charge them with, and we have determined that they are not a threat to the United States or to anyone else. They shouldn't have been rounded up. They shouldn't have been detained. And they've been detained for 12 years.

46 detainees are now having to be tube-fed. They're strapped down and a tube is forced down their nose and into their stomach. They're strapped down for 2 hours so the liquid gets digested.

People that have been cleared for release, how can we justify doing this to them?

And what's the end game of our current policy?

Are we going to keep them until they die in prison? People who have been cleared for release and transfer, and we're just going to keep detaining them until they die?

Because that's the only result of the current policy.

Once they get cleaned, they should be released.

Who are we, as a Nation to detain people indefinitely, without legal cause?

It doesn't make sense. It's not American. It's a complete violation of our Constitution, of our most fundamental principle of equal justice under the law.

Mr. YOUNG of Florida. I continue to reserve the balance of my time.

Mr. NADLER. Mr. Chairman, how much time do I have left? How much time does the gentleman have left?

The Acting CHAIR. The gentleman from New York has 1 minute remaining. The gentleman from Florida has 2½ minutes remaining.

Mr. NADLER. I yield myself the balance of the time.

Mr. Chairman, it would serve a purpose if people actually read the amendment. The amendment says none of the funds made available may be used to detain an individual who has been approved for release or transfer to a foreign country.

We hear from the gentleman from Florida, these people are there for a reason. Yes, when we arrest somebody, a murder is committed, a rape is committed, we arrest somebody. But then, the grand jury says, no, we're not going to indict this person; there's not enough evidence.

Do we hold them in jail indefinitely, forever, even though there's no charge, even though the District Attorney says we made a mistake; it's somebody else; they didn't do it? No.

Because maybe they'll commit a crime? That's antithetical to every notion of what the United States is about. These are 86 people who are not charged as terrorists, who we have no evidence are terrorists, and who have been judged by the military and the Joint Chiefs of Staff and the intelligence community to pose no threat to us.

By what claim of right do we hold them in jail? The United States, at this point, is no better than a kidnapper if it holds in jail people whom it charges with no crime and judges safe for release.

Approve the amendment.

I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I don't think it can be said any stronger or needed to be said any more often. These detainees are bad, bad people. They hate America. They've sworn to kill Americans, and, in fact, they have done so on the battlefield, and that's why, when they were captured, they were sent to Guantanamo. That's where they should stay unless the current law is abided by, and that is, to ensure that the remaining Gitmo detainees who are most judged as the most dangerous will not be released or brought into the homeland where U.S. citizens could be threatened.

Second, they ensure that prior to releasing Guantanamo detainees to a foreign country a careful and deliberate assessment must be made that the detainee is not likely to re-engage in terrorist activities and the foreign government can maintain control over the individual. What's wrong with that law?

It protects Americans. It protects America, and it keeps the bad guys where they need to be kept. And in this particular case, it's at Guantanamo.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 70 OFFERED BY MR. NADLER

The Acting CHAIR. It is now in order to consider amendment No. 70 printed in House Report 113–170.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title) insert the following:

SEC. ____. None of the funds made available in this Act may be used to construct any new Department of Defense facility at United States Naval Station, Guantanamo Bay, Cuba, or to expand any existing Department of Defense facility at such Naval Station.

The Acting CHAIR. Pursuant to House Resolution 312, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, this amendment would prohibit any funds in the bill from being used to construct or expand detention facilities at Guantanamo.

The bill contains $249 million to convert temporary detention facilities into more permanent structures. But the administration wants to close Guantanamo and to release or transfer the detainees. So why waste $429 million to construct facilities that will not be used? Because many in Congress want to keep the detainees in Guantanamo forever.

Now, we have, we know, 166 detainees in Guantanamo; 86 should be released immediately. The gentleman from Florida says that they're bad people; they are terrorists; they're there for a reason. No, they're not. They're there for different reasons. Some because they were handed over for bounties by rival militias or rival clans. Some because a mistake was made. Some because they're terrorists. But we make distinctions.

The gentleman says we shouldn't release them until a careful assessment has been made. Well, a careful assessment has been made: 86 of them, half of those in Guantanamo, have been cleared for release. That is to say, the Joint Chiefs of Staff and the intelligence agencies have determined that these 86 people were not terrorists and were not likely to pose a threat to the United States if released. So they're guilty of nothing. They have been tried for nothing. We don't say that people are bad people, we ought to hold them in jail indefinitely without a trial normally, except here. So we ought to release the 86 who have been cleared for release immediately, and the others we ought to try, put on trial.

There's a separate dispute whether that should be an Article III court or a military tribunal. I prefer an Article III court, but either way, put them on trial in front of a court or in front of a military tribunal and let them be tried. Perhaps most of them will be guilty and put them in jail for long periods of time. Maybe some will be innocent. That's what the justice system is about.

Are we really going to say that Guantanamo is separate? Anyone who is unlucky enough to be sent there because at one time we thought maybe they were dangerous should stay there indefinitely until they die without a trial?

The assessment has been made for 86 of them. They have been judged not to be guilty, not to be a terrorist, and not to be a threat. That assessment has been made according to law, and these people ought to be released. The other 80 ought to be tried and, if convicted, ought to be put in prison in the United States. We have hundreds of terrorists in maximum security prisons in the United States. There's no reason a few more couldn't be put there, and we could save $249 million.

Guantanamo was originally set up because it was thought by the Bush administration that if we held people in Guantanamo they could be tried or handled without having the constitutional rights of someone in the United States, but the Supreme Court said no. The people in Guantanamo have the same rights as if they were held in the United States. So it doesn't change what will happen to them, whether they're kept in prison in the United States or in Guantanamo.

So let's release the 86 who ought to be released because they've been adjudged that they should be released by the Joint Chiefs and by the intelligence agencies. Let's try the others, and let's keep them in jail if they're adjudged guilty. Let's proceed with American justice notions and do ourselves proud, and let's stops wasting billions of dollars on Guantanamo.

So this amendment says don't permanentize what should be and will be temporary, however temporary it is. Don't waste $249 million on making these facilities permanent.

I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Chairman, as I read the amendment, I'm assuming that the gentleman is trying to prevent any further construction or money of that type for the Guantanamo detainees. And I can understand that because we have just recently spent a lot of money building two brand new prisons, air-conditioned, comfortable, and we've already spent that money, so maybe we don't need to spend any money there.

But what the amendment doesn't recognize is that since 1903, we have had a presence at Guantanamo Bay, Cuba, for our own military purposes. The 4th Fleet is headquartered there and has been there for many years. Allied shipping, allied Navy facilities, allied forces move through Guantanamo Bay on a fairly regular basis. I don't know that they have any specific requests right now for any kind of construction, but I don't think we want to deny it in the event that the Defense Department finds it important to do a construction project there.

So, understand, Guantanamo Bay, Cuba, has been part of the United States military facility since 1903, and so I don't think this amendment is a good amendment because it would deny our troops, our forces not even involved with Guantanamo detainees the right for military construction, or the right for whatever needs to be spent.

So, again, I just have to oppose this amendment.

I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, how much time do we have left?

The Acting CHAIR. The gentleman from New York has 1¼ minute remaining. The gentleman from Florida has 2¾ minutes remaining.

Mr. NADLER. I yield 45 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Chairman, we just approved $260 million in the defense authorization bill for Guantanamo. In addition, we approved another $186 billion to construct a new temporary facility, almost half a billion dollars, in addition to what we're now spending. We've spent this year alone $2,670,000 per Guantanamo detainee. Eighty-six of them have been cleared for release. We have no reason to keep them. And yet, we spend that much money on each of them.

In U.S. prisons we spend $34,000 per year per maximum security prisoner. Imagine the discrepancy. We have now convicted 300 terrorists in U.S. prisons. They're being held at 98 Federal prisons for a fraction of the money. And we have no convictions at Guantanamo that haven't been overturned.

Mr. YOUNG of Florida. Mr. Chairman, I think the gentleman just made my case. We don't really need a lot more money for construction for Guantanamo detainees. We've already spent a lot of money there.

The point is, we don't want to deny the ability of the Defense Department to provide whatever is needed for our own military forces at Guantanamo Bay, Cuba, not part of the Guantanamo detainees.

I think we've talked this one to death. We're repeating ourselves now. So, in the interest of time, I'm going to yield back the balance of my time.

□ 1530

Mr. NADLER. I yield myself the balance of my time.

Mr. Chairman, the $249 million in the budget is for expansion and making permanent detention facilities. I have

no objection to construction of other military facilities at Guantanamo Bay. I don't know whether that makes sense or not. But the $249 million we're talking about here is for more detention facilities. That's a pure waste of money. And I'll be happy to clarify, if this amendment passes, that it should apply only to detention facilities.

So if you're opposed to wasting $249 million more on detention facilities so we can spend hundreds of thousands of dollars a year per prisoner instead of $34,000 per year per prisoner in the United States, if you think that's a good idea to waste all this money, then vote against this amendment. I hope rational people who don't want to waste a quarter of a billion dollars for permanent detention facilities will vote for this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 71 OFFERED BY MR. PIERLUISI

The Acting CHAIR. It is now in order to consider amendment No. 71 printed in House Report 113–170.

Mr. PIERLUISI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce—

(1) the first sentence of section 204(c) of the Military Construction Authorization Act, 1974 (Public Law 93–166; 87 Stat. 668);

(2) the first sentence of section 9 of the quitclaim deed of December 20, 1982 (transferring property on the Northwest Peninsula of Culebra to the government of Puerto Rico), or, with respect to such sentence, section 10 of the quitclaim deed; or

(3) with respect to a response action required under section 2701(c)(1)(B) of title 10, United States Code, with respect to property transferred by the quitclaim deed described in paragraph (2)—

(A) section 2(d)(15) of the enclosure 3 accompanying Department of Defense Manual No. 4715.20, dated March 9, 2012 (relating to ''DERP Eligibility—Ineligible Activities''); or

(B) section 8074 of this Act.

The Acting CHAIR. Pursuant to House Resolution 312, the gentleman from Puerto Rico (Mr. PIERLUISI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Puerto Rico.

Mr. PIERLUISI. Mr. Chairman, this budget-neutral amendment, which I offer with Mr. YOUNG of Alaska, would enable DOD to remove unexploded ordnance from land in Culebra, Puerto Rico, which was used as a military training range for seven decades.

In 1974, Congress enacted legislation directing the Navy to cease operations in Culebra. A provision stated that the present bombardment area shall not be utilized for any purpose that would require decontamination at the expense of the United States.

In 1982, the Federal Government conveyed land in Culebra to the Government of Puerto Rico, including a 400-acre parcel within the former bombardment area. The deed provided that, in accordance with the 1974 act, the Government of Puerto Rico would not hold the Federal Government liable for decontamination of the land.

Four years later, in 1986, Congress enacted SARA, which amended the 1980 CERCLA law. SARA states that DOD is responsible for cleaning up contamination it caused on current and former military sites and established the Defense Environmental Restoration Program for DOD to carry out these responsibilities. That program is funded by the bill under consideration today.

SARA directed DOD to clean up former defense sites conveyed to third parties prior to 1986. These sites are eligible for Federal funding, even though there were no specific authorities enabling their cleanup at the time they were decommissioned and conveyed. Nevertheless, DOD contends that the 1974 law and the 1982 deed that tracks it prohibits the use of Federal funds to decontaminate the 400-acre parcel on Culebra, and these prohibitions were not superceded by SARA. As a result of this restrictive interpretation, Culebra is the only former defense site in the Nation that DOD contends it is barred by statute from decontaminating.

This makes no sense. The 1974 act and the 1982 deed may have been consistent with Federal policy at that time since there was no legal framework in place that would have enabled the Federal Government to pay for the cleanup of the conveyed property. However, they're now squarely at odds with Federal policy that has been in place for more than 25 years under SARA. Accordingly, there's no principled basis to treat Culebra differently from thousands of other former defense sites conveyed out of Federal hands prior to 1986 which the Federal Government is obligated to decontaminate.

The status quo poses a threat to human safety since this parcel contains beaches, walkways, and campgrounds visited by over 300,000 people a year. A recent DOD report found that since 1995, there have been 70 incidents in which members of the public encountered unexploded munitions that could have caused great harm. In fact, in March of this year, a young girl visiting a Culebra beach suffered burns after she picked up an artillery shell containing white phosphorous. The FBI responded and found six other munitions which it detonated and removed. This potentially tragic incident underscores the need for congressional action.

This amendment would ensure that the 1974 act ceases to function as an obstacle to implementation of current Federal policy, as reflected in CERCLA and SARA. The amendment simply ensures that Culebra will receive the same treatment as other former defense sites in the FUDS program. The citizens in Culebra sacrificed so our military could receive the training it needed. Congress, in turn, should take this small step to remove the barrier that is preventing DOD from addressing safety hazards that remain on the island.

I reserve the balance of my time.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise to claim time in opposition.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. FRELINGHUYSEN. Certainly I appreciate the gentleman's passion on this issue and agree that is an important issue that needs to be addressed. As he is aware, Mr. Chairman, the Department estimates it will take multiple years and a significant investment to properly address these contaminated sites in Puerto Rico.

We look forward to working with the gentleman. We understand that he may be considering withdrawing his amendment so we can continue to work with him to address this problem, which significantly has impacted the Commonwealth.

I will yield to the gentleman.

Mr. PIERLUISI. I look forward to working with the majority.

Mr. FRELINGHUYSEN. I yield to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I appreciate my friend yielding to me.

I simply want to rise in support of the gentleman's amendment. The agreement that was reached—and I think some people used the agreement as an excuse to do nothing—is 40 years old. It was entered into in 1973. Well, they agreed to it. I graduated from law school in 1973. The world is a much different place today. People have changed. I certainly think our environmental consciousness has improved and our consciousness of our responsibility in this has improved. And I do think this is an opportunity to rectify that.

I serve on the Energy and Water Subcommittee of this great committee. The chairman chairs that Energy and Water Subcommittee. Unfortunately, in the Formerly Used Defense Sites that were cited by the gentleman, we have over 10,000 properties, which is one of the problems I think the gentleman alludes to as far as the costs we have to deal with. All the more reason, I believe, that we ought to be very assiduous and active in beginning to address these sites.

So I appreciate the gentleman raising it, and I certainly support his position.

Mr. FRELINGHUYSEN. Reclaiming my time, it was my understanding with

Mr. YOUNG that the gentleman would consider withdrawing the amendment if we gave a commitment to continue to work with him on this very important issue, which he has dedicated so much time and effort to.

I reserve the balance of my time.

Mr. PIERLUISI. That's absolutely right. So I will withdraw my amendment. But let me just say that, again, this is one property. It's only one property out of thousands of properties facing these circumstances. So I hope we can work it out. It's not going to be costly. It makes sense to clean it up.

I yield back the balance of my time.

Mr. FRELINGHUYSEN. I yield back the balance of my time.

MOMENT OF SILENCE IN MEMORY OF OFFICER JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

The Acting CHAIR. Pursuant to the Chair's announcement of earlier today, the House will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson.

Will all present please rise for a moment of silence.

AMENDMENT NO. 72 OFFERED BY MR. BROOKS OF ALABAMA

The Acting CHAIR. It is now in order to consider amendment No. 72 printed in House Report 113–170.

Mr. BROOKS of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. __. None of the funds made available in this Act may be used by the Department of Defense—

(1) to implement or execute any agreement with the Russian Federation pertaining to missile defense other than a treaty; or

(2) to provide the Government of the Russian Federation with any information about the ballistic missile defense systems of the United States that is classified or unclassified by the Department or component thereof.

The Acting CHAIR. Pursuant to House Resolution 312, the gentleman from Alabama (Mr. BROOKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BROOKS of Alabama. Mr. Chairman, my amendment prohibits funds to implement or execute any non-treaty executive agreement with Russia regarding missile defense or to provide Russia with information about America's ballistic missile defense systems, both classified and unclassified. The reason the amendment says classified and unclassified is to prohibit the administration from declassifying missile defense technology to skirt the law. A similar amendment was passed last year, with bipartisan support, and is included in the current continuing resolution that is funding our government during this fiscal year.

Multiple news sources over the years have reported that the Obama administration may seek to share our missile defense secrets with the Russians. I am concerned these reports may be accurate. While the danger to national security is a serious concern, so is the loss of billions of dollars we have sunk into creating these exceptional technologies.

The Congressional Research Service estimates the United States has spent approximately $153 billion on missile defense. Roughly 90 percent of that $153 billion, or $140 billion, has been spent on hit-to-kill technology.

I ask the House to support this amendment to preserve America's lead in missile defense technologies, protect America's investment of billions of dollars, and ensure the viability of current and future missile defense technologies.

I reserve the balance of my time.

Mr. VISCLOSKY. I rise to claim time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. VISCLOSKY. Mr. Chairman, I had my breath taken away with the assertion that the President of the United States might give away the most intimate defense secrets of this country to Russia, and that we are debating an amendment to Defense appropriations, with all of the other problems we face and all the threats we face in this country, based on the assumption that the President of the United States might give away the most intimate defense secrets of this country to Russia.

I would simply ask my colleagues to think about the underlying assumptions based in the gentleman's amendment and vote ''no,'' and I reserve the balance of my time.

Mr. BROOKS of Alabama. There have been numerous occasions in which the media has reported that the administration is considering, as a part of negotiations or other things, divulgence of our sensitive hit-to-kill technology to the Russian federation.

□ 1545

I am thankful that my colleague across the aisle says that it takes away his breath, and I hope with that that he will support this amendment.

Mr. FRELINGHUYSEN. Will the gentleman yield?

Mr. BROOKS of Alabama. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

We support your amendment. As you said, it is similar to what the bill carried last year and what was a provision in the armed services bill, so we are supportive of it. We're obviously mindful and respectful of the ranking member's position, but the majority of Congress felt the way you and I do and the committee did as well.

Mr. BROOKS of Alabama. I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, the gentleman responds to my concern by suggesting that he has discovered the possibility that the President of the United States is going to give away the most intimate secrets this country holds to Russia through the media. I'm wondering—and I ask this question simply rhetorically, not necessarily of my colleague—I wonder if that was FOX News. I wonder if he saw that on the Colbert Report recently. I wonder if that was on the John Stewart program.

I was watching CNN, and I didn't see any report of that yesterday; although, I saw that a baby was born in another country. Despite the world coming apart, that was the headline news. I didn't see MSNBC, and I don't know if that was it. Perhaps it was even on a BBC telecast. But I'm wondering what media outlets are providing this inside information as to the deliberations of the President of the United States to give away these cherished secrets.

I reserve the balance of my time.

Mr. BROOKS of Alabama. Mr. Chairman, I would submit that the appropriate way to gather the requested information is simply for the gentleman to Google what I have just stated.

This issue arose in 2011 with numerous comments by the White House that were reported in numerous outlets. By way of background, my source is not FOX News in this particular instance, but all he has to do is Google it and he can find it.

Also, there were numerous reports in 2012 where the President indicated—in what turned out to be an open mic—that once the elections were over with, he could more freely negotiate or give away information to the Russians. Those aren't the exact words used by the President. Unfortunately, I don't have perfect recall, but it was words to that effect.

I would emphasize that this House has visited this issue previously. This has passed with bipartisan support. So I would urge this body to again, as a precautionary measure, adopt this amendment to prevent the sharing of our hit-to-kill technology with the Russian Federation to the extent that risk becomes a reality.

With that, I reserve the balance of my time.

Mr. VISCLOSKY. I reserve the balance of my time, and I understand I have the right to close.

Mr. BROOKS of Alabama. I yield back the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, the gentleman indicated, in query to my rhetorical question, that all I have to do is Google and I will discover the information that will lead to our knowledge that the President of the United States is considering giving away this very sensitive information.

It comes to mind, when the gentleman suggests I should Google it, how many different encounters I have had with members of the public who said, ''I saw it on the Internet; it must be true.'' For example, Members of Congress, after serving one term, receive a full salary pension for the rest

of their lives; and Members of Congress receive free health care for the rest of their lives; and Members of Congress, for the last 4 years in a row, have received significant pay increases because they Googled it on the Internet, and so they secured very specific, accurate information. Perhaps we should go to Facebook or LinkedIn or reddit, or maybe we should tweet each other.

Again, in very serious concern, I would suggest my colleagues absolutely reject this amendment. I would ask for their vote against it, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BROOKS).

The amendment was agreed to.

AMENDMENT NO. 73 OFFERED BY MR. SCHIFF

The Acting CHAIR. It is now in order to consider amendment No. 73 printed in House Report 113–170.

Mr. SCHIFF. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following:

SEC. __. None of the funds made available under this Act may be obligated or expended pursuant to the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) after December 31, 2014.

The Acting CHAIR. Pursuant to House Resolution 312, the gentleman from California (Mr. SCHIFF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SCHIFF. Mr. Chairman, my amendment would prohibit funding the use of force pursuant to the Authorization for Use of Military Force, or AUMF, effective on December 31, 2014, when the last American combat troops will rotate out of Afghanistan and the responsibility for security will have passed to the Afghan people after more than 13 years of war in that country.

New Year's Day 2015 should not only bring about a new relationship between the United States and Afghanistan, it should also mark the end of a conflict that was begun in our skies on that September morning and which was formalized days later when the Congress passed the AUMF.

That legislation provided the President with the authority to use ''force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.''

The 2001 AUMF was never intended to authorize a war without end, and it now poorly defines those who pose a threat to our country. That authority and the funding that goes along with it should expire concurrent with the end of our combat role in Afghanistan.

In addition to this amendment, I have introduced bipartisan legislation, H.R. 2324, which sunsets the AUMF effective the same date, December 31, 2014, and calls on the administration to work with Congress together to determine what new authority, if any, is necessary to protect the country after that time.

The Constitution vests the Congress with the power to declare war and the responsibility of appropriating funds to pay for it. It is our most awesome responsibility and central to our military efforts overseas. We owe it to the men and women we send into combat to properly define and authorize their mission, and my amendment will effectively give Congress the next 16 months to do so.

In his recent speech at National Defense University, President Obama specifically called on Congress to work with him:

I look forward to engaging Congress and the American people in efforts to refine, and ultimately repeal, the AUMF's mandate, and I will not sign any laws designed to expand this mandate further. Our systematic effort to dismantle terrorist organizations must continue, but this war, like all wars, must end.

This amendment is a prudent first step towards meeting the President's challenge, a call that we must embrace, not as Republicans or Democrats, but as Members of Congress sworn to defend the Constitution.

I urge a ''yes'' vote and reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, in some ways I'm somewhat sympathetic to the hopes that underlie this amendment. I hope that terrorism has gone away by December 31, 2014. I hope that Zawahiri and the others responsible for 9/11 and those who authorized, committed, or aided the terrorist attack or harbored them are all brought to justice in the next 14 months. I hope that our country and other countries around the world no longer have to worry about terrorists hiding bombs inside their clothing or inside their bodies, trying to kill as many innocent people as possible. And I hope that military and civilians who serve our Nation all around the world, and others in the private sector, are no longer the target for suicide bombings and assassinations and the other sorts of things that we've seen since 9/11.

But, Mr. Chairman, what if my hopes don't come to pass? What if the world has something else in store? What if terrorism still exists by December 31, 2014? Well, then it seems to me that this amendment doesn't make a lot of sense. Because this amendment says no matter what—not just in Afghanistan, but anywhere around the world—we're not going to fund anything through the Department of Defense pursuant to that AUMF.

Now, I've got to say, I have been and continue to be for updating that AUMF to better reflect the way that al Qaeda has evolved over the last decade or so. Unfortunately, that has been resisted by the administration, as the gentleman just pointed out.

Of course we all want this war against terrorists and other wars to end, but, unfortunately, the enemy gets a vote. So for us to unilaterally say, because of the calendar, we're done, and, oh, maybe we'll pass some new authority—but maybe not—in order to protect this country, I think, is dangerous. It's shortsighted. It is putting hopes above reality.

So I hope my colleagues reject this. We can do better in fighting terrorists in a variety of ways. But to bury our head in the sand and say it's all going to be over on a certain date is not the way to protect this country, and I believe it forfeits our most essential responsibilities under the Constitution.

With that, I reserve the balance of my time.

Mr. SCHIFF. I want to yield to my colleague from Indiana. Before I do, two quick points.

No one is suggesting, of course, that terrorism is going to go away in 16 months or all of our problems will be over. But what we are saying with this amendment is that the authorization we passed that authorizes force against those who planned, authorized, and committed the 9/11 attacks shouldn't be used to go after groups like al Shabaab, which may not even have been in existence at the time of 9/11.

This AUMF is now outdated; and unless we have a sunset date, we're going to continue to rely on an AUMF that no longer describes the nature of the conflict we're in.

With that, I yield to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I appreciate the gentleman yielding and rise in strong support of his amendment.

The gentleman who is in opposition mentions that the administration mentions the United States Constitution. The fact is we have a constitutional responsibility. With the passage of more than a decade and a changing world—and I would agree with the gentleman, something else may be in store—we ought to revisit that issue. We ought to exercise our constitutional, congressional prerogative and have a full debate.

Again, the gentleman is providing over 1½ years. In such a serious issue, I think even this Congress could come to grips with that type of fundamental issue and resolve the future.

So I strongly support what the gentleman is doing and appreciate his amendment.

Mr. SCHIFF. I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I just point out to my colleagues, this

House has voted 2 years in a row to update the AUMF so it does better reflect the way that al Qaeda has changed. We have included the exact language used by the Obama administration and the Bush administration in court proceedings and just adopted that. The House has passed that. I don't remember how the particular gentleman voted on that, but the House has passed it. The Senate has not gone along. But there has been an effort to update the language to better reflect the way that the threat has changed, but that's a far different thing from saying, okay, we're just going to make this go away and hope that in the meantime we can do something better. I think that is terribly risky.

I reserve the balance of my time.

Mr. SCHIFF. I would only say to my colleague, through the Chair, that this institution has proved that unless we have a deadline, we simply refuse to act.

What the President has said in terms of any new authorization for use of force—and it's something I agree wholeheartedly with the White House—is that he won't support a new authorization that is broader than the one that we seek to sunset. That, I think, is a problem with some of the drafts which the majority has proposed.

We don't want an expanded war. We do want an authorization that reflects the precise nature of the threat, and that threat has changed since 9/11. It no longer comes as much from the core of al Qaeda, which has been decimated; rather, it comes now from a group of franchises, loosely affiliated organizations that sometimes, as a product of convenience, will associate with al Qaeda for financing or legitimacy. But it is now a far-flung terrorist challenge, and any authorization ought to reflect the changing nature of threat.

With that, I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Texas has 1¼ minutes remaining.

Mr. THORNBERRY. Mr. Chairman, the bottom line is you have to read the amendment and the words that are in it. The amendment says we can spend no money for any part of the Department of Defense pursuant to the AUMF after December 31, 2014.

□ 1600

Now, we can have a very interesting discussion about how the AUMF should be updated, about different authority that could take its place, but none of that is before us. What is before us is that it basically says, no funding shall be used. It essentially repeals the AUMF.

Now, I realize the gentleman is trying to precipitate further debate, but the fact is terrorism is not going away. This prohibits any U.S. military action, not only in Afghanistan, but anywhere in the world that al Qaeda or its affiliates may have traveled. This stops all of that.

My point is that there is too dangerous a risk in a world where there are too many people still trying to find new, innovative ways to attack us and kill as many Americans as possible. We can't take that risk.

Therefore, I urge my colleagues to reject this amendment, and yield back the balance of my time.

The Acting CHAIR (Ms. ROS-LEHTINEN). The question is on the amendment offered by the gentleman from California (Mr. SCHIFF).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. SCHIFF. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 74 OFFERED BY MS. SPEIER

The Acting CHAIR. It is now in order to consider amendment No. 74 printed in House Report 113–170.

Ms. SPEIER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 6, after the dollar amount, insert ''(reduced by $65,000,000) (increased by $65,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 312, the gentlewoman from California (Ms. SPEIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. SPEIER. Madam Chair, my amendment addresses a current issue that is undermining an already weakened system of justice in our military.

Any JAG will tell you that it is impossible to effectively prosecute a case if the investigation was improperly handled. That is why the DOD Inspector General report released last week was so troubling.

It uncovered that of the 501 investigations of sexual assault offenses they audited, all but 83 had some sort of deficiency. That means that less than 20 percent were completed without error. Fifty-six cases, 11 percent of the cases, had serious deficiencies. And 399 of these cases had interview and post-interview deficiencies. They also found weaknesses in collecting evidence, not developing leads, and photographing the scene. This in large part is a result of inadequate training in how to properly investigate these complex cases.

A February IG report found that criminal investigators want and need more training on conducting sexual assault investigations. For example, criminal investigators for the Air Force told the IG they wanted more training on the psychology of interviewing victims and evidence collection. One investigator said he would be ''in trouble'' if he only relied on the training he received.

That is why I'm offering this amendment that will provide an additional $10 million in funds to train investigators on how to properly investigate sexual assault-related offenses.

My amendment realigns funds from the Operations and Maintenance Defense-wide account and shifts $5 million to Army Operations and Maintenance, $2.5 million to Air Force Operations and Maintenance, and $2.5 million to Navy Operations and Maintenance, which are accounts that pay for training investigators.

Ensuring that assaults are investigated properly is the first step for holding perpetrators accountable.

I reserve the balance of my time.

Mr. YOUNG of Florida. Madam Chairman, I claim the time.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Madam Chairman, this is an issue that we can't sweep under the rug any longer. We have got to face it square on. The gentlelady's amendment helps do that.

The subcommittee when preparing this legislation was extremely concerned about the issue, and we have included considerable amounts of money to deal with sexual predators and sexual assaults in the military, especially demanding that the military do a better job at enforcing the rules, the laws, to protect the rights of those who are sexually abused.

I thank the gentlelady for offering this amendment, and we do support the amendment.

I yield back the balance of my time.

Ms. SPEIER. I thank the gentleman.

Madam Chair, I've got goose bumps that I actually have an amendment that my colleagues on the other side support.

I would like to yield as much time as he may consume to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I appreciate the gentlewoman for yielding and the chairman's support.

Madam Chair, the amendment does seek to target an important part of the process when prosecuting a sexual assault—the investigation of the incident.

As the Congresswoman pointed out, the Inspector General found this particular part of the process lacking in terms of interviewing victims, investigating crime scenes, and notifying the sexual assault response coordinator. The funding proposed would provide the means to include special training for tactics and techniques when investigating crimes of these natures. I would join the chairman of the committee in thanking her for raising the issue and strongly support it.

I thank the gentlewoman for yielding.

Ms. SPEIER. Madam Chair, let me just say in closing, we all now recognize 26,000 cases a year of sexual assault and rape. This is not sexual harassment, I might point out; this is unwanted sexual contact. Of those cases, only 3,000 are actually reported. The fear of reporting, the fear of reprisal is so great, that very few of them, less than 20 percent, actually report them.

Then when you report these cases, to have them improperly or inadequately investigated, that then results in a handful of actual courts-martial, and then even smaller, some 250 convictions out of some 3,000 that are reported suggests that we have a lot of work to do.

I thank my colleagues for the support, and I yield back the balance of my time.

Mr. KEATING. Madam Chair, I would like to thank my colleague, Ms. SPEIER for offering this amendment. Frequently, sexual-assault victims in the military are referred to Uniformed mental-health experts. From there, they are all too often subsequently diagnosed with "personality disorders" and separated from the military. While the military is making some positive steps to correct the improper processes surrounding sexual assault cases, it is impossible to know how many veterans of the military have disputed their personality disorder discharges and it is even more difficult to know how many victims of sexual assault did not come forward in fear of being labeled or scapegoated. Instead of sweeping these crimes under the rug, this amendment will review these cases and identify individuals that were improperly separated from the military subsequent to reporting a sexual assault and correct their record. I urge support for this important way forward in addressing sexual crimes.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mr. SPEIER).

The amendment was agreed to.

AMENDMENT NO. 75 OFFERED BY MS. SPEIER

The Acting CHAIR. It is now in order to consider amendment No. 75 printed in House Report 113–170.

Ms. SPEIER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 2, after the dollar amount, insert "(increased by $5,000,000)".

Page 8, line 11, after the dollar amount, insert "(increased by $2,500,000)".

Page 8, line 24, after the dollar amount, insert "(increased by $2,500,000)".

Page 9, line 6, after the dollar amount, insert "(reduced by $10,000,000)".

The Acting CHAIR. Pursuant to House Resolution 312, the gentlewoman from California (Ms. SPEIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. SPEIER. Madam Chair, since I began working on this issue of military sexual assault 3 years ago, I've had the opportunity to speak to over 100 courageous survivors of rape.

With each of their experiences, there is a unique nature to them. But many of these survivors that decided to report these crimes have had a very similar experience after they reported: they were retaliated against, ostracized, and involuntarily separated from the military on the grounds of a personality or adjustment disorder.

Mental health diagnoses are grossly misused to administratively discharge or retaliate against survivors of sexual assault and other servicemembers. Since 2001, the military has discharged more than 31,000 servicemembers on the grounds that they were subject to a personality disorder.

A GAO investigation found that 22 to 60 percent of the time personality disorders were either not diagnosed by a trained psychiatrist or psychologist, or there was undue command influence.

This pattern has become a potent lesson to servicemembers that are assaulted: report and get kicked out of the military with a personality disorder diagnosis. This designation amounts to a scarlet letter, pinned where their medals should be, and follows them for the rest of their lives. These servicemembers are re-victimized every time they apply for a job and submit their DD214s. It also makes it virtually impossible to retain a security clearance.

My amendment aims to address this clear pattern of retaliation against victims who report a crime of rape or sexual assault. The amendment provides funds to correct their service record and provide them with the benefits they have earned. My amendment realigns $65 million within the Operations and Maintenance Defense-wide account to dedicate these funds to identifying and correct the service record of servicemembers who were summarily discharged from the military following reports of a sexual assault. This amendment requires the Department of Defense to review all separations of individuals that made an unrestricted report of sexual assault and determine if they were discharged, and on what grounds—including personality and adjustment disorders. My amendment will also direct the Secretary of Defense to correct their records of service—to right this wrong—and provide them with any compensation and services they weren't able to receive as a consequence of this error.

This is the very least we can do for these brave survivors. It is the first step in addressing the systemic re-victimization of courageous men and women who were brave enough to come forward.

I reserve the balance of my time.

Mr. YOUNG of Florida. Madam Chairman, I claim the time.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. Again, Madam Chairman, this is a good amendment. Those who are subject to sexual assaults, sexual attacks, and who have been separated from the military on grounds of a disorder need to have their records corrected if information indicates that that should be done.

Sexual assault victims have already suffered a great deal. They deserve to have their military records accurately reflect their military service. Those victims who were improperly discharged on the grounds of a personality disorder deserve to have those records corrected.

We do support the amendment. This bill already provides substantial funding to provide these services.

I notice a very distinguished gentleman rising who would like me to yield, and I yield to the gentleman from Indiana (Mr. VISCLOSKY).

Mr. VISCLOSKY. I appreciate the gentleman for yielding and would like to associate myself with his kind remarks, and appreciate the gentlewoman for offering the amendment and would like to indicate my support for the amendment as well.

Mr. YOUNG of Florida. Madam Chairman, needless to say, we support this amendment. We have already robustly financed sexual assault programs. We fully fund the President's request for sexual assault prevention and response programs at the service level and at the Department of Defense Sexual Assault Prevention and Response program office.

I would like to emphasize "prevention." If we can prevent these sexual assaults, then the other problems go away. So it is important that we do pay attention to prevention.

In addition, our bill provides $25 million to the Department and the services, including the Guard and Reserve, to implement a Sexual Assault Special Victims program, such as the Air Force Special Victims Counsel program, to provide all victims with specially trained legal assistance throughout the investigation and prosecution process—fair play. That's important.

We also support a number of policy changes that were including the FY 2014 National Defense Authorization Act. I think our bill goes a long way on this issue, and this amendment goes even further, so we enthusiastically support it.

I yield back the balance of my time.

□ 1615

Ms. SPEIER. I thank the chairman and the ranking member for their unanimous support of this effort and of this particular amendment.

Madam Chair, let me just close by saying that the GAO says 20 to 60 percent of these personality disorder designations are either done improperly or are done with undue influence. Certainly, those who have been victimized deserve to be able to have that designation erased from their DD–214 forms so that they are not in a position of having to then in the civilian world explain why they have this designation on their discharge papers.

I yield back the balance of my time.

Mr. KEATING. Madam Chair, I would like to thank my colleague, Ms. SPEIER for offering this amendment. While many protections for victims of sexual violence have recently been put in place across our Armed Forces, a review by the IG of military sexual assault cases revealed that over three-quarters (83%) of the 501 investigations conducted, were not properly investigated, and had significant deficiencies, such as a failure to collect key evidence; incomplete interviews; and only partial crime scene investigations. As a former District Attorney, I was stunned by these findings. I have worked to protect victims of abuse and violence throughout my career and know that such sloppy investigative work will only cause further injury to victims and their families. To add insult to injury, these victims are the very men and women who have devoted their lives to the lives of others. With this amendment, we will be returning the favor of their commitment to our country's security and ensure additional funding and training to close the harmful loops that exist in the military's investigative processes related to sexual assaults. This amendment is a vital step towards ensuring an environment where there is justice for all victims. I urge support of our amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. SPEIER).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 84 printed in House Report 113–170.

AMENDMENT NO. 97 OFFERED BY MR. RADEL

The Acting CHAIR. It is now in order to consider amendment No. 97 printed in House Report 113–170.

Mr. RADEL. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following:

SEC. __. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the Congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

The Acting CHAIR. Pursuant to House Resolution 312, the gentleman from Florida (Mr. RADEL) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Florida.

Mr. RADEL. Madam Chair, this amendment should serve as a reminder to the President that he does not have the authority to unilaterally send our children to war. In fact, it was Senator Obama who in 2007 said:

History has shown us time and again, however, that military action is most successful when it is authorized and supported by the legislative branch.

Here we are, again, seeing that Senator Obama and President Obama are two very different people; and with the rhetoric heating up on Syria in particular and with word that we will now arm rebel factions, we must make a statement today. What we are saying is: Mr. President, if you want to go to war, you go through us.

Don't get me wrong. My heart goes out to the innocent families who have been victimized and caught up in this fierce civil war in Syria, but that's exactly what it is—a civil war—and we cannot be the police of the world. If you thought that the situations in Iraq and Afghanistan were complicated, the situation in Syria has history going back 1,000 years with deep and profound complexities. We cannot just go into Syria and pick and choose who to arm. Too many times we have seen those we arm often turn their own weapons against us, weapons that we have provided. We do not have to use military force around the world to be a leader for democracy.

This amendment is about Congress doing its job instead of following the President's cloudy, unclear foreign policy. This is about the House of the people making decisions for the people—for our young men and women in the military who are serving our country today.

With that, I reserve the balance of my time.

Mr. VISCLOSKY. Madam Chair, I rise to claim the additional 10 minutes on the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 10 minutes.

Mr. VISCLOSKY. I appreciate the gentleman for offering the amendment.

Madam Chair, I would point out in my opening remarks that I think the fundamental responsibility of this body is to be engaged in these types of situations and to make determinations relative to our constitutional responsibility, particularly in dangerous situations when it involves military action. Syria, for example, is reported to have the fourth most sophisticated, integrated air defense of any nation on the planet Earth. Reports in the media indicate that Russia has kept these systems resupplied and up to date technologically.

It is but one of many things that we have to consider as far as the safety and well-being of those who are in our military forces, as well as, ultimately, what our national interests are.

At this point, I reserve the balance of my time.

Mr. RADEL. Madam Chair, I yield 1 minute to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Madam Chairman, first of all, I want to congratulate our colleague from Florida for having a very successful first few months in the Congress. He has done a really good job.

I am happy to rise in support of this amendment. It is a responsible approach to a critical national security issue. We appreciate the gentleman working closely with the committee to address this issue in a responsible manner that protects our national interests.

So I say, again, thank you for the initiative that you have offered here today.

Mr. VISCLOSKY. Madam Chair, I would make an additional observation on the gentleman's amendment.

There are political and diplomatic issues of Russia's relationship with the Assad regime. Altering this relationship over the long run may become an objective of U.S. foreign policy. Maybe. Maybe not. However, entering into an armed conflict with this relationship in mind is a dangerous step, among many other dangerous steps, and it renews the prospect of a more openly hostile relationship with a country that otherwise had ended the Cold War. So it's certainly an additional reason as to my appreciation for the gentleman offering the amendment.

I reserve the balance of my time.

Mr. RADEL. I thank the gentleman.

Madam Chair, I now yield 2 minutes to my neighbor up north, the gentleman from Florida (Mr. ROONEY).

Mr. ROONEY. I want to thank my friend from Florida (Mr. RADEL) for bringing this amendment to the floor today.

Madam Chair, I would have liked to have seen something that went specifically to not arming the so-called ''rebels'' in Syria, but I think it's important that we also address this issue of the President of the United States and what his obligations are to this Congress and to the American people under the War Powers Act.

The Founding Fathers didn't want one person to be able to take us to these wars in foreign lands. They wanted there to be debate, deliberation, and for the President to have to come and make the argument to the American people through their representation as to why something is such an important part of our national interests that he would send our men and women into harm's way to potentially die for us in that land.

In this case, we have Assad, who is a dangerous dictator in the Middle East. On the other hand, we have the rebels, who are infiltrated by al Qaeda and other bad actors—the same people we've been fighting, by the way, over the last 10 years.

So whose side are we on—Sunni? Shia? It's a civil war in the Middle East. What is our national interest?

Ladies and gentlemen, if you can't answer that question, if you're not absolutely sure—as the President needs to make us sure through the War Powers Act and through authorization, which this amendment requires—then you cannot support sending our men and women or getting involved in Syria or even sending weapons to the so-called ''rebels'' over there.

Support the Radel amendment. Make the President make the case for Syria. Come to Congress, and let the people decide.

Mr. VISCLOSKY. I yield such time as he may consume to my good friend from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

I thank my colleague for this extremely important amendment.

Madam Chair, we have a dire situation in Syria, and everyone's heart breaks for the suffering of the Syrian people. Over 100,000 people are getting slaughtered by the leader of their own government. It's absolutely unconscionable. So the questions for us are: What can we practically do? Whatever it is that we do do, does Congress have a say in the ''yes'' or ''no'' of military action?

I thank the gentleman for this amendment because there are two questions here.

One is as to the policy itself, the use of military force, arming the rebels. Is that a wise policy? Will it make things better or will it make things worse?

The second question is: Whatever the policy is, is it the responsibility of those of us who have been elected to represent Americans as Members of Congress—and we all do—to be accountable in making that enormously important and consequential decision that has the potential to send our troops into combat?

Let me talk briefly about the policy.

The military situation there is chaotic. The rebels are united loosely in an effort to bring down Assad, but distinguishing between the ''good rebels'' and the ''bad rebels'' is impossible. In fact, we are reading reports right now of how rebels who are having disputes with fellow rebels are settling them by beheading them. That's literally what's happening. So the notion that we can have a micromanaged approach and pick the good guys and arm them and not have any reasonable and, actually, inevitable expectation that the arms will get into bad hands, I think, is naive.

Also, General Dempsey, who is a hard-headed thinker about military matters, testified and laid out very clearly, if we just want to arm the rebels, that it's going to be like $500 million, or it could be into the billions. If we want to do standoff attacks, which supposedly will be surgical, that could be in the $1 billion-a-month range. If we want to actually have a no-fly zone, it will take hundreds of ships and aircraft in order to implement that—over $1 billion a month. That's a consequential decision that we can't stumble into.

Then the second question, Madam Chair, is the congressional responsibility to act. One of the frustrations that, I think, Americans have with all of us is the sense that we are not accountable. Do you know what? If we allow an action to be taken that has the potential to send troops into combat and if we haven't actually stood up and voted ''yes'' or ''no,'' then they are right. We have a job to do under the Constitution. This amendment is really saying to all of us here in Congress on both sides of the aisle that, if the moment comes when that decision is going to be made by the President, he has to return to us for approval, and we have to stand and make our decision.

So with regard to that constitutional responsibility, what is more important?

We all talk about how much we admire the troops for their willingness to sacrifice—and all of us do—but do you know what? All Americans admire the troops, but 435 Americans in this Chamber have the responsibility to make certain that, when we take advantage of the willingness of these young men and women to serve and to sacrifice, including to give up their lives, we are the ones who must make the decision about the policy. Our responsibility—all of ours—is to make certain that whatever policy it is we are asking them to pursue be worthy of their willingness to sacrifice. That has to be done at the beginning.

Once our troops are in the field, yes, we have to support them. Then, once they're in the field, we find ourselves conflicted about having a discussion about how it is they got there. Do you know what? They got there because we sent them there. Sometimes we do it consciously. Sometimes we stumble into it. That's not right. There are 435 of us in this House who are united by a common responsibility to the soldiers and sailors who serve and to the citizens whom we represent.

So I thank the gentleman as I see this as an opportunity for Members of this House on both sides of the aisle, who share a common admiration for the people who serve in the military and who share a common sense of duty to the people we represent, to be accountable for any policy that has the potential to send our soldiers into combat.

Mr. RADEL. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Florida has 6½ minutes remaining.

Mr. RADEL. I would like to thank the gentleman from Vermont as well.

Madam Chair, it is times like these as we debate this that we realize the heavy weight we carry on our shoulders. We are talking about people's lives as we approach this. Once again, this re-asserts the fact that this is the people's House and that we want to have a say in our foreign policy.

At this point, I yield 1 minute to the gentleman from Nebraska (Mr. FORTENBERRY).

□ 1630

Mr. FORTENBERRY. Madam Chair, I thank the gentleman from Florida for yielding and for this important amendment. Madam Chair, not only should there be no American troops sent to Syria, there should be no American weapons sent to Syria.

Several weeks ago, a Catholic priest named Father Francois Murad was murdered in northern Syria. Who killed him? The very people that we're considering arming. What was he guilty of? Serving the poor. We have no business shipping weapons to those who would raid convents and kill innocent civilians.

Madam Chair, there are now 100,000 people dead from this conflict. What began as a hopeful exercise of civic engagement by the Syrian people against the brutal Assad regime has now become a wanton slaughter. We don't know who is who among this Syrian rebel movement. No one there is safe, and no happy projections of democratic ideals will make this better. We do not have control over the Syrian battle space. Americans must not be complicit in this killing field.

Mr. VISCLOSKY. Madam Chair, from my perspective, I would also make it clear that what we're talking about at this point is the use of military force. There is no question that there is a significant and tragic humanitarian crisis taking place.

It is estimated that about 6.8 million people are in need of various types of humanitarian assistance in Syria itself. There are about 4.25 million people displaced within that country. We have 1.78 million Syrians displaced to neighboring countries. There were 486,972, as of the latest count, that are refugees in Jordan; 607,908 are refugees in Lebanon; 412,789 are refugees in Turkey; 161,014 are refugees in Iraq, and 92,367 in Egypt. It's one reason why today it's estimated that about $814 million of U.S. humanitarian aid has been expended for good purposes. That's certainly not what we're talking about here today, and I certainly would want to make our colleagues understand that as well.

I reserve the balance of my time.

Mr. RADEL. Madam Chair, this is excellent bipartisan discussion; whereas, this country tends to be a little war weary these days, but we see where the United States can have a role, most especially when it comes to humanitarian aid, with our allies in the region and how exactly we can help.

Once again, our colleagues on the other side of the aisle have highlighted just how deeply profound these complexities are in Syria. We're not only confused when it comes to who the rebels are—I don't even know if they're good or bad anymore. We simply don't know what rebel factions are playing a part in this. You've got Hezbollah, you've got al Qaeda, and then you have the state players in this; and we know that we have sensitive relationships with Russia, with China, who also potentially, at least diplomatically, are involved in this.

Again, I just want to commend our colleagues here. This is excellent discussion.

At this point, I yield such time as she may consume to the gentlewoman from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Madam Chair, I thank the gentleman for yielding.

I feel very strongly about this issue, Madam Chair. I believe without a shadow of a doubt this is one of the most insane policies that borders on madness. For the United States to give funding, training, and arms most likely to al Qaeda in Syria doesn't make any sense.

Can we realize what it is we're talking about right now? This is Islamic jihad, which has declared war on the United States and declared war on our ally Israel. And we're now in a position when we're authorizing arming, training, and funding for allies of al Qaeda, and al Qaeda themselves, in Syria? This is absolute madness.

You see, Madam Chair, the decision to arm the Syrian rebels by the Obama administration just this week will likely have catastrophic consequences for our United States national security and the national security of our ally Israel. The Syrian rebels that the President wants to arm consist mostly of al Qaeda members that we've spent the last decade fighting a war against. Have we forgotten the thousands of Americans that were killed on September 11 in the horrific Twin Towers attack and here in this city at the Pentagon? We lost over 3,000 Americans that day. Are we forgetting who we fought in Iraq and in Afghanistan? It's my opinion, Madam Chair, that this is insanity to aid those who've taken the lives of Americans with impunity and continue to do so.

Just take note that the leader of al Qaeda is an individual named Zawahiri. Zawahiri called on Muslims from around the world to make their way to Syria and support the rebels and, in fact, become the rebels who are seeking to overthrow Assad.

We don't have a great track record, Madam Chair, of putting arms into the hands of terrorists. Take a look at the Fast and Furious program in Mexico and the terrorists who received arms from the United States. Take a look at Benghazi and the tens of thousands of weapons, MANPADS, that went into the hands of al Qaeda after Benghazi. And now we're intentionally going to make a decision to send money, training, and arms to al Qaeda?

How about a referendum with the American people? I think this would be more than a 90 percent issue. Don't do it. That's why we're standing here today. Don't do it.

The top spiritual leader of the Muslim Brotherhood is a man named Qaradawi. He has been outlawed from the United States because he's a terrorist. Also, he was outlawed from Egypt because he's a terrorist. He has called for jihad in Syria, and he has said:

> Every Muslim trained to fight and capable of doing that must make himself available.

So you have the head of al Qaeda and the head of the terrorist organization the Muslim Brotherhood both calling on Islamic jihadists to go to Syria to fight and be the rebels. And we're going to arm them, and we're going to train them, and we're going to provide materiel support to them? Not my vote.

Madam Chair, former President Morsi, who was formerly the head of the Muslim Brotherhood, which was outlawed under Mubarak in Egypt, he supported the call from hardline Egyptian clerics who called for Egyptians to go fight jihad in Syria. So you see, there's a common thread here. All the wrong guys on the wrong team are all calling for jihadists to go to Syria and fight. It was reported that over 2,500 Egyptians have already gone to Syria to fight jihad.

Pakistan Taliban fighters have left Pakistan to join the fight in Syria, and they're working with al Qaeda-affiliated groups in Syria.

On Monday, al Qaeda's Iraq-affiliated attack on the Abu Ghraib prison helped 500 inmates escape, most of whom were part of senior positions in al Qaeda. These prisoners included trained fighters and ideological extremists who are expected to travel to Syria to join the fight with the rebels.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. VISCLOSKY. I yield the gentlewoman as much time as she may consume.

Mrs. BACHMANN. Madam Chair, I thank the gentleman on the other side of the aisle, my friend.

These prisoners included trained fighters and ideological extremists who are expected to travel to Syria to join the fight with the rebels.

The Chairman of the Joint Chiefs of Staff, the top military officer in the United States, Martin Dempsey, has warned us that intervening in Syria could assist Islamist extremists, helping them gain access to chemical weapons and biological weapons and further erode United States military readiness already suffering from sharp defense budget cuts. He has said that using force is ''no less than an act of war,'' and stated that some of the military options for Syria may not be feasible without compromising U.S. security elsewhere.

He made reference to the chaos in Iraq after the fall of Saddam Hussein and Libya after Qadhafi. He warned of the unintended consequences if Assad fell without having a viable opposition. He said ''we could inadvertently empower extremists or unleash the very chemical weapons we seek to control.''

This is a hub for jihadist activity. The American taxpayer has no obligation. In fact, I say this body must protect the American taxpayer from being involved in arming al Qaeda in Syria. We must defeat this effort, and that's why I'm in support of this today.

Again, we have the major general from the Israeli military intelligence, and he said that right before our eyes the center of global jihad is developing; let's not do it. I agree with him.

Mr. VISCLOSKY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. RADEL).

The amendment was agreed to.

AMENDMENT NO. 98 OFFERED BY MR. MASSIE

The Acting CHAIR. It is now in order to consider amendment No. 98 printed in House Report 113–170.

Mr. MASSIE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

> At the end of the bill (before the short title), add the following:
>
> SEC. __. No funds made available by this Act may be used by the Department of Defense to fund military operations in Egypt, nor may funds made available by this Act be used by the Department of Defense to fund individuals, groups, or organizations engaged in paramilitary activity (as that term is used in section 401 of title 10, United States Code) in Egypt.

The Acting CHAIR. Pursuant to House Resolution 312, the gentleman from Kentucky (Mr. MASSIE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. MASSIE. Madam Chairman, I yield myself such time as I may consume.

There's been some misunderstanding about what my amendment does. I welcome the opportunity to clarify the intention of the amendment.

I realize that Members of the House have different views about the current U.S. relationship with the Egyptian Government and the Egyptian military. This amendment is not designed to affect the current military-to-military relationship with Egypt. It is not intended to prevent U.S. participation in the Multinational Forward Observer mission in the Sinai, in other words, the peacekeeping mission. It is not intended to curtail the activities of the Office of Military Cooperation. It is not intended to prevent U.S. military exercises with the Egyptian military. And it is certainly not intended to prevent U.S. marines from providing security at our diplomatic facilities in Egypt.

My amendment is quite simple. It's intended to prevent the U.S. military from engaging in offensive operations in Egypt and to prevent the Defense Department from providing assistance to Egyptian paramilitary or terrorist groups.

I reserve the balance of my time.

Mr. WOMACK. I claim time in opposition.

The Acting CHAIR. The gentleman from Arkansas is recognized for 10 minutes.

Mr. WOMACK. Madam Chair, I'm so pleased to hear my friend from Kentucky further discuss the true intent of what his amendment does; and respectfully, I recognize that, in order for the amendment to be made in order, it has to be written broadly. And because it was written broadly, there were concerns expressed by a number of people on both sides of the aisle about what an amendment written this way might do that would negatively affect a lot of

the things that we presently do and have been doing for a long time in Egypt.

I can speak personally to it because it was right after 9/11, while commanding an infantry battalion in Arkansas with the Arkansas National Guard, that I was called to duty to lead a task force of infantry soldiers and other personnel of over 500 men and women to the Sinai in Egypt to become the U.S. battalion so that other forces of the 18th Airborne Corps could go prosecute missions elsewhere in support of the war on terror.

The gunslingers of Arkansas distinguished themselves by going to the Sinai in Egypt on very short notice and executed that mission, the U.S. battalion in the South Sinai Peninsula that does the observe-and-report mission, consistent with all of the protocols that were established with the Treaty of Peace in 1979. In fact, our unit was there during the 20th anniversary of the MFO. Since that time, other State National Guard units have followed this mission and have been doing it consistently—Oregon, Oklahoma, and others—until, because of sequestration, the active component has accepted responsibility for that mission once again. So we've had a lot of our men and women across the country into the Sinai to do the mission of the MFO.

On top of that, our country has had a number of exercises called Bright Star, which is, if not the largest, one of the largest military training exercises that takes place on a biennial basis.

□ 1645

Now it didn't happen in 2011 because of unrest in Egypt, but my understanding is that Bright Star is certainly going to occur again.

So it is our hope, and as I said, I'm glad that my friend from Kentucky has further clarified the intent of his amendment, that it is not designed to affect the Multinational Forward Observer, nor is it designed to affect the training exercises that would happen with a Bright Star operation, nor does it affect what goes on with the Office of Military Cooperation or the Defense Attache program or, as he has indicated, our marine security to outposts in that region.

So again, I am very, very pleased, and we can breathe a bit of a sigh of relief that there is no intent in here at all to abandon, Madam Chair, the Treaty of Peace that was famously signed in 1979, and everybody has the vivid reminder of that picture with Jimmy Carter in the middle and Anwar Sadat and Menachem Begin signing over that peace treaty.

I reserve the balance of my time.

Mr. MASSIE. Madam Chair, I appreciate the words from my good colleague from Arkansas, and I certainly appreciate the service that he's provided to our country and the service that others have provided there in the mission of keeping the peace.

If we count the two chairmen of the Supreme Council of the Armed Forces, Egypt has been led by five different men in the past 2½ years. So five of them in 2½ years, only one of them democratically elected. I would say this is not a stable environment, and so my constituents have concerns that we don't escalate military activity in the region.

My good friend is correct about the intention of the amendment that I have offered. My amendment, again, is intended to prevent the U.S. military from engaging in offensive operations in Egypt and to prevent the Defense Department from providing assistance to the Egyptian paramilitary or terrorist groups. It's certainly not intended to prevent the peacekeeping missions or the current military missions there or, most of all, protecting our embassies. We want to make sure that we allow the service of our good marines over there in Egypt.

With that, I yield back the balance of my time.

Mr. WOMACK. I yield as much time as she may consume to the gentlewoman from Texas (Ms. GRANGER), the distinguished chair of the Subcommittee on State, Foreign Operations.

Ms. GRANGER. Madam Chair, situations in Egypt have been problematic, and we're all dealing with that and trying to come to terms. But I want to remind Members that one reason we have a relationship with Egypt is the Israel-Egypt Peace Treaty. We helped forge peace between Egypt and Israel, a peace that has held for over 30 years.

Our military-to-military relationship has been a key component to keeping that peace. Since the signing of the treaty, the Egyptian military has been a reliable partner and ally. Throughout all the changes and turmoil, the Egyptian military has upheld our security arrangements, including the peace treaty. They've also maintained priority access for U.S. ships through the Suez Canal and allowed U.S. military planes to use their airspace. We cannot underestimate the importance of this.

Furthermore, since July 3, the Egyptian military has successfully closed nearly 80 percent of the tunnels used to smuggle goods and arms into the Gaza Strip. This is an important part of our partnership and how we've worked together. The relationship between the United States and Egypt has never been more critical than it is now. This amendment could jeopardize our ability to help Egypt and Israel secure the Sinai if the intent were other than it has been explained just a few minutes ago. It could harm our efforts to secure the Libyan border with Egypt, which is used to smuggle weapons to be used against Israel.

It's vital to the United States national security that we maintain our long-standing relationship with the Egyptian military. I'm not going to oppose this amendment as long as the intent is not to interfere with this 30-year partnership and relationship. U.S. and Israeli security are simply too important to put at risk.

I appreciate the time and the effort.

Mr. WOMACK. Madam Chair, I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKY), the ranking member.

Mr. VISCLOSKY. I appreciate the gentleman yielding.

Either to yourself or possibly for the author of the amendment, the question I have, because there has been a lot of talk, it is ''not the intent of the amendment'' to interfere with any intercooperation we have today with the Egyptians. It is not our intent not to be involved in the Sinai, but the amendment reads no funds, and then goes on to fund military operations in Egypt.

If I am an adviser, if I am a member of the uniformed services, how is the intent met under the particular restrictions of the amendment? That would be my question.

Mr. WOMACK. Reclaiming my time, I don't want to put words in the mouth of the author of the amendment, but I would yield to the gentleman from Kentucky to further clarify, as I understand it, his willingness to make sure that we make the appropriate adjustments to this amendment in a conference.

I yield such time as he may consume to the gentleman from Kentucky.

Mr. MASSIE. I thank the gentleman from Arkansas.

To allay your concerns and the concerns of the gentlelady who spoke, the intentions are the intentions that have been mentioned here, and the verbiage that was allowed in the amendment process was very difficult to convey the intention. It would be our intention to work through the process going forward in conference or otherwise to ameliorate the language and to ameliorate your concerns.

Mr. VISCLOSKY. If the gentleman will yield, as a Member of the House and the committee, I would want to participate in that to ensure we do not disrupt the very positive interchange that is taking place.

Mr. WOMACK. Reclaiming my time, I thank the gentleman from Kentucky for his further clarification of the intent going forward beyond this.

I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

The Acting CHAIR. The gentleman from Arkansas has 1 minute remaining.

Mr. WOMACK. I yield 45 seconds to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. Madam Chair, it is in our interest that we have a strong, stable, moderate, and truly democratic Egypt. It's in the best interests of both our countries. We've had a 30-year relationship, and those interests would be damaged if we decide to in any way disengage from Egypt and its people in their quest for a true democracy or reduce current levels of support for the Egyptian military. This is a country of 80 million

people, a cornerstone of peace in the Middle East, despite its recent troubles, and we need to make sure that we keep the Egyptians close to us as a strong ally and work with their military operations.

Mr. WOMACK. Madam Chair, let me just say in conclusion, I do appreciate my friend from Kentucky for further clarifying this intent of his amendment. It is something that I believe we can work with so long as we can make the proper adjustments once we get to conference.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kentucky (Mr. MASSIE).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113–170 on which further proceedings were postponed, in the following order:

Amendment No. 67 by Mr. KILMER of Washington.

Amendment No. 69 by Mr. NADLER of New York.

Amendment No. 70 by Mr. NADLER of New York.

Amendment No. 73 by Mr. SCHIFF of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 67 OFFERED BY MR. KILMER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. KILMER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 277, noes 142, not voting 14, as follows:

[Roll No. 407]

AYES—277

Andrews
Bachus
Barber
Barr
Barrow (GA)
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Butterfield
Camp
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Connolly
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
Deutch
Dingell
Doggett
Doyle
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibbs
Gibson
Gohmert
Goodlatte
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hurt
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Lamborn
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nugent
O'Rourke
Owens
Palazzo
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Rahall
Rangel
Renacci
Rice (SC)
Richmond
Rigell
Roe (TN)
Rogers (AL)
Rogers (MI)
Rothfus
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Woodall
Yarmuth

NOES—142

Aderholt
Alexander
Amash
Amodei
Bachmann
Barton
Bentivolio
Boustany
Brady (TX)
Buchanan
Bucshon
Burgess
Calvert
Cantor
Carter
Cassidy
Chabot
Chaffetz
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Crawford
Crenshaw
Culberson
Daines
Denham
DeSantis
DesJarlais
Diaz-Balart
Duffy
Ellmers
Fincher
Fleischmann
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gingrey (GA)
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hultgren
Hunter
Issa
Jenkins
Johnson, Sam
Jordan
Kelly (PA)
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lance
Latta
LoBiondo
Lucas
Luetkemeyer
Lummis
Marchant
McCarthy (CA)
McCaul
McClintock
McHenry
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Nunes
Nunnelee
Paulsen
Perry
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Reichert
Ribble
Roby
Rogers (KY)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stewart
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Womack
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—14

Barletta
Bonner
Bustos
Campbell
Coble
Herrera Beutler
Horsford
Joyce
McCarthy (NY)
Olson
Pallone
Reed
Rokita
Vela

□ 1722

Messrs. PERRY and YOHO changed their vote from ''aye'' to ''no.''

Messrs. ELLISON and STIVERS, Mrs. CAPITO, Mr. HUIZENGA of Michigan, Mrs. MCMORRIS RODGERS, Messrs. UPTON, PEARCE, GRIFFIN of Arkansas, MESSER, LEWIS, THOMPSON of Mississippi, BROOKS of Alabama, GIBBS, DENT, GUTHRIE, BISHOP of Utah, and RODNEY DAVIS of Illinois changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 69 OFFERED BY MR. NADLER

The Acting CHAIR (Mr. TERRY). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 242, not voting 15, as follows:

[Roll No. 408]

AYES—176

Amash
Andrews
Bass
Beatty
Becerra
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Edwards

Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—242

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barber
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Owens
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Scalise
Schneider
Schock
Schwartz
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—15

Barletta
Bustos
Campbell
Coble
Herrera Beutler
Horsford
Johnson (GA)
Lujan Grisham (NM)
McCarthy (NY)
Olson
Pallone
Rokita
Speier
Waters
Wittman

□ 1727

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Chair, on rollcall No. 408, Nadler (NY) amendment No. 69, had I been present, I would have voted "yes."

AMENDMENT NO. 70 OFFERED BY MR. NADLER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 237, not voting 9, as follows:

[Roll No. 409]

AYES—187

Amash
Andrews
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Garamendi
Garcia
Grayson
Green, Al
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Sensenbrenner
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—237

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barber
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens

Palazzo
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanchez, Loretta
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Scott, David
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Barletta
Bustos
Campbell
Coble
Herrera Beutler
Horsford
McCarthy (NY)
Pallone
Rokita

□ 1732

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 73 OFFERED BY MR. SCHIFF

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SCHIFF) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 236, not voting 12, as follows:

[Roll No. 410]

AYES—185

Amash
Bachmann
Bass
Beatty
Becerra
Benishek
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Buchanan
Burgess
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Deutch
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Enyart
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Gabbard
Garamendi
Gibson
Gohmert
Graves (GA)
Grayson
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Huelskamp
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Labrador
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller, George
Moore
Moran
Mulvaney
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan
Nugent
O'Rourke
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Peterson
Petri
Pingree (ME)
Pocan
Poe (TX)
Polis
Posey
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Rohrabacher
Rooney
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sires
Slaughter
Speier
Stockman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woodall
Yarmuth

NOES—236

Aderholt
Alexander
Amodei
Andrews
Bachus
Barber
Barr
Barrow (GA)
Barton
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Bucshon
Butterfield
Calvert
Camp
Cantor
Capito
Carter
Cartwright
Cassidy
Chabot
Chaffetz
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis (CA)
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Duckworth
Duffy
Duncan (SC)
Ellmers
Engel
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Griffin (AR)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hoyer
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
LaMalfa
Lamborn
Lance
Langevin
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (PA)
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Pittenger
Pitts
Pompeo
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ruppersberger
Ryan (WI)
Salmon
Scalise
Schneider
Schock
Schwartz
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vargas
Vela
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Yoho
Young (FL)
Young (IN)

NOT VOTING—12

Barletta
Bustos
Campbell
Coble
Herrera Beutler
Horsford
McCarthy (NY)
Meng
Neal
Pallone
Rokita
Young (AK)

□ 1737

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 99 OFFERED BY MR. POMPEO

The Acting CHAIR. It is now in order to consider amendment No. 99 printed in House Report 113–170.

Mr. POMPEO. Mr. Chairman, I rise as the designee of Mr. NUGENT to offer the Nugent amendment.

PARLIAMENTARY INQUIRIES

Mr. POLIS. Mr. Chairman, I have a point of parliamentary inquiry.

The Acting CHAIR. The gentleman may state his parliamentary inquiry.

Mr. POLIS. Mr. Chairman, is it in order for a designee to offer an amendment on behalf of its sponsor on this bill?

The Acting CHAIR. Would the gentleman please restate the parliamentary inquiry.

Mr. POLIS. Mr. Chairman, is it in order for a designee to offer an amendment on behalf of its sponsor on this rule?

The Acting CHAIR. Under the terms of House Report 113–170, the named sponsor of an amendment may name a designee.

Mr. POLIS. Mr. Chairman, point of further parliamentary inquiry.

The Acting CHAIR. The gentleman may state his inquiry.

Mr. POLIS. Does the gentleman from Kansas have a formal designation of the gentleman from Florida (Mr. NUGENT)?

The Acting CHAIR. The Chair has been made aware that the gentleman from Kansas is the designee of the gentleman from Florida.

Mr. POLIS. I thank the Chair.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), add the following:

SEC. ____. None of funds made available by this Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person; or

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States

person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

The Acting CHAIR. Pursuant to House Resolution 312, the gentleman from Kansas (Mr. POMPEO) and a Member opposed each will control 7½ minutes.

The Chair recognizes the gentleman from Kansas.

Mr. POMPEO. Mr. Chairman, the amendment I offer this evening clarifies and confirms the scope of two programs that Mr. Snowden illegally exposed while sitting in a hotel room in Communist China.

First, the amendment clarifies that under section 702 no U.S. citizen or person in the U.S. can be targeted, period. I say again, no U.S. person under section 702 may be targeted in any way by the United States Government. While there are other specific authorities the U.S. person may be subject to an investigation, the U.S. Government may not do so under section 702. That's what this amendment intends to clarify.

The second part of the amendment clarifies section 215, also known as section 501 of FISA. The amendment clarifies that no content of communications can be stored or collected by the National Security Agency—that's no emails, no video clips, no Skype. No record of the actual conversation or the contents thereof may be recorded or collected by the National Security Agency. I can't repeat that enough. That's the intent of this amendment.

I want to make clear to everyone that, contrary to the suggestions of some, the NSA has not been acting outside of the scope of its authorities. The Meta-Data program is carefully designed with program layers of oversight by all three branchs of government. This is precisely the way our government ought to operate, with input from Article I and Article II and Article III of the United States Constitution.

It is, of course, our duty to ensure that the NSA stays within these legal bounds here in Congress, and this amendment makes those boundaries perfectly clear for everyone to know and understand.

And we shouldn't mislead the American people into thinking that the NSA has been acting illegally. There is perhaps no program in the United States Government that is as carefully monitored and overseen as the programs this amendment attempts to clarify.

To the extent that some in this Chamber wish to review or provide more protections and controls for these programs, we should proceed through a carefully considered and debated legislative process so that the full implications for our security are clearly understood.

Mr. Chairman, I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 7½ minutes.

□ 1745

Mr. VISCLOSKY. Mr. Chair, I yield 1½ minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, this amendment has been described and offered as an alternative to the Amash-Conyers amendment that we will consider next. It is not.

This amendment restates the existing ban on the intentional targeting of United States persons under section 702. It also places into law for the next fiscal year the Obama administration's current ban on collecting the contents of the communications of U.S. persons under section 215. I agree with these prohibitions. But they have nothing to do with the current misuse of section 215 to engage in the suspicionless, bulk collection of Americans' telephone records.

The dragnet collection under section 215 telephone metadata program reveals call information—including all numbers dialed, all incoming phone numbers and call duration—but not the content of communications. Therefore, this amendment would have no impact whatsoever on this misuse of section 215. Metadata reveals highly personal and sensitive information, including, for example, when and how often one calls the doctor, a journalist, or the local Tea Party or ACLU affiliate. By tracing the pattern of calls, the government can paint a detailed picture of anyone's personal, professional, and political associations and activities.

Congress never authorized this type of unchecked, sweeping surveillance of our citizens. It is this problem—the indiscriminate, bulk collection of metadata under section 215—that we need to fix right now.

The Amash-Conyers amendment does so by restoring the required reasonable relationship between the collection of records and specific persons being investigated under section 215. The Amash-Conyers amendment ensures that this standard is not ignored by the administration or by the FISA Court, as is happening now.

This amendment does not fix the problem with 215. The Amash-Conyers amendment does. However you vote on this amendment, and I intend to vote in favor of it, it is imperative that we also vote in favor of the Amash-Conyers amendment because this amendment, although doing no harm, does not solve the problems that Congress and Mr. SENSENBRENNER and many others have articulated with respect to the misuse of section 215 of the PATRIOT Act.

Mr. POMPEO. Mr. Chairman, I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. I thank the gentleman from Indiana for yielding, and I thank the gentleman from Kansas for offering this amendment, because it helps focus on what concerns most Americans and it clarifies what really is and is not happening.

Mr. Chairman, sometimes it is a challenge for those of us on the Intelligence Committee to talk openly about this—even the safeguards—in some of these programs. But this amendment helps make it clear and reassures Americans about some of the things they may have read or heard that is occurring with NSA. But at the same time, this amendment is not an overreaction that actually increases the danger that Americans face from terrorism around the world.

This amendment says clearly that NSA cannot acquire information for the purpose of targeting Americans, and it says clearly that NSA may not acquire, monitor, or store the content of the communication of any Americans.

I think the key point that Members need to know is there are multiple layers of safeguards to make sure that these programs operate exactly in the way that the FISA Court has laid them out to operate.

The Intelligence Committees of both the House and Senate do a considerable amount of oversight, get regular reports. Even if somebody accidentally punches a ''2'' versus a ''3'' on their keyboard, we get a report about that. And it even goes so far as members of the Intelligence Committee can go sit next to the analysts and watch what they are doing.

But it is not just the Intelligence Committees. The FISA Court has oversight of the same sorts of reports. They can change the guidelines that it operates under. But in addition to that, there are internal inspector general monitoring of these. So you get every branch of government involved in making sure that the safeguards are in place and those same safeguards will be in place to make sure that the provisions of the gentleman's amendment are followed as well.

Some, however, Mr. Chairman, would do away with these programs. No amount of safeguards are good for them. But they never say what would replace them, they never say what would fill the gap in meeting our responsibilities to defend Americans. They would just have them go away, and I guess assume that somehow or other that Americans could be made safe.

The truth is, we had been incredibly successful and somewhat lucky since 9/11 as far as preventing further terrorist attacks on our homeland. That is because of the work of the military, intelligence professionals, law enforcement and, as I say, a fair amount of luck.

But these programs at NSA have made a crucial contribution to that success over the last decade. It seems to me it would be foolhardy to toss them away, as some would want to do.

I think this amendment strikes the right approach. I also believe, Mr. Chairman, The Wall Street Journal makes a good point in today's editorial when it says:

The last thing Congress should do is kill a program in a rush to honor the reckless claims of Mr. Snowden and his apologists.

Mr. POMPEO. Mr. Chairman, I am happy to yield 3 minutes to the ranking member of the House Intelligence Committee, the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. Thank you, Mr. POMPEO.

Mr. Chairman, I rise in support of the Pompeo amendment.

This amendment strongly reaffirms that in America, privacy and security must coexist together. This amendment states in no uncertain terms that the government cannot use section 702 of the Foreign Intelligence Surveillance Act, FISA, to intentionally target an American for surveillance.

This important amendment also reaffirms that phone conversations cannot be collected through section 215 of the PATRIOT Act. It makes the intentions of Congress very clear.

I believe the Pompeo amendment makes a powerful statement that NSA cannot target Americans for the collection or listen to their phone calls. I urge my colleagues to vote ''yes.'' However, I do understand the concerns of the American people and of Congress when it comes to these programs.

On the House Intelligence Committee, we are reviewing and evaluating potential ways to change the FISA Act that will provide the intelligence community with the tools it needs to keep our country safe while also protecting privacy and civil liberties. We are committed to having this important discussion. However, I do have concerns about the amendment we will debate next.

The Amash amendment is an on/off switch for section 215 of the PATRIOT Act. It will have an immediate operational impact and our country will be more vulnerable to terrorist attacks. This authority has helped prevent terrorist attacks on U.S. soil. A planned attack on the New York City subway system was stopped because of section 215.

But the Amash amendment passes this authority and it will end it. This amendment goes too far, too fast, on the wrong legislative vehicle. We need to debate the scope of this program, and we are, but this is an extreme knee-jerk reaction to the situation.

This program has been authorized and reauthorized by Congress. It receives extensive oversight by the Intelligence Committee and is a vital tool for our intelligence community to protect our Nation. Remember, 9/11 happened in part because we failed to connect the dots. One of the critical tools we now have and use to connect those dots is section 215 of the PATRIOT Act. Remember, this is just phone records—just phone numbers—no conversations.

I respectfully urge a ''no'' vote on the Amash amendment and a ''yes'' vote on the Pompeo amendment.

Mr. VISCLOSKY. Mr. Chairman, I yield 2 minutes to the gentlewoman from the State of California (Ms. LOFGREN).

Ms. LOFGREN. Thank you, Mr. VISCLOSKY.

Mr. Chairman, I urge a ''no'' vote on the amendment. Why? Because it restates current law, and current law has been interpreted by the administration in a way that is, frankly, contrary to the intent of the crafters of the PATRIOT Act.

Section 215 of the PATRIOT Act says that you can obtain information that is relevant to a national security investigation.

Now, what has happened since Congress enacted that provision? It is a low bar, but under the NSA's interpretation, it is no bar at all. Because, as has been widely reported, they are collecting the information about every phone call made by every American. Clearly, that is not relevant to a terrorist investigation.

I think it is important to note that business records that are the subject of 215 include a lot of sensitive information. What are business records? phone records? Internet records? credit card records? medical records? Are these things that we would voluntarily give up to the government? No. They are incredibly sensitive, and that's why they are being sought.

I do think it is important to note that the amendment that will follow after this one doesn't end the ability of the government to pursue terrorism. We are all for that. It merely requires that the government adhere to the law, which requires that there be relevance to a terrorist investigation.

I certainly do not challenge the motivation of the gentleman who has offered this amendment, but I do think if you think that this provides a remedy, then you are wrong. This provides a fig leaf.

We should vote against it, and I hope that we will move on to the Amash amendment and solve the problem today.

Mr. POMPEO. Mr. Chairman, I am prepared to close. I reserve the balance of my time.

Mr. VISCLOSKY. Mr. Chairman, I yield back the balance of my time.

Mr. POMPEO. Mr. Chairman, I would just like to correct a couple of things.

This legislation is not a fig leaf. It is intended to clarify some things that have been said, some beliefs that people hold, about what section 215 authorizes and what section 702 authorizes.

It is intended to make crystal clear to everyone here, as well as to the American public, the boundaries of these two important national security programs. These laws have been in place and interpreted by multiple administrations in the same way. There was no change in this law when this President came into office, and we should continue to support these programs regardless of who is the Commander in Chief for the United States.

Mr. Chairman, I would ask my colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. POMPEO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. POMPEO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kansas will be postponed.

AMENDMENT NO. 100 OFFERED BY MR. AMASH

The Acting CHAIR. It is now in order to consider amendment No. 100 printed in House Report 113–170.

Mr. AMASH. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

SEC. ____. None of the funds made available by this Act may be used to execute a Foreign Intelligence Surveillance Court order pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) that does not include the following sentence: ''This Order limits the collection of any tangible things (including telephone numbers dialed, telephone numbers of incoming calls, and the duration of calls) that may be authorized to be collected pursuant to this Order to those tangible things that pertain to a person who is the subject of an investigation described in section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861).''.

The Acting CHAIR. Pursuant to House Resolution 312, the gentleman from Michigan (Mr. AMASH) and a Member opposed each will control 7½ minutes.

The Chair recognizes the gentleman from Michigan.

Mr. AMASH. Mr. Chairman, I yield myself 1 minute.

We are here today for a very simple reason: to defend the Fourth Amendment, to defend the privacy of each and every American.

As the Director of National Intelligence has made clear, the government collects the phone records without suspicion of every single American in the United States.

My amendment makes a simple, but important change. It limits the government's collection of the records to those records that pertain to a person who is the subject of an investigation pursuant to section 215.

□ 1800

Opponents of this amendment will use the same tactic that every government throughout history has used to justify its violation of rights—fear. They will tell you that the government must violate the rights of the American people to protect us against those who hate our freedoms. They will tell you there is no expectation of privacy in documents that are stored with a third party. Tell that to the American

people. Tell that to our constituents back home.

We are here to answer one question for the people we represent: Do we oppose the suspicionless collection of every American's phone records?

I reserve the balance of my time.

Mr. YOUNG of Florida. Madam Chairman, I rise to claim the time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman is recognized for 7½ minutes.

Mr. YOUNG of Florida. I am very happy to yield 3 minutes to the very distinguished chairman of the House Intelligence Committee, the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. I thank the gentleman.

Mr. Chairman, I think the American people and, certainly, some well-intentioned Members in this Chamber have legitimate concerns. They should be addressed. We should have time and education on what actually happens in the particular program of which we speak.

I will pledge to each one of you today and give you my word that this fall, when we do the Intel authorization bill, that we will work to find additional privacy protections with this program which have no email, no phone calls, no names, and no addresses.

Fourteen Federal judges have said, yes, this comports with the Constitution; 800 cases around the 1979 case have affirmed the underpinnings of the legality of this case—800. So 14 judges are wrong, and 800 different cases are wrong. The legislators on both Intelligence committees—Republicans and Democrats—are all wrong.

Why is it that people of both parties came together and looked at this program at a time when our Nation was under siege by those individuals who wanted to bring violence to the shores of the United States?

It is that those who know it best support the program because we spend as much time on this to get it right, to make sure the oversight is right. No other program has the legislative branch, the judicial branch, and the executive branch doing the oversight of a program like this. If we had this in the other agencies, we would not have problems.

Think about who we are in this body. Have 12 years gone by and our memories faded so badly that we've forgotten what happened on September 11?

This bill turns off a very specific program. It doesn't stop so-called ''spying'' and other things that this has been alleged to do. That's not what's happening. It's not a surveillance bill. It's not monitoring. It doesn't do any of those things.

What happened after September 11 that we didn't know on September 10—again, passing this amendment takes us back to September 10, and afterwards we said, wow, there is a seam, a gap—was somebody leading up to the September 11 attacks who was a terrorist overseas, called a ''terrorist,'' living amongst us in the United States, and we missed it because we didn't have this capability.

What if we'd have caught it?

The good news is we don't have to what-if. It's not theoretical. Fifty-four times this and the other program stopped and thwarted terrorist attacks both here and in Europe—saving real lives. This isn't a game. This is real. It will have a real consequence. This is hard.

Think about the people who came here before us in this great body—Madison, Lincoln, Kennedy served here—and about the issues they dealt with and about the politics of ''big'' and of moving America forward while upholding the article I mandate to this House in that we must provide for the general defense of the United States. Think of those challenges. Think of those challenges that they met.

Are we so small that we can only look at our Facebook ''likes'' today in this Chamber, or are we going to stand up and find out how many lives we can save?

Let us get back to the big politics of protecting America and of moving America forward. Soundly reject this amendment. Let's do this right in the Intel authorization bill.

Mr. AMASH. I yield 1 minute to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. I thank the gentleman for yielding to me.

Ladies and gentlemen of the House, this amendment will not stop the proper use of the PATRIOT Act or stop the FISA authorities from conducting terrorism and intelligence investigations. I'd never block that.

All this amendment is intending to do is to curtail the ongoing dragnet collection and storage of the personal records of innocent Americans. It does not defund the NSA, and it will continue to allow them to conduct full-fledged surveillance as long as it relates to an actual investigation.

Our joining together on this bipartisan amendment demonstrates our joint commitment to ensure that our fight against terrorism and espionage follows the rule of law and the clear intent of the statutes passed by this Congress. I urge my colleagues on both sides of the aisle to vote for this amendment.

I rise in support of this amendment, which I am cosponsoring with my colleague from Michigan, Representative JUSTIN AMASH.

This amendment will prevent mass collection of personal records, such as phone calling information, under Section 215 of the USA PATRIOT Act. When Congress passed and later revised this provision, we did not intend for it to authorize the bulk, indiscriminate collection of personal information of individuals not under investigation.

However, we have learned that this law has been misused to allow the collection of call detail information on every phone call made in the United States under a bizarre interpretation of the statute's authorization to collect "relevant" information. As my colleague and author of the statute, Representative JIM SENSENBRENNER, has stated, "This expansive characterization of relevance makes a mockery of the legal standard."

This amendment will not stop the proper use of PATRIOT Act and FISA authorities to conduct terrorism and intelligence investigations. All this amendment is intended to do is curtail the ongoing dragnet collection and storage of the personal records of innocent Americans. It does not defund the NSA, and it would continue to allow them to conduct full fledged surveillance as long as it relates to an actual investigation.

Our joining together on this bipartisan amendment demonstrates our joint commitment to ensuring that our fight against terrorism and espionage follows the rule of law and the clear intent of the statutes passed by Congress. I urge my colleagues on both sides of the aisle to vote for this amendment to demonstrate our bipartisan commitment to protecting individual liberty.

Mr. YOUNG of Florida. I am very happy to yield 2½ minutes to the gentlelady from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. I thank the gentleman from Florida.

Madam Chair, this is a very important issue that we are taking up today because the number one duty of the Federal Government is the safety of the American people—of our constituents and of our own skins, the skins of each one of us in this Chamber today. As we know all too well, national security is a real and present danger, and it is something that we have to take quite seriously. We can't deal in false narratives.

A false narrative has emerged that the Federal Government is taking in the content of Americans' phone calls. It's not true. It's not happening.

A false narrative has emerged that the Federal Government is taking in the content of the American people's emails. It's not true. It's not happening.

We need to deal in facts. The facts are real, and the facts are these:

The only people who have benefited from the revelation of classified information by someone who worked for this government—who intentionally and without authorization declassified some of the most sensitive national security information that we have—are those who are engaged in Islamic jihad. They will have been benefited, and those whom we seek to protect will have not.

Consider this:

There is more information about each one of us contained in the phone book that sits at home on your kitchen counter than information that is in the National Security Database that we're talking about today. Your name, your address are in the phone book. Your name, your address are not in this National Security Database.

No other nation in the world has the advantage that the United States of America has on national security—no

other nation—and we by this amendment today would agree to handcuff ourselves and our allies by restricting ourselves? Let it not be. Let us not deal in false narratives. Let us deal in facts that will keep the American people safe.

When you look at an envelope, when a letter is put in the mail, is there a privacy right as to what has been written on that envelope? No, there isn't. There is a privacy right as to what is contained inside that envelope. That's a Fourth Amendment right.

Is there a Fourth Amendment right to the record that you called someone on a certain day? No, there isn't—that's a record—but there is a Fourth Amendment right to what's in that phone call. Let's deal in reality, not in false narratives.

Mr. AMASH. I yield 1 minute to the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Madam Chair, I rise in strong support of the Amash amendment. I do so as the person who was the principal author of the PATRIOT Act in 2001, who got that law through quickly after 9/11 and who supported and managed its 2006 reauthorization.

Let me make this perfectly clear that unlike what we have heard from speakers on the other side of this issue, this amendment does not stop the collection of data under section 215—the people who are subject to an investigation of an authorized terrorist plot. What it does do is to prevent the collection of data of people who are not subject to an investigation.

Now, relevance is required in any type of a grand jury subpoena or in a criminal collection of data for a criminal trial. This goes far beyond what the NSA is doing. The time has come to stop it, and the way we stop it is to approve this amendment.

Mr. YOUNG of Florida. I reserve the balance of my time.

Mr. AMASH. I yield 30 seconds to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. I thank the gentleman from Michigan for his leadership on this important issue.

Madam Chair, reports of the NSA surveillance program have broad and far-reaching consequences.

Many Americans feel that our fundamental liberties as a country and our constitutional rights are threatened. In addition, it has ruined and hurt our reputation abroad—threatening our trade relationships with allies, threatening American jobs as a result, and putting in danger our cooperative security relationships that we need to fight the war on terror.

The responsible thing to do is to show some contrition. Let's pass this amendment. Let's make sure that we can have a practical approach that shows that protecting our liberties and securities are consistent and critical for the United States of America. I urge a ''yes'' vote.

Mr. YOUNG of Florida. I continue to reserve the balance of my time.

Mr. AMASH. I yield 30 seconds to the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. Madam Chair, here is the question:

It's a question of balancing privacy versus security. It's a question beyond that. It's a question of who will do the balancing.

Right now, the balancing is being done by people we do not know, by people we do not elect and, in large part right now, by somebody who has admitted lying to this body at a hearing. That's wrong.

We should be doing the balancing. We were elected to do that. We need to pass this amendment so that we can do the balancing, not the folks who are not elected and whom we do not know.

Mr. YOUNG of Florida. I continue to reserve the balance of my time.

Mr. AMASH. May I inquire of the Chair how much time remains.

The Acting CHAIR (Ms. ROS-LEHTINEN). The gentleman from Michigan has 3½ minutes remaining.

Mr. AMASH. Madam Chair, I yield 30 seconds to the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. I want to talk about the much ballyhooed oversight.

Every year, there is a report to the Judiciary Committee, an annual report, on section 215. This year, the report was eight sentences—less than a full page. To think that the Congress has substantial oversight of this program is simply incorrect. I cannot match Mr. SENSENBRENNER's brilliant remarks; but I do agree that when we wrote the PATRIOT Act relevance had a meaning.

Madam Chair, I submit for the RECORD a letter to Mr. SENSENBRENNER from the Department of Justice, which basically says, because 300 inquiries were made, the records of every single American became relevant. That's a joke.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, July 16, 2013.

Hon. F. JAMES SENSENBRENNER, Jr.,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SENSENBRENNER: This responds to your letter to the Attorney General date June 6, 2013, regarding the ''business records'' provision of the Foreign Intelligence Surveillance Act (FISA), 50 U.S.C. §1861, enacted as section 215 of the USA PATRIOT Act.

As you know, on June 5, 2013, the media reported the unauthorized disclosure of a classified judicial order issued under this provision that has been used to support a sensitive intelligence collection program. Under this program, which has been briefed to Congress and repeatedly authorized by the Foreign Intelligence Surveillance Court (FISC), the Federal Bureau of Investigation (FBI) obtains authorization to collect telephony metadata, including the telephone numbers dialed and the date, time and duration of calls, from certain telecommunications service providers. The National Security Agency (NSA), in turn, archives and analyzes this information under carefully controlled circumstances and provides leads to the FBI or others in the Intelligence Community for counterterrorism purposes. Aspects of this program remain classified, and there are limits to what can be said about it in an unclassified letter. Department of Justice and Intelligence Community staff are available to provide you a briefing on the program at your request.

In your letter, you asked whether this intelligence collection program is consistent with the requirements of section 215 and the limits of that authority. Under section 215, the Director of the FBI may apply to the FISC for an order directing the production of any tangible things, including business records, for investigations to protect against international terrorism. To issue such an order, the FISC must determine that (1) there are reasonable grounds to believe that the things sought are relevant to an authorized investigation, other than a threat assessment; (2) the investigation is being conducted under guidelines approved by the Attorney General under Executive Order 12333; and (3) if a U.S. person is the subject of the investigation, the investigation is not being conducted solely upon the basis of First Amendment protected activities. In addition, the FISC may only require the production of items that can be obtained with a grand jury subpoena or any other court order directing the production of records or tangible things. Finally, the program must, of course, comport with the Constitution.

The telephony metadata program satisfies each of these requirements. The lawfulness of the telephony metadata collection program has repeatedly been affirmed by the FISC. In the years since its inception, multiple FISC judges have granted 90–day extensions of the program after concluding that it meets all applicable legal requirements.

Of particular significance to your question is the relevance to an authorized international terrorism investigation of the telephony metadata collected through this program. First, it is critical to understand the program in the context of the restrictions imposed by the court. Those restrictions strictly limit the extent to which the data is reviewed by the government. In particular, the FISC allows the data to be queried for intelligence purposes only when there is reasonable suspicion, based on specific facts, that a particular query term, such as a telephone number, is associated with a specific foreign terrorist organization that was previously identified to and approved by the court. NSA has reported that in 2012, fewer than 300 unique identifiers were used to query the data after meeting this standard. This means that only a very small fraction of the records is ever reviewed by any person, and only specially cleared counterterrorism personnel specifically trained in the court-approved procedures can access the records to conduct queries. The information generated in response to these limited queries is not only relevant to authorized investigations of international terrorism, but may be especially significant in helping the government identify and disrupt terrorist plots.

The large volume of telephony metadata is relevant to FBI investigations into specific foreign terrorist organizations because the intelligence tools that NSA uses to identify the existence of potential terrorist communications within the data require collecting and storing large volumes of the metadata to enable later analysis. If not collected and held by NSA, the metadata may not continue to be available for the period that NSA has deemed necessary for national security purposes because it need not be retained by telecommunications service providers. Moreover, unless the data is aggregated by NSA, it may not be possible to identify telephony

metadata records that cross different telecommunications networks. The bulk collection of telephony metadata—i.e. the collection of a large volume and high percentage of information about unrelated communications—is therefore necessary to identify the much smaller subset of terrorist-related telephony metadata records contained within the data. It also allows NSA to make connections related to terrorist activities over time and can assist counterterrorism personnel to discover whether known or suspected terrorists have been in contact with other persons who may be engaged in terrorist activities, including persons and activities inside the United States. Because the telephony metadata must be available in bulk to allow NSA to identify the records of terrorist communications, there are ''reasonable grounds to believe'' that the data is relevant to an authorized investigation to protect against international terrorism, as section 215 requires, even though most of the records in the dataset are not associated with terrorist activity.

The program is consistent with the Constitution as well as with the statute. As noted above, the only type of information acquired under the program is telephony metadata, not the content of any communications, not the identity, address or financial information of any party to the communication, and not geolocational information. Under longstanding Supreme Court precedent, there is no reasonable expectation of privacy with respect to this kind of information that individuals have already provided to third-party businesses, and such information therefore is not protected by the Fourth Amendment. See Smith v. Maryland, 442 U.S. 735, 739–42 (1979).

Moreover, it is important to bear in mind that activities carried out pursuant to FISA, including those conducted under this program, are subject to stringent limitations and robust oversight by all three branches of government. As noted above, by order of the FISC, the Government is prohibited from indiscriminately sifting through the telephony metadata it acquires. Instead, all information that is acquired is subject to strict, court-imposed restrictions on review and handling that provide significant and reasonable safeguards for U.S. persons. The basis for a query must be documented in writing in advance and must be approved by one of a limited number of highly trained analysts. The FISC reviews the program approximately every 90 days.

The Department of Justice conducts rigorous oversight to ensure the telephony metadata is being handled in strict compliance with the FISC's orders, and the Department of Justice and The Office of the Director of National Intelligence (ODNI) conduct thorough and regular reviews to ensure the program is implemented in compliance with the law.

The program is also subject to extensive congressional oversight. The classified details of the program have been briefed to the Judiciary and Intelligence Committees on many occasions. In addition, in December 2009, the Department of Justice worked with the Intelligence Community to provide a classified briefing paper to the House and Senate Intelligence Committees to be made available to all Members of Congress regarding the telephony metadata collection program. It is our understanding that both Intelligence Committees made this document available to all Members prior to the February 2010 reauthorization of section 215. That briefing paper clearly explained that the government and the FISC had interpreted Section 215 to authorize the collection of telephony metadata in bulk. An updated version of the briefing paper was provided to the Senate and House Intelligence Committees again in February 2011 in connection with the reauthorization that occurred later that year.

Finally, we do not agree with the suggestion in your letter that the Department's March 9, 2011 public testimony on section 215 conveyed a misleading impression as to how this authority is used. Quoting a portion of that testimony, your letter states that it ''left the committee with the impression that the Administration was using the business records provision sparingly and for specific materials. The recently released FISA order, however, could not have been drafted more broadly,'' In fact, key language in the testimony in question noted that orders issued pursuant to section 215 ''have also been used to support important and highly sensitive intelligence collection operations, on which this committee and others have been separately briefed.'' We hope that the explanation above regarding the use of this authority to identify specific terrorism-related telephony metadata records helps to clarify the point.

The recent unauthorized disclosure of this and other classified intelligence activities has caused serious harm to our national security. Since the disclosure of the telephony metadata collection program, the Department of Justice and the Intelligence Community have worked to ensure that Congress and the American people understand how the program operates, its importance to our security, and the rigorous oversight that is applied. As part of this effort, senior officials from ODNI, NSA, DOJ and FI31 provided a classified briefing for all House Members on June 11, 2013 and separate classified briefings to the House Democratic Caucus and the House Republican Conference on June 26, 2013.

The Department of Justice is committed to ensuring that our efforts to protect national security are conducted lawfully and respect the privacy and civil liberties of all Americans. We look forward to continuing to work with you and others in the Congress to ensure that we meet this objective.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance with this or any other matter.

Sincerely,

PETER J. KADZIK,
Principal Deputy Assistant Attorney General.

Mr. AMASH. I yield 30 seconds to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON asked and was given permission to revise and extend his remarks.)

Mr. BARTON. I thank the gentleman.

Madam Chair, this is not about how sincere the NSA people are in implementing this technique. It is not about how careful they are. It is whether they have the right to collect the data in the first place on every phone call on every American every day.

The PATRIOT Act did not specifically authorize it. Section 215 talks about tangible things that are relevant to an authorized security investigation. In the NSA's interpretation of that, ''relevant'' is all data all the time. That is simply wrong. We should support the Amash amendment and vote for it.

□ 1815

Mr. AMASH. Madam Chair, I yield 15 seconds to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. Madam Chair, amendment IV:

> The right of the people to be secure in their persons, house, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Those who choose to trade liberty for security will find they have neither.

Mr. AMASH. Madam Chair, I yield 30 seconds to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Warrants need to be particular and specific about the place to be searched and the items to be seized.

No judge would ever sign a general search warrant like the British did, allowing the police to search every house on the block, much less seize everybody's phone records, but this is what has happened under section 215 under the government.

The government has gone too far in the name of security and the Fourth Amendment has been bruised.

Rein in government invasion. No more dragnet operations. Get a specific warrant based on probable cause, or stay out of our lives.

And that's just the way it is.

Mr. AMASH. I yield 30 seconds to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Madam Chairperson, this amendment stops the government from misusing section 215, to engage in the dragnet collection of all of our personal telephone records. Congress did not grant the executive the authority to collect everything it wants so long as it limits any subsequent search of that data.

This amendment restores the requirement that records sought are relevant to an authorized foreign intelligence or terrorist investigation. It restores the minimal relevant standard required by Congress but ignored by successive administrations.

No administration should be permitted to operate above or beyond the law as they have done in this respect. I therefore urge all of my colleagues to vote in favor of the Amash-Conyers amendment.

Mr. AMASH. I yield 30 seconds to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH of Virginia. General warrants, writs of assistance, that's what we're looking at, and the Founding Fathers found that to be anathema. What they're doing does violate the Fourth Amendment. We took an oath to uphold the Constitution, and we're supposed to rely on a secret agency that deals with a secret court that deals with a selective secrecy committee; and Members of Congress are limited to their access to the actions of that committee, but we're supposed to trust them.

Folks, we've got a job to do. Vote ''yes.''

Mr. AMASH. Madam Chair, may I inquire as to how much time remains?

The Acting CHAIR. The gentleman from Michigan has 45 seconds remaining, and the gentleman from Florida has 2 minutes remaining.

Mr. AMASH. I yield 30 seconds to the gentlelady from Hawaii (Ms. GABBARD).

Ms. GABBARD. Madam Chairwoman, countless men and women from my State of Hawaii and all across the country have worn the uniform and put their lives on the line to protect our freedoms and our liberties. I cannot in good conscience vote to take a single dollar from the pockets of hardworking taxpayers from across the country to pay for programs which infringe on the very liberties and freedoms our troops have fought and died for.

Ben Franklin said:

> They who give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety.

Mr. AMASH. Madam Chair, I yield myself such time as I may consume.

We're here to answer one question for the people we represent: Do we oppose the suspicion list collection of every American's phone records?

When you had the chance to stand up for Americans' privacy, did you?

Please support the Amash amendment and oppose the NSA's blanket surveillance of our constituents.

I yield back the balance of my time.

Mr. YOUNG of Florida. Madam Chairwoman, I yield 2 minutes for the closing argument to the gentleman from Arkansas (Mr. COTTON).

Mr. COTTON. Madam Chairwoman, I rise to strongly urge opposition to the Amash amendment.

This program has stopped dozens of terrorist attacks. That means it's saved untold American lives.

This amendment is not simple. It does not limit the program. It does not modify it. It does not constrain the program. It ends the program. It blows it up. Some of you've heard the analogy that if you want to search for a needle in a haystack, you have to have the haystack. This takes a leaf blower and blows away the entire haystack. You will not have this program if this amendment passes. And it does so, despite all of the safeguards you have already heard.

This program is constitutional under Supreme Court precedent—not recent precedent. Precedent goes back to 1979, just 2 years after I was born, the year that one of the young sponsors of this amendment was born. This program is approved by large bipartisan majorities of this body on the statute—text that they approved, not their secret intents or wishes.

It is overseen by article III judges who have been confirmed by the Senate and are independent of the executive branch. It is reviewed by the Intelligence Committees, and it is executed primarily by military officers, not generals, but the majors and the colonels who have been fighting and bleeding for this country for 12 years.

What is it, metadata? It sounds kind of scary. It's nothing more than an Excel spreadsheet with five columns: called to, called from, date, time, and the duration. Five columns, billions of rows. It's in a lockbox. It can't be searched unless you have specific suspicion of a number being used by a terrorist. Only then do they go into that database and do they run a search for what that number has been calling.

Why do you need it? Verizon, AT&T, other companies will not keep this data for the years necessary. Secondly, you need it quickly. When I was in Iraq as a platoon leader with the 101st Airborne, if we rolled up a bad guy and we found a cell phone or we found a thumb drive, we would immediately upload that data so intelligence professionals could search it so they could go roll up another bad guy, because you only have a few hours to stop a terrorist once you catch another terrorist.

Folks, we are at war. You may not like that truth. I wish it weren't the truth. But it is the truth. We're at war. Do not take this tool away from our warriors on the frontline.

Mr. YOUNG of Florida. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. AMASH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. AMASH. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113–170 on which further proceedings were postponed, in the following order:

Amendment No. 24 by Mr. TERRY of Nebraska.

Amendment No. 99 by Mr. POMPEO of Kansas.

Amendment No. 100 by Mr. AMASH of Michigan.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 24 OFFERED BY MR. TERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Nebraska (Mr. TERRY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

Mr. TERRY. Madam Chair, I withdraw my request for a recorded vote on amendment No. 24.

The Acting CHAIR. The request for a recorded vote on amendment No. 24 is withdrawn, and the amendment stands adopted in accordance with the previous voice vote thereon.

AMENDMENT NO. 99 OFFERED BY MR. POMPEO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. POMPEO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 409, noes 12, not voting 12, as follows:

[Roll No. 411]

AYES—409

Aderholt	Cotton	Graves (MO)
Alexander	Courtney	Grayson
Amash	Cramer	Green, Al
Amodei	Crawford	Green, Gene
Andrews	Crenshaw	Griffin (AR)
Bachmann	Crowley	Griffith (VA)
Bachus	Cuellar	Grimm
Barber	Culberson	Guthrie
Barr	Cummings	Gutiérrez
Barrow (GA)	Daines	Hahn
Barton	Davis (CA)	Hall
Bass	Davis, Danny	Hanabusa
Benishek	Davis, Rodney	Hanna
Bentivolio	DeFazio	Harper
Bera (CA)	DeGette	Harris
Bilirakis	Delaney	Hartzler
Bishop (GA)	DeLauro	Hastings (FL)
Bishop (NY)	DelBene	Hastings (WA)
Bishop (UT)	Denham	Heck (NV)
Black	Dent	Heck (WA)
Blackburn	DeSantis	Hensarling
Blumenauer	DesJarlais	Higgins
Bonamici	Deutch	Himes
Bonner	Diaz-Balart	Hinojosa
Boustany	Dingell	Holding
Brady (PA)	Doggett	Hoyer
Brady (TX)	Doyle	Hudson
Braley (IA)	Duckworth	Huelskamp
Bridenstine	Duffy	Huffman
Brooks (AL)	Duncan (SC)	Huizenga (MI)
Brooks (IN)	Duncan (TN)	Hultgren
Broun (GA)	Ellison	Hunter
Brown (FL)	Ellmers	Hurt
Brownley (CA)	Engel	Israel
Buchanan	Enyart	Issa
Bucshon	Eshoo	Jackson Lee
Burgess	Esty	Jeffries
Butterfield	Farenthold	Jenkins
Calvert	Farr	Johnson (GA)
Camp	Fattah	Johnson (OH)
Cantor	Fincher	Johnson, E. B.
Capito	Fitzpatrick	Johnson, Sam
Capps	Fleischmann	Jones
Cárdenas	Fleming	Jordan
Carney	Flores	Joyce
Carson (IN)	Forbes	Kaptur
Carter	Fortenberry	Keating
Cartwright	Foster	Kelly (IL)
Cassidy	Foxx	Kelly (PA)
Castor (FL)	Frankel (FL)	Kennedy
Castro (TX)	Franks (AZ)	Kildee
Chabot	Frelinghuysen	Kilmer
Chaffetz	Gabbard	Kind
Chu	Gallego	King (IA)
Cicilline	Garamendi	King (NY)
Clarke	Garcia	Kingston
Clay	Gardner	Kinzinger (IL)
Cleaver	Garrett	Kirkpatrick
Clyburn	Gerlach	Kline
Coffman	Gibbs	Kuster
Cole	Gibson	Labrador
Collins (GA)	Gingrey (GA)	LaMalfa
Collins (NY)	Gohmert	Lamborn
Conaway	Goodlatte	Lance
Connolly	Gosar	Langevin
Cook	Gowdy	Lankford
Cooper	Granger	Larsen (WA)
Costa	Graves (GA)	Larson (CT)

Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—12

Becerra
Capuano
Cohen
Conyers
Edwards
Fudge
Grijalva
Holt
Honda
Lofgren
Polis
Rangel

NOT VOTING—12

Barletta
Beatty
Bustos
Campbell
Coble
Herrera Beutler
Horsford
McCarthy (NY)
Negrete McLeod
Pallone
Rokita
Schock

□ 1847

Messrs. COLLINS of New York, GALLEGO, HASTINGS of Florida, Mrs. BACHMANN, Ms. SHEA-PORTER, Mr. DOYLE, Ms. LEE of California, Ms. KELLY of Illinois, Ms. DEGETTE, Messrs. MCGOVERN, MCDERMOTT, GRIMM, LEWIS, PEARCE, PAYNE, ANDREWS, and CARSON of Indiana changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 100 OFFERED BY MR. AMASH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. AMASH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 217, not voting 12, as follows:

[Roll No. 412]

AYES—205

Amash
Amodei
Bachus
Barton
Bass
Becerra
Bentivolio
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Bridenstine
Broun (GA)
Buchanan
Burgess
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Cassidy
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Courtney
Cramer
Crowley
Cummings
Daines
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DeLauro
DelBene
DeSantis
DesJarlais
Deutch
Dingell
Doggett
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Fudge
Gabbard
Garamendi
Gardner
Garrett
Gibson
Gohmert
Gosar
Gowdy
Graves (GA)
Grayson
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Hahn
Hall
Harris
Hastings (FL)
Holt
Honda
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Jeffries
Jenkins
Johnson (OH)
Jones
Jordan
Keating
Kildee
Kingston
Labrador
LaMalfa
Lamborn
Larson (CT)
Lee (CA)
Lewis
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Marchant
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McHenry
McMorris Rodgers
Meadows
Mica
Michaud
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Nadler
Napolitano
Neal
Nolan
Nugent
O'Rourke
Owens
Pascrell
Pastor (AZ)
Pearce
Perlmutter
Perry
Petri
Pingree (ME)
Pocan
Poe (TX)
Polis
Posey
Price (GA)
Radel
Rahall
Rangel
Ribble
Rice (SC)
Richmond
Roe (TN)
Rohrabacher
Ross
Rothfus
Roybal-Allard
Rush
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Shea-Porter
Sherman
Smith (MO)
Smith (NJ)
Southerland
Speier
Stewart
Stockman
Swalwell (CA)
Takano
Thompson (MS)
Thompson (PA)
Tierney
Tipton
Tonko
Tsongas
Vela
Velázquez
Walz
Waters
Watt
Waxman
Weber (TX)
Welch
Williams
Wilson (SC)

NOES—217

Aderholt
Alexander
Andrews
Bachmann
Barber
Barr
Barrow (GA)
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Boehner
Bonner
Boustany
Brady (TX)
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bucshon
Butterfield
Calvert
Camp
Cantor
Capito
Carney
Carter
Castor (FL)
Castro (TX)
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Crawford
Crenshaw
Cuellar
Culberson
Davis (CA)
Delaney
Denham
Dent
Diaz-Balart
Duckworth
Ellmers
Engel
Enyart
Esty
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gallego
Garcia
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Granger
Graves (MO)
Green, Al
Grimm
Guthrie
Gutiérrez
Hanabusa
Hanna
Harper
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Holding
Hoyer
Hudson
Hunter
Hurt
Israel
Issa
Jackson Lee
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Joyce
Kaptur
Kelly (IL)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Lance
Langevin
Lankford
Larsen (WA)
Latham
Latta
Levin
Lipinski
LoBiondo
Long
Lowey
Lucas
Luetkemeyer
Maloney, Sean
Marino
Matheson
McCarthy (CA)
McCaul
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Meng
Messer
Miller (FL)
Miller (MI)
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Payne
Pelosi
Peters (CA)
Peters (MI)
Peterson
Pittenger
Pitts
Pompeo
Price (NC)
Quigley
Reed
Reichert
Renacci
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Schakowsky
Schneider
Schwartz
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (TX)
Smith (WA)
Stivers
Stutzman
Terry
Thompson (CA)
Thornberry
Tiberi
Titus
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woodall
Young (FL)
Young (IN)

NOT VOTING—12

Barletta
Beatty
Bustos
Campbell
Coble
Herrera Beutler
Horsford
McCarthy (NY)
Negrete McLeod
Pallone
Rokita
Schock

□ 1851

Mr. CICILLINE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. BEATTY. Mr. Chair, on rollcall Nos. 411—Pompeo amendment #99, "yes" and 412—Amash amendment #100, "No."

PERSONAL EXPLANATION

Mrs. NEGRETE McLEOD. Mr. Chair, on rollcall Nos. 411, "yes" and 412, "yes."

The Acting CHAIR. It is now in order to consider a final period of general debate.

The gentleman from Florida (Mr. YOUNG) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. VISCLOSKY. Madam Chair, I would rise to enter into a colloquy with my colleague from Washington (Mr. HECK) and I yield to the gentleman.

Mr. HECK of Washington. I thank the gentleman from Indiana.

Madam Chair, every summer, Joint Base Lewis-McChord in Washington's 10th Congressional District hosts nearly 6,000 ROTC cadets from all across the Nation. These cadets conduct an assessment exercise we call Warrior Forge. The exercise is an invaluable tool in shaping our next generation of Army officers.

For 40 years, this course has honed the skills, provided the cohesion, and fostered the knowledge necessary to create the Army's next leaders. I have visited this program, and you need not have a single doubt about the quality of the next generation of military leaders in our Nation.

Yet, Madam Chair, an effort is afloat to radically change this proven system, without the knowledge or input from this Congress. Members of this body, including myself, the ranking member of the House Armed Services Committee, and the former ranking member of the House Appropriations Committee have been requesting from the Army a simple brief and cost-benefit analysis of this proposed radical transformation. And for over 2 years, those requests have repeatedly been delayed and dismissed and denied.

Now, while my preference would have been to offer a limiting amendment to this legislation, I asked the ranking member and the chair if, in this instance, we could work together to seek from the Army a timely report so that Congress and the relevant committees can do our job, which is to ensure proper oversight.

Mr. VISCLOSKY. I appreciate the gentleman raising the issue. I am aware of it, and would gladly work with him to get the answers on this proposal.

Mr. HECK of Washington. I thank the ranking member very much.

Mr. VISCLOSKY. Madam Chair, I simply want to take this time to thank someone I have a profound respect for, as we all do, my chairman, our chairman, BILL YOUNG from Florida, for the masterful job he has done leading us to this point. And I would ask that he be given a round of applause.

I want to thank the members of the subcommittee and the staff. And I would also want to thank four young people who've worked in our offices this summer for all of their efforts on our behalf: Craig, Morgan, Deepa, and Matt.

Finally, I want to thank all of my colleagues. We did work our way through 100 amendments. From my perspective, this is exactly how this institution should work, to have issues and disagreement, to have discussions, to have votes, and to have a conclusion to the process, and to report a bill.

So, again, I thank my colleagues, and I thank the chair and the colleagues I work with every day on the Defense Subcommittee.

I yield back the balance of my time.

Mr. YOUNG of Florida. Madam Chair, I'd like to use my time to say thank you to the House and all of the Members who participated in some vigorous debate, for having conducted the affairs of the House in a most professional way, proving to our constituents that we can work things out, that we can work together.

□ 1900

I just want to say thank you to Mr. VISCLOSKY, who is handling the minority leadership on this bill for the first time. I think he deserves a lot of credit and a lot of applause for the good job that he did in keeping this schedule on track.

PETER, thank you very much.

While it seems a long time ago, it was only Monday night that we finally received the 100 amendments that would be filed and considered during the debate. We had to analyze those amendments by Tuesday—yesterday—so that we could begin the debate on this bill. Our staff did an outstanding job in working late into the night Monday night analyzing these amendments so that we could consider where we would be on those amendments.

I would like to read the names of the members of our staff, headed by Tom McLemore as staff director and Paul Juola in a similar position for Mr. VISCLOSKY. Also, Becky Leggierri, Brook Boyer, Ann Reese, Megan Rosenbush, Tim Prince, Walter Hearne, B.G. Wright, Paul Terry, Maureen Holohan, Jennifer Miller, Adrienne Ramsay, and Sherry Young. They are a professional staff. It's hard to find any more of a professional staff than those that I just mentioned.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIR. All time has expired.

The Clerk will read.

The Clerk read as follows:

This Act may be cited as the "Department of Defense Appropriations Act, 2014".

Mr. YOUNG of Florida. Madam Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. POE of Texas) having assumed the chair, Ms. ROS-LEHTINEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes, directed her to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 312, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. FRANKEL of Florida. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. FRANKEL of Florida. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. FRANKEL of Florida moves to recommit the bill H.R. 2397 to the Committee on Appropriations with instructions to report the same back to the House forthwith, with the following amendment:

Page 86, line 21, after the dollar amount, insert "(increased by $25,000,000)".

Page 86, line 22, after the dollar amount, insert "(increased by $20,000,000)".

Page 87, line 9, after the dollar amount, insert "(increased by $5,000,000)".

The SPEAKER pro tempore. The gentlewoman is recognized for 5 minutes.

Ms. FRANKEL of Florida. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will re-appropriate resources in areas critical to our national security and to defend Israel, our most important ally in the Middle East.

The motion to recommit adds $20 million in funding for Israel's Iron Dome defense program and $5 million for the Arrow defense program in order to bolster protection against short- and long-range missile attacks.

Now here's something on which we can all agree. Defending Israel is in the interest of our national security. The bond between the United States and Israel is rooted in our shared national interest and our common values of democracy, rule of law, and basic human rights. Israel's security is our security. The same forces threatening Israel jeopardize the United States. And this is not a partisan issue.

All of us who have been to Israel are struck by how close Israelis live to neighbors who want to destroy them. As a former mayor of a city, I ran a city where we had real problems like gangs and crimes; but never did I have to worry about the towns next door shooting rockets at my residents. I can't imagine what it would be like to be the mayor of Sderot.

In 2008, before we had Iron Dome, a surge in Hamas rocket attacks forced Israel to launch a ground operation that, tragically, claimed over a thousand Israeli and Palestinian lives.

Fast forward to last November. In just 1 week, over 1,500 rockets were fired at Israel again by terrorist groups in Gaza. Thankfully, this time, Iron Dome intercepted over 80 percent of the deadly attacks, preventing war and saving lives.

I know that we can all agree that support for Israel's missile defense program is not merely a favor we do for Israel. Our political and military leaders have long praised the strategic significance of Israel's powerful military advancing our interests in the region, saving our Nation billions of dollars on military personnel and equipment that we might otherwise be forced to deploy.

Looking at Israel's neighborhood, never has this situation been so urgent for both our countries, with increased threats from Iran, Hamas, Hezbollah, and al Qaeda, and instability in Syria, Egypt, and Jordan. We must do all we can to strengthen Israel's defenses, and that is why this amendment to increase funding for these defense systems is so timely and so necessary.

Support for Israel has always enjoyed overwhelming bipartisan support. So I urge my Democratic and Republican colleagues to come together on this important amendment to support Israel and promote stability in the Middle East.

I yield back the balance of my time.

Mr. YOUNG of Florida. Madam Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). The gentleman is recognized for 5 minutes.

Mr. YOUNG of Florida. There's no doubt that Iron Dome is an extremely effective missile defense system. And because of that, the committee fully funded this bill at $220 million for Iron Dome, which is fully in line with the President's request and the recently passed defense authorization bill.

Additionally, this is the third year of consecutive funding for a 4-year commitment. The truth of the matter is they really can't spend it any faster or any more effectively.

So as is so often the case, this motion is purely a political statement, and I urge its rejection.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. FRANKEL of Florida. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 192, noes 231, not voting 10, as follows:

[Roll No. 413]

AYES—192

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan
Owens
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—231

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutiérrez
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Barletta
Bustos
Campbell
Coble
Herrera Beutler
Horsford
McCarthy (NY)
Neal
Pallone
Rokita

□ 1915

Messrs. STEWART and RICE of South Carolina changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 315, nays 109, not voting 9, as follows:

[Roll No. 414]

YEAS—315

Aderholt
Alexander
Amodei
Andrews
Bachmann
Bachus
Barber
Barr
Barrow (GA)
Barton
Beatty
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Butterfield
Calvert
Camp
Cantor
Capito
Cárdenas
Carter
Cassidy
Castro (TX)
Chabot
Chaffetz
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis (CA)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Duckworth
Duffy
Duncan (SC)
Ellmers
Engel
Enyart
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Holding
Hoyer
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce
Kaptur
Kelly (PA)
Kilmer
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Negrete McLeod
Neugebauer
Noem
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Pearce
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sanchez, Loretta
Sanford
Scalise
Schneider
Schock
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—109

Amash
Bass
Becerra
Blumenauer
Bonamici
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Conyers
Cooper
Crowley
Cummings
Davis, Danny
DeFazio
DeGette
DeLauro
Deutch
Doyle
Duncan (TN)
Edwards
Ellison
Eshoo
Farr
Frankel (FL)
Fudge
Gibson
Grayson
Grijalva
Gutiérrez
Hahn
Hastings (FL)
Himes
Hinojosa
Holt
Honda
Huelskamp
Huffman
Jeffries
Johnson (GA)
Jones
Keating
Kelly (IL)
Kennedy
Kildee
Kind
Lee (CA)
Levin
Lewis
Lofgren
Lowenthal
Lynch
Maloney, Carolyn
Massie
Matsui
McClintock
McDermott
McGovern
Meeks
Meng
Michaud
Miller, George
Moore
Nadler
Napolitano
Neal
Nolan
Payne
Pelosi
Perlmutter
Pingree (ME)
Pocan
Polis
Quigley
Rangel
Richmond
Rohrabacher
Roybal-Allard
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Serrano
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Velázquez
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Barletta
Bustos
Campbell
Coble
Herrera Beutler
Horsford
McCarthy (NY)
Pallone
Rokita

□ 1930

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment a bill of the House of the following title:

H.R. 1911. An act to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2397, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

Mr. YOUNG of Florida. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 2397, including corrections in spelling, punctuation, section and title numbering, cross-referencing, conforming amendments to short titles, and the insertion of appropriate headings.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

GENERAL LEAVE

Mr. YOUNG of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2397.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. YOUNG of Florida. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERSONAL EXPLANATION

Mr. BUTTERFIELD. Madam Speaker, during the final vote series last night, I inadvertently voted ''no'' on the DeLauro amendment No. 44 that would prohibit the use of funds to train the Afghan Special Mission Wing. I would say for the record that I support the amendment offered by Ms. DELAURO, and had I voted correctly, I would have voted for the amendment.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 2641

Mr. MARINO. Madam Speaker, I ask unanimous consent to remove as cosponsors Congressman CAPUANO and Congressman PALLONE from my bill, H.R. 2641, the Responsibly and Professionally Invigorating Development (RAPID) Act of 2013.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMERICA DESERVES AN ECONOMIC RECOVERY

(Mr. HARRIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRIS. Madam Speaker, the President said today that it is time for the House to lay out our ideas to give the middle class a better shot. He said it is time to move past stale debates.

Madam Speaker, the only reason these debates are stale is because the House bills that have been passed to create jobs in America are stalled in the Senate and by the President.

This isn't difficult. We need to cut burdensome regulations that stop job creation. The President needs to agree to build the Keystone pipeline. The President needs to agree to explore for American energy to lower the price of gas and diesel. The President needs to agree to permanently delay all of ObamaCare. America deserves an economic recovery.

REPEAL THE AUTHORIZATION FOR USE OF MILITARY FORCE

(Ms. LEE of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE of California. Mr. Speaker, first, let me just commend Congressman SCHIFF and the 185 Members who voted today to restrict the authorization for the use of military force.

Today's vote is a very important step in our effort to repeal this overly broad blank check to wage war anywhere, at any time, and for any length, which of course I could not vote for September 14, 2001.

I have a bipartisan bill which would repeal the authorization to use military force, and doing so would provide Congress an opportunity finally, a long overdue opportunity, to have a meaningful debate about our constitutional role in declaring war.

Last week, I released a public report from the Congressional Research Service citing 30 instances where this resolution has been invoked. Most Americans, and of course my colleagues in Congress, would be surprised to know that these activities include deploying groups in Ethiopia, Djibouti, Georgia, Yemen, Kenya, the Philippines, Somalia—I could go on and on. It also includes justifying detentions at Guantanamo Bay and warrantless surveillance activities.

Finally, let me just say it is time to repeal this authorization and rein in the overly broad and deeply troubling NSA domestic spying program.

I urge all Members to join our continuing efforts and cosponsor my bill, H.R. 198, to repeal the AUMF.

CONGRESSIONAL RESEARCH SERVICE,
Washington, DC, July 10, 2013.

MEMORANDUM

To: Honorable Barbara Lee.
From: Matthew Weed, Analyst in Foreign Policy Legislation.
Subject: The 2001 Authorization for Use of Military Force: Background in Brief.

This memorandum responds to your request for information on presidential utilization of the Authorization for Use of Military Force (AUMF; P.L. 107–40; 50 U.S.C. 1541 note), enacted in response to the September 11, 2001 terrorist attacks on the United States, to justify and undertake military and other action. It contains very brief discussions of the relevant provisions of the AUMF, and the use of U.S. armed forces and other actions initiated under AUMF authority. Material in this memorandum may be used in other Congressional Research Service (CRS) products.

2001 AUMF USE OF FORCE PROVISION

Section 2(a) of the AUMF authorizes the use of force in response to the September 11 attacks:

Resolved by the Senate and House of Representatives of the United States ofAmerica in Congress assembled

* * * * *

SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) IN GENERAL.—That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

ANALYSIS

Scope: The authorizing language is broad in its scope concerning the prevention of any future acts of terrorism that might be perpetrated against the United States, but is circumscribed by authorizing the targeting only of those nations, organizations, or persons determined to be involved in perpetrating the September 11 attacks or harboring those who perpetrated the attacks.

War Against Non-State Actors: The AUMF is considered groundbreaking as it (1) empowered the President to target non-state actors, even to the individual level, as well as states, and (2) did not specify which states and non-state actors were included under the authorization.

Current Debate: After nearly 12 years in force, executive branch reliance on the AUMF has raised a number of concerns for a number of commentators and Members of Congress. These concerns relate to Congress's constitutional role in exercising its war power, as well as several types of executive branch activities to counter terrorism that are perceived as problematic. In contrast, Obama Administration officials have testified that the legal framework for the current conflict against Al Qaeda and associated forces, which includes the AUMF, remains valid and effective in meeting the U.S. military's requirements for conducting counterterrorism operations.

ACTIONS TAKEN UNDER AUMF AUTHORITY

CRS has located 30 occurrences of a publicly disclosed presidential reliance on the AUMF to take or continue military or related action (including non-military action like detentions and military trials).[1] Of the 30 occurrences, 18 were made during the Bush Administration, and 12 have been made during the Obama Administration.

Pursuant to the AUMF, President George W. Bush notified Congress that he was deploying U.S. armed forces to Afghanistan in 2001 to oust the Taliban from power and eliminate al Qaeda training sites and safe harbors in the country. In addition, Presidents Bush and Obama have invoked the AUMF to use U.S. armed forces or engage in other actions to: counter the terrorist threat against the United States following 9/11; deploy and direct such forces, or report on ongoing use of such forces in: Afghanistan; the Philippines; Georgia; Yemen; Djibouti; Kenya; Ethiopia; Eritrea; Iraq; and Somalia.

Engage terrorist groups ''around the world''.

Engage terrorist groups ''on the high seas''.

Detain individuals at Guantanamo Bay, Cuba, and to take other actions related to detainment decisions; and Conduct trials of terrorist suspects in military commissions.

[1] See Appendix for information on each notification. Based on notifications from the President concerning deployments of U.S. armed forces in the Federal Register and Compilation of Presidential Documents. It is possible that actions have been taken under the AUMF without being disclosed in these publications, and may have been disclosed to Congress through other means.

APPENDIX

Table 1, below, provides dates and subject matter of each of the presidential notifications located by CRS that reference the AUMF as authority for the deployment or use of U.S. armed forces or other activities. In many cases, the notifications indicate the continuation of a given deployment or activity.

TABLE I—LIST OF PRESIDENTIAL NOTIFICATIONS REFERENCING AUMF

Date	Relevant country, geographic area, targeted group, or type of action
9/24/2001	Afghanistan; the Taliban.
10/9/2001	al Qaeda; other terrorist organizations.
11/13/2001	Military detention and trial of terrorist suspects.
9/20/2002	Afghanistan; Philippines; Georgia; Yemen; Guantanamo Bay.
3/20/2003	Yemen; Djibouti; Guantanamo Bay.
9/19/2003	Afghanistan; Philippines; Georgia; Yemen; Guantanamo Bay.
3/20/2004	Afghanistan; Guantanamo Bay; Georgia; Djibouti; Yemen; Kenya; Ethiopia; Eritrea; high seas.
11/4/2004	Afghanistan; Guantanamo Bay; Iraq; Yemen; Ethiopia; Kenya; Eritrea; Djibouti; high seas.
5/20/2005	Afghanistan; Guantanamo Bay; Iraq; Djibouti; Yemen; Kenya; Ethiopia; Eritrea; high seas.
12/7/2005	Afghanistan; Guantanamo Bay; Iraq; Djibouti; Yemen; Kenya; Ethiopia; high seas.
6/15/2006	Afghanistan; Guantanamo Bay; Iraq; Djibouti; Yemen; high seas.
12/15/2006	Afghanistan; Guantanamo Bay; Iraq; Djibouti; Yemen; high seas.
2/14/2007	Executive Order 13425: includes Military Commissions.
6/15/2007	Afghanistan; Guantanamo Bay; Iraq; Horn of Africa; Somalia; high seas.
7/20/2007	Executive Order 13440: includes detention and interrogation of terrorist suspects.
12/14/2007	Afghanistan; Guantanamo Bay; Iraq; global counterterrorism; Horn of Africa; high seas.
6/13/2008	Afghanistan; Guantanamo Bay; Iraq; global counterterrorism; Horn of Africa; high seas.
12/16/2008	Afghanistan; Guantanamo Bay; Iraq; global counterterrorism; Horn of Africa; high seas.
6/15/2009	Afghanistan; Guantanamo Bay; Iraq; global counterterrorism; Horn of Africa; high seas.
12/15/2009	Presidential Memorandum includes Guantanamo Bay issues.
12/16/2009	Afghanistan; Guantanamo Bay; Iraq; global counterterrorism; Horn of Africa; high seas.
6/15/2010	Afghanistan; Guantanamo Bay; Djibouti; Horn of Africa; global counterterrorism; high seas.
12/15/2010	Afghanistan; Guantanamo Bay; global counterterrorism; high seas.
3/7/2011	Executive Order 13567: includes detention at Guantanamo Bay.
6/15/2011	Afghanistan; Guantanamo Bay: global counterterrorism; high seas.
12/15/2011	Afghanistan; Guantanamo Bay; global counterterrorism; high seas.
2/28/2012	Military detention of terrorist suspects.
6/15/2012	Afghanistan; Guantanamo Bay; global counterterrorism Somalia; Yemen; high seas.
12/14/2012	Afghanistan; Guantanamo Bay; global counterterrorism; Somalia: Yemen; high seas.
6/14/2013	Afghanistan; Somalia; Yemen; Guantanamo Bay; high seas.

Sources: Federal Register; Compilation of Presidential Documents.

39TH ANNIVERSARY OF TURKEY'S INVASION OF CYPRUS

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to mark an anniversary that has pained the Cypriot and Hellenic communities for 39 years.

On July 20, 1974, in blatant violation of international law, Turkey violently invaded Cyprus and captured the northern part of the island.

Since the invasion, Turkey has established a heavily armed military occupation that continues to control nearly 40 percent of Cyprus and has forced 160,000 Greek Cypriots from their homes.

Mr. Speaker, it is not impossible to conceive a unified Cyprus that respects the human rights and fundamental freedoms of all Cypriots.

Cyprus has long been a strong and faithful ally of the United States, and we owe our support for both peace and the end of this illegal occupation.

SARATOGA RACE COURSE

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, ''and they're off.'' That traditional refrain as horses come out of the gate ushered in yet another Saratoga season just days ago—this time a very special season.

I recognize Saratoga Race Course as it celebrates 150 years of thoroughbred racing in Saratoga Springs, New York.

On August 3, 1863, a son of Irish immigrants, John Morrissey, who served two terms in this body, staged the first horse race at what is now known as the Oklahoma Track, giving birth to the oldest continually active sporting venue in the United States.

Notable sportswriter Red Smith once said of the Saratoga Race Course, ''From New York City you drive north for about 175 miles, turn left on Union Avenue and go back 100 years.''

Racing in Saratoga produces over 2,000 jobs, nearly $15 million in tax revenue and an economic boost of $200 million to the surrounding region each year.

I am honored to recognize 150 years of tradition and community spirit that come to life in a most unique and exciting way, that have a special place in our American story.

Let me close, Mr. Speaker, the following way: ''And down the stretch they come.'' Happy 150th, Saratoga.

BEATRIZ ARREDONDO

(Mr. VARGAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VARGAS. Mr. Speaker, I rise today in the memory of Beatriz Arredondo, an inspiring woman who embodied the spirit of love and compassion.

Beatriz, or ''Nena'' as she was called by her loved ones, passed away on June 28, 2013.

Beatriz was born on January 16, 1943, in Tamaulipas, Mexico. At a very young age, she knew that she wanted to be a loving wife and mother, and she dreamed of one day seeing her grandchildren. She accomplished these goals magnificently.

Fifty-four years ago, she met Ernesto Arredondo, Sr. and they were married for 46 years. They have four beautiful children—Ernesto, Jr., Edoardo, Everardo, and Elizabeth.

Beatriz is survived by her husband, her children, and her 10 grandchildren.

As is said in St. Paul's Second Letter to Timothy:

> She fought the good fight. She finished the race. She kept the faith.

She is now in God's arms.

Our prayers are with the Arredondo family.

GOP DOCTORS CAUCUS

The SPEAKER pro tempore (Mr. COOK). Under the Speaker's announced policy of January 3, 2013, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGREY of Georgia. Mr. Speaker, I am joined this evening with my colleagues in the House GOP Doctors Caucus, and other Republican Members, to talk about this most, most important subject, and that is this recent delay of the employer mandate.

The Obama administration's announcement that it will delay implementation of the employer mandate due to the enormous regulatory burden on businesses, Mr. Speaker, is proof positive that the Affordable Care Act is a job killer.

The administration's excuse for the delay was to simplify reporting requirements for small businesses. But employers haven't been against the mandate solely due to its burdensome reporting requirements.

□ 1945

While it's estimated that ObamaCare will require American job creators, families, and health care providers to spend more than 127 million hours a year on complying with the law, a far greater concern to business owners is the impact the mandate will have on job creation. The cost of the health insurance and of ObamaCare's fines will drive up the costs of labor and will continue to be a drag on this economy. This is further evidence that the administration does not get how the law will impact the economy.

The U.S. Chamber reported that 72 percent of small business executives would have a harder time hiring because of ObamaCare. The employer mandate has been cited by business owners repeatedly as a major obstacle to expansion. They simply cannot afford it. At a recent small business roundtable, one Georgia business owner said to me, I want to provide health care insurance for my employees. ObamaCare has forced me to choose between that and hiring new people.

For instance, one common deterrent to growth that is often cited by small businesses is the 50 employee threshold, at which point a business must provide insurance to its employees once the 50th full-time employee is hired. This misguided provision has repeatedly forced different hiring practices by these companies.

I heard that Heatco, a company which specializes in the design and manufacture of world-class heating solutions, which is located in my district in Bartow County, Georgia, had looked into expanding. The thing is that it currently has—you guessed it, Mr. Speaker—49 employees, and due to the added ObamaCare cost, to expand by adding an additional employee, it will cost more than automating some of their processes.

The administration cannot say with a straight face that businesses are more concerned with reporting requirements rather than with the overbearing costs that ObamaCare will add to their bottom lines.

President Obama's announcement doesn't reduce the harmful effects that the mandate will have on employers as we move forward. It could, however, provide cover. Let me repeat that: it could, however, provide cover for Democrats during an election year. This political calculation protects them from voter backlash and from the reality that ObamaCare—their law—is to blame for an economy that is literally hemorrhaging jobs.

This is yet another example of the Obama administration's replacing the rule of law with partisan, raw politics. This unilateral decision is an abuse of executive power; and in my opinion, it is a clear demonstration that President Obama will disregard for political gain the laws he has signed.

In 2010, Democrats in Congress determined that the enforcement of the egregious employer mandate would begin on January 1, 2014. As bad as the law may be, the administration does not have the power to rewrite the law. That responsibility belongs—where?—right here in Congress. Just look at your Constitution, which I keep in my pocket. It's somewhere deep inside my pocket, but I guarantee you that it's in here, because I put it in here every single day.

Legalities aside, postponing the mandate for 1 year is not enough. It simply delays the inevitable. When it's eventually enacted, Mr. Speaker, hours will still be cut, and pay will still be reduced. Businesses hovering just under the 50 employee threshold will still have to weigh the costs of expansion; and because of the requirement, many will be unable to grow. It is just further proof that the administration does not understand how business works.

The lack of response from this administration is also increasingly frustrating. House Republicans have held numerous hearings, asking for more information as to how this decision was reached. We have sent letters to the Secretary of the Treasury, and we have sent letters to the Secretary of Health and Human Services. We have asked witnesses in order for us to gain a better insight into this ruling, but have continuously been rebuffed, in other words, no response to our requests. It's offensive to the American people that the administration cannot offer clear guidance on a central piece of its ObamaCare fiasco.

This delay will also affect the verification of individuals in this insurance exchange. It's amazing that the administration is suggesting that we will rely on the honor system to determine Federal payments. This is truly outrageous. According to the law, you aren't eligible for ObamaCare subsidies if your employer has offered you what the government considers to be affordable coverage. This is spelled out clearly in the law. With the delay of the employer mandate, however, the government won't be able to verify whether the individual has been offered coverage, and this will open the door—wide open—for enormous fraud and abuse, and the costs will skyrocket.

We've seen the same thing in other entitlement programs that rely on this so-called honor system. It's clear that what we are seeing is a tactic of ''subsidize first, ask questions later.''

Remember the old phrase ''pay and chase'' on Medicare claims? It is the administration's goal to enroll as many people in the ObamaCare exchanges as they can and as soon as they can, i.e., in this year of delay, so that we will never be able to repeal this bill. The Federal takeover of one-sixth of the economy raises taxes on small business owners and on middle class families. It guts Medicare, seniors—it guts Medicare—and it will irreparably harm the doctor-patient relationship.

Instead, we need State-based reforms that will lower costs, give patients more control of their own health insurance policies, increase access, and ensure a higher standard of care.

With that, Mr. Speaker, I yield to my colleague, the gentleman from Maryland, Dr. HARRIS, who was an anesthesiologist by profession before coming to Congress.

Mr. HARRIS. I thank the gentleman from Georgia for yielding.

Mr. Speaker, the doctor is absolutely right. That employer mandate will increase the costs for employers, which means we're going to get less job creation and less job growth in an economy that can't do with any less job creation. In fact, as the doctor probably knows, since January, virtually all of the jobs created in this country because of this mandate have been part-time jobs. We are rapidly converting to a part-time economy. That's not what Americans expect—that's not what Americans deserve—and that problem won't be solved until that mandate goes away, not just delayed but goes away.

The doctor talked about the costs per employee when the employee pays. What the doctor hadn't mentioned is the cost if you go on the individual market, because that's the other market created under the President's Affordable Care Act, or ObamaCare. You've also heard much in the past week because the President has gone around, pointing to New York and saying, Do you see, premiums are going to go down 50 percent—the wonders of ObamaCare.

Mr. Speaker, the truth is that the President can only talk about New York because, in virtually every other State, there will be huge increases. So we have to examine why the decrease in New York is 50 percent. It's because they start with such a high premium that, even at half the cost, they're still multiples of the premiums of those in the other States.

For instance, let's take a look at what the average premium in New York right now is for a healthy 30-year-old nonsmoker who is buying a policy, because the President and the Secretary of HHS and everyone who has screened this plan has said, unless you get healthy young people to buy insurance, the whole plan falls apart. So let's look at what it will cost for that 30-year-old nonsmoking male—the people who are among the highest of the uninsured, the highest in number. This is the average plan. The median-priced plan in New York is $5,750 a year, or about $500 a month right now.

Now, that median-priced plan in the President's home State of Illinois is $1,450, or about $1,300 a month—about one-fourth the price of the New York policies, because New York has ObamaCare-type regulations in place. That's why their costs are so high right now. In fact, ObamaCare is not quite as regulated as is the New York market, so the prices can come down a little bit, but do you know, if it comes down from $500 to $250, it's still twice the cost of that policy in Illinois right now.

Maybe we should look at the Vice President's State of Delaware where the average 30-year-old male's policy price is about $1,380, or let's round to $1,200 a month. That's about one-fourth the price of the current policy in New York, and even with those tremendous ObamaCare savings, it will be half the price of the policy in New York, the ObamaCare policy.

Let's look at what has happened in some other States other than New York. I'll talk about my home State of Maryland, which is the largest nonprofit insurer. Yes, Mr. Speaker. I said the ''nonprofit'' insurer, because you can't blame profit as the reason for a high cost. The largest nonprofit insurer said that the average price increase is 25 percent; and for a young healthy person, exactly the ones who have to be signed up for the ObamaCare scheme to work, it's as high as a 150 percent increase.

Mr. Speaker, if we can't get healthy young people to buy insurance now, how in the world are we going to convince them to buy insurance in Maryland when it costs almost twice as much?

We can run all the taxpayer-financed ads, because that's what it's going to be. All of the people watching who have televisions will see what happens this fall as we spend millions and millions of taxpayer dollars to try to convince healthy young people to buy a plan that's way too overpriced.

Let's look at California. Maybe the big States are different. New York is expensive. Maybe California is different. In California, the average cost of that plan for a healthy young person is $2,200, or about $200 a month. Why, it's less than half of the cost in New York. Sure enough, in figures released last month in California, the costs of the ObamaCare individual plan will increase by 64 to 146 percent. So that $200-a-month premium is now going to be $400 a month.

Mr. Speaker, young people who are entering the job market are entering at relatively low levels of pay. Where in the world are they going to find $400 to pay for an overpriced plan that they've seen advertised on their local NBA game—and, of course, with the ads paid for with taxpayer dollars?

This is why this house of cards will collapse. We are in for a rough time this fall. People in America who depend on their health care insurance are in for a really rough time. The costs are going to go up, and the confusion will be immense. Mr. Speaker, Americans deserve better, so that's why we have called on the President. Forget the 1-year delay of the mandate on employers only. We need a permanent delay on the entire plan, and the time for it is now. The President today made a big deal on his pivot to jobs.

Mr. President, I would suggest stopping the $100 million trips to Africa and go talk to some of our small business employers and ask them what are their concerns. How will they create jobs? This is what they would tell the President, Mr. Speaker. They would tell the President to get rid of that ObamaCare. That's a weight hanging over my business's head that I can't afford, that I can't predict, and that is stopping me from hiring people; and for the people I have now, it's making me shift them to part-time jobs.

□ 2000

So we've come full circle, Mr. Speaker. If what we want is a part-time economy, let's barrel ahead with ObamaCare. America deserves much better than part-time jobs. We deserve to create full-time, good paying jobs by the small businesses and large businesses in this country that are just waiting to show economic growth. We

have got to remove this lead weight from around their neck.

I thank the doctor from Georgia for yielding the time.

Mr. GINGREY of Georgia. I thank the gentleman.

Before I yield time to the gentleman from Kentucky, colleagues, I want you to look at this first poster because a lot of what the gentleman from Maryland, Mr. Speaker, was talking about in regard to costs shows it pretty simply here. The change in the cost per employee, because of the health care law, if you have 49 employees, as we've talked about, there is no increase in the cost of health care because you don't have to provide the government-mandated expensive coverage. So there is no increase. That's why, of course, they keep the employee rate at 49 and don't hire those extra employees.

If you're at 50, though, and you are under the mandate, the increase is $800 per employee; if you are at 75 employees, the increase is $1,200 per employee; 100 employees, a $1,400 increase; and 150, a $1,600 per year increase per employee. That's why so many of these small businesses are right there, my colleagues, at 49, with no increase because no job growth or employees that are hired at 29 hours a week. Try to support yourself, much less a family, on 29 hours a week.

I now yield to the gentleman from Kentucky (Mr. GUTHRIE).

Mr. GUTHRIE. I thank my friend from Georgia for yielding. I appreciate him letting me be a part of the Doctors Caucus for tonight.

I don't want to pretend that I am a doctor. I certainly am not, but I appreciate the opportunity to be here, Mr. Speaker, to talk about the health care bill. It's nice that this has been organized so we can be here tonight to talk about a topic that is critical to the American people, and that's the crushing mandates in ObamaCare.

As we know, last week, Mr. Speaker, the House considered two bills to relieve the American people of these mandates: the Authority for Mandate Delay Act would give large employers a reprieve from compliance with ObamaCare's employer mandate until 2015, and the Fairness for American Families Act would grant individuals until 2015 to comply with the law's individual mandate.

This one-size-fits-all health care law is a train wreck. It's been quoted as a train wreck by members of the other party who voted for it in the other body. The administration has clearly realized its employer mandate will hinder businesses in their ability to grow and, just a few weeks ago, announced their decision to delay the implementation of this bill.

I appreciate being here tonight because I come from a small business manufacturing background that provides health care at a low cost to our employees. I believe I understand the complexities that an employer faces in providing health insurance for their workers. This law encourages employers to cut workers' hours, pare back their numbers of workers, and move workers from existing health insurance plans onto the exchange.

Well, I'm glad to see the administration is finally paying attention to the disastrous consequences of this law. It is disappointing that they expect families and small business owners to comply with the crushing mandates while they give big businesses a break. Improving access to health care and making it more affordable should be the goal and the outcome. I will continue to fight for full repeal of this law, but in the interim, I'm glad the House moved last week to delay the implementation of the crushing mandates.

Mr. Speaker, I thank the gentleman from Georgia for yielding.

Mr. GINGREY of Georgia. Mr. Speaker, I thank the gentleman from Kentucky. Although he is not a member of the House GOP Doctors Caucus, I think that we might take a vote here on the House floor. The cochair of the House GOP Doctors Caucus is here with me, and I'm going to recognize him in just a second. So he and I are cochairs; so, Mr. GUTHRIE, we may indeed make you an honorary member. Thank you very much. We appreciate your input.

Clearly, Mr. Speaker, the issue is not just about the doctor-patient relationship. The reason we're giving this presentation tonight and the leadership has asked us to talk about this issue, the members of the House GOP Doctors Caucus—and it includes medical doctors, I think about 16 of us. It includes dentists. It includes a clinical psychologist. It includes a hospital administrator—formerly, before becoming a Members of Congress—advanced practice nurses, bachelor of science nurses, people in the health care space that know of what they speak. And in that regard, I can't think of anybody, Mr. Speaker, who knows this issue better than my cochairman of the House GOP Doctors Caucus and fellow OB/GYN physician, Dr. PHIL ROE from Tennessee.

Mr. ROE of Tennessee. Mr. Speaker, I thank the gentleman for yielding, as I want to talk about what Dr. HARRIS just spoke about a minute ago. I want to do that before I actually explain how we got where we are to our viewers.

What Dr. HARRIS didn't say is that in the small group market in New York in 1992, there were 1.2 million people who got their insurance through the small group market. At that point in time, Governor Cuomo initiated no preexisting conditions in the small group market community rating. And ''community rating,'' for those who don't know what that means, it means that your sickest patient or your sickest customer can't be charged more than three times what a well person is. So they're not actually paying the cost of their care; someone else is paying that cost. So that's community rating. And ''guaranteed issue'' means you can't be turned down, exactly what we're doing here.

What happened to that market? Within 10 years, that market all but evaporated in New York. There were 120,000. It dropped by 90 percent. Today, in a State with almost 20 million people, there are 31,000 people—that's .0016 or so percent of the people—who are in that State that get their insurance through that market.

What is it? Not only did they basically ruin that market, it's now one of the most expensive in the United States, and the only way it's going to come down is for those premiums to be subsidized by young, healthy people. As Dr. HARRIS said, young people like my three children, who just got out of college and are starting their families, cannot afford something that basically they're not paying for. I wanted to point that out. I thought it was very important to understand how we got there and to why we think this won't happen again.

Let's go back, Dr. GINGREY and Mr. Speaker, to how we got here. Basically, the health care debate started because health care needed reform in this country. The reason it needed reform is we had costs going up more than inflation—no question that was occurring—and we had a group of our people in this country who work every day who were uninsured. We needed to do that. We had people with preexisting conditions that couldn't get health insurance. You and I saw them. It was maybe a woman who had developed breast cancer, dropped out of the job market, and on the way back in couldn't find it. So there's no argument from us that we needed to have health care reform.

So what did we have? We had a Doctors Caucus at that time that had nine physicians, and not one of us was asked one thing about this health care bill. I brought 31 years of experience to the House floor and experience with health care reform in Tennessee where we tried to reform our Medicaid program, called TennCare.

How is this supposed to work? The idea was we're going to expand coverage and make it more affordable.

What was the President's promise, Mr. Speaker? The promise was, if you like your doctor, you can keep your doctor. If you like your health insurance coverage, you can keep your health insurance coverage, and we're going to make the costs go down.

What is the reality? People are losing their doctors for a variety of reasons, the cost has gone up dramatically, as Dr. HARRIS pointed out. Let me also point out about what sectors are involved and who in health insurance. It is complicated.

In ERISA-approved plans, if you work for a company that provides health insurance coverage, that covers about 60 percent of the people in this country. About 160 million people work under that. Let's say in my practice we have 400-plus employees in my medical

practice that get their health insurance through their job. That covers about 60 percent of the people in this country. Sadly, in the last 4 or 5 years, because of the change in the percent of people who are employed in the workforce, that number has actually gone down 2 percent to 58 percent, instead of going up as it usually does in most recoveries. Number two, Medicare, and number three, Medicaid.

So all of this entire debate about—remember, preexisting conditions are not an issue in that group of people, and we're looking at over 80 percent. So this 2,700-page bill really had to do with less than 20 percent of the population. I think we could have done something much simpler, much less expensive, and certainly much easier to explain.

We're going to spend an hour here tonight, Mr. Speaker, in trying to break this down to where the average person can understand it, understand how it affects me and my family. I'm going to hopefully share some of those things with you.

I chair the Subcommittee on Health, Employment, Labor, and Pensions in the Education and the Workforce Committee. I've held three hearings around the country. I held one in Evansville, Indiana, one in Butler, Pennsylvania, and recently in Concord, North Carolina. What happened is we had businesses come in. Remember, the market that wasn't functioning was a small group market and the individual market. And let me explain how the individual market works.

When I left my practice 5 years ago to run for Congress, after 31 years of practice, I left the practice, I had group insurance covered under ERISA, that 160 million people in my family. I left that, and I then am on the individual market. Because I'm treated differently tax-wise, the day before, I had a tax-deductible health plan. The next day, I could buy that plan, but guess what? It was much more expensive because it was not tax deductible. That's how individuals find themselves. So those are the people we were trying to help.

What's happened to them? Well, I'll give you an example. In our State of Tennessee—Dr. HARRIS spoke about several States. I spoke to our State insurance commissioner just recently, and in the individual market, someone out there who is a young person going out to get insurance, they've just finished college or whatever—we'll talk about the under 26-year-olds in a little bit, about what the bill actually did. Those rates are going up between 45 percent and 75 percent in my State; in the small group market—that's where small businesses go out and select their insurance—50 percent to 55 percent. Does that sound like rates are going down? And this story is all over the country. State after State after State you see this in.

I wanted this plan to work because, as I said, we did need health care reform, but we needed patient-centered, market-driven health care reform that would help hold those costs down and put the decision making not in bureaucrats' hands, not in insurance companies' hands, but in doctors' and patients' and families' hands. That's who it needs to be in.

I think the ObamaCare plan started this way: How do we fund this plan? Well, they knew it was going to be expensive because of all the tax subsidies that were going to go out.

Where did the money come from? The money came from about a $700 billion grab from Medicare, a plan that's already underfunded, Mr. Speaker. Mr. Speaker, we have a plan now in Medicare where for every dollar placed in that plan—and I'm on Medicare, as Dr. GINGREY is. Every dollar we spend, the recipient gets $3 out. We know that's not sustainable. We have as many as 10,000 people a day entering Medicare age, which means that every year we're going to have 3 million people who turn 65 years of age as the baby boomers hit. We have an already underfunded Medicare plan adding in the next 10 years 30 to 36 million people onto a plan that we're taking $700 billion out of.

How do we control that cost, Mr. Speaker? We pass a part of that bill called the Independent Payment Advisory Board. Wow.

What is that? Well, I think that's one of the most egregious parts of this entire health care plan, and it's an interesting little thing.

You have 15 unelected bureaucrats proposed by the President, approved by the Senate, paid $164,000 or $165,000 a year to a 6-year term accountable to no one. The courts can't do anything about it. We have to have 60 votes in the Senate to overturn what they do or agree with what they do, and you couldn't get 60 people in the Senate to agree that the sun was coming up in the east tomorrow. So don't worry about them worrying about your health care.

What can they do? Basically what they can do, they start out—and this board is now supposed to be appointed this year, and they have a budget, which we've tried to cut the funding for because, as I said, I think it's the most egregious part of this plan.

□ 2015

What can they do? Well, they can withhold and cut providers. And when you cut providers enough, and that's doctors and hospitals and medical providers, they will refuse to see those patients. I've had it pointed out a thousand times. Oh, it says in the bill, you cannot ration care.

Well, there is a very good article—and I still read my medical journals—in the New England Journal of the Medicine, one of the most prestigious journals in this country, that reviewed the Independent Payment Advisory Board and looked back over the past 25 years.

Mr. Speaker, 21—and this analysis of the Independent Payment Advisory Board wasn't for it or against it; it was just analyzing the effects of it. And in looking back over the past 25 years, in 21 of those 25 years, cuts would have occurred. We all know, Dr. GINGREY and I know, and we know that our colleagues out there have been prevented from cuts by the action of this body right here and the sustainable growth rate in Medicare.

Mr. GINGREY of Georgia. Reclaiming my time just for a second, Mr. Speaker, the gentleman is bringing up a subject that is so important that our colleagues understand on both sides of the aisle, this IPAB, the Independent Payment Advisory Board that Dr. ROE is talking about, it's 15 bureaucrats. Well, none of them have been appointed yet. Not one. Nada. And the law says that if the Secretary doesn't appoint, or these 15 are not appointed—and, yes, they are going to make about $175,000 a year—then she, and it's a ''she'' right now, the Secretary of Health and Human Services, or whomever in the future, they don't have to have that board; one individual bureaucrat can make these cuts, these, really, rationing cuts is what it is.

I yield back to my colleague.

Mr. ROE of Tennessee. I thank the gentleman for pointing that out. It will put the power in one person and take the power away from this body right here, which is why we have a bipartisan bill to overturn this and reclaim the power which the people gave us. We are accountable to the people, and right now when you make those cuts, we would have almost no way to fix it.

I think that is a great point, and I appreciate, Mr. Speaker, Dr. GINGREY pointing that out.

So we have that board, the money grabbed from Medicare.

Number two, 21 new taxes to pay for this bill. One of them is a medical device tax. Let me assure, you as a physician, I have been the recipient, as many of my patients have been, from all of the incredible improvements in laparoscopic surgery. I watched it start from its infancy, learned my first laparoscopic procedure when I was a captain at Fort Eustis, Virginia, in 1974 in the military after having returned from Korea. I learned how to use a laparoscope, and I watched all of this wonderful new equipment occur to where we are doing absolutely marvelous things, minimally invasive to patients, and it has improved patient care dramatically.

There will be taxes on that new innovation. What I'm fearful of, in my State, the single biggest export we have is medical devices, that this will be pushed offshore, and the thing we have been the shining star in the world is medical innovation. There's no question about it, and we do not want to lose that.

So we have 21 new taxes. And there are taxes on health care plans; the mandates are taxes. So we have the taxes.

ObamaCare works because of a three-legged stool, Mr. Speaker. This is how it works:

It works because of Medicaid expansion. That is over half of the new people there, a plan that already is under siege in most States in the Union;

Number two, the individual mandate—that's what I'm getting around to—the mandates that occur because we have to have young, healthy people subsidizing others to make the individual market work; and

Number three, the mandate on business.

And last week in a blog from the Treasury, not in an announcement from the White House, just a blog came out and said, hey, we are not going to have the business mandate for a year. And I applaud the President for that. It is not something that I disagree with. The disagreement is it's the law of the land. I don't see how you can unilaterally decide I'm going to enforce this part of the law because I can't make it work right now, or the individual mandate, and we voted last week, as the Speaker knows and I believe the Speaker supported, both of the bills that Mr. GUTHRIE talked about.

Mr. GINGREY of Georgia. Reclaiming my time just for a second, Sunday it was, on the Sunday morning ''Meet the Press,'' and that's what this next poster shows, yesterday, on NBC's ''Meet the Press,'' Senate Majority Leader HARRY REID, the Democrat majority leader from Nevada, proclaimed that:

ObamaCare has been wonderful for America.

Well, let's just take a look at some of the headlines from this past week on just how wonderful it has been.

Investors Business Daily says:

ObamaCare mandate delay, employers keep job cuts. For many workers, the 1-year delay in ObamaCare's employer mandate was too little too late.

Reuters says analysis:

ObamaCare struggles to meet make-or-break deadline. With time running out, United States officials are struggling to cope with the task of launching the new online health insurance exchanges at the heart of President Barack Obama's signature health reforms by an October 1 deadline.

Time magazine:

ObamaCare increases cost and complications. The Obama administration's recent announcement that the Affordable Care Act's employer mandate will kick in a year late could ripple beyond the brief extension, increasing costs and complicating implementation of other vital parts of the law.

Think the exchanges as an example.

And then CNN Money says this:

Delay in the ObamaCare employer mandate has simply put off rules businesses had already started to adjust to.

That's the reality here, Mr. Speaker. My colleague from Tennessee knows it. I think my colleagues on the Democratic side of the aisle know it, and that's why, in my opening remarks, Mr. Speaker, I mentioned that, hey, is it really the employers, the small business men and women that were knocking on the White House door saying, We can't meet these reporting requirements, please help us do something; or was it some of my Democratic friends, whether in this Chamber or the other body, saying, 2014 is going to be kind of a tough year for us having to defend this train wreck? I think that's what the Senator from Montana said. Of course, he's going to retire rather than face the music. I can't say that I blame him.

That's what's going on here. People are not dumb. I think they can read between the lines. I hope my colleague can stay awhile longer. I'd like to yield to him at this point.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

You always hear, Mr. Speaker, that Republicans have no ideas for health care. Well, we had plenty of ideas; they just weren't heard. We had 80 amendments to this bill. None—and I want the people who hear this, to show you how frustrating this process has been, now that we're looking at this almost incomprehensible bill, is that we had 80 amendments to the Affordable Care Act taken to the Rules Committee. I think I had 10. Not one—not one—amendment was ruled in order. Not one.

Dr. HARRIS was here a moment ago and talked about the price of an individual insurance policy in the State of New York, and then he talked about the price of an insurance policy in Delaware and Illinois. Think about if a person in New York, an employer, a person in a small business, an individual there, hey, I'd like to buy my plan in Illinois. If I could buy it across State lines, I could save myself a lot of money, and I can guarantee you the price in New York State would come down or people would buy those plans somewhere else. That's why empowering the free market system will help and work in health care.

Let me go to the real world, Mr. Speaker. Let me go to Concord, North Carolina, and I held a field hearing there. I want to introduce you to a business owner there, Mr. Horne, who has a textile manufacturing business. He has 350 employees. If you are in the textile business, you're a pretty good businessman if you're in business today, as difficult as that is. He provided 80 percent of all the health care costs for his employees. They covered 20. He covers all preventive services, everything. If you need a colonoscopy, if you need a mammogram, he covers all of that. In addition to that, he has a health nurse at his business to help if you have issues there. So he has a prevention and wellness program. He's done everything right.

So what exactly does he get for this? What he gets for this, when the fiscal cliff bill was passed, because of the way his company was set up, he got an increase in his personal tax rate. He got that. Number two, he got a $62 per person, not per policy but per person, which will cost him tens of thousands of dollars. And guess what that money goes to do? It goes to indemnify insurance companies so that they'll be induced to provide this insurance on the exchange and they won't lose money. Mr. Horne gets absolutely nothing.

So what will he have to do? He'll either have to cut his salaries, he'll have to cut the benefits, or he won't hire someone or he won't be able to make needed investments.

Let's go to my hometown of Johnson City, Tennessee, where I was mayor before I came here. My political job there was being mayor of our local community. I just talked to our city manager not long ago, and we're going to get a bill in our community of 60,000 for $177,000, of which we get absolutely nothing because it is on the self-insured market. And anybody who is self-insured, and a lot of major businesses, and I talked to one who's going to get a $25 million—and I won't mention who it is. It's a major company. Everyone in this room will know who it is. They write a $25 million check. That could be to hire new employees. It could be for new plant and equipment. It could be to grow their business. It's a globally competitive company that has to compete around the world.

Let me introduce another person here, Sonny's Real Pit Bar-B-Q. That's a famous restaurant in the Charlotte area. We had the field hearing over there, and we sampled Sonny's barbecue the night before we had the field hearing. It was great. What that company is doing is that they found out that 70 percent—since the recession, 70 percent of people changed their eating-out habits by reducing or even eliminating dining out. And increasing menu prices, which is what they'll tell you to do, people quit coming to your restaurant and you go out of business. What they are finding out is they have had to cut, as Dr. GINGREY clearly pointed out, they're looking at cutting their employees' hours to 29 or under so that many full-time employees will now be part-time employees so they'll go under that threshold of 49.

The community college where we held the hearing made a very eloquent statement that they were going to have to not allow adjunct faculty. What most community colleges do, about 65 percent of their faculty are full-time, but the others are people in the community, Mr. Speaker, maybe like Dr. GINGREY, who would teach a health class or a class on whatever issue would be in his specialty.

Well, now, because of what the IRS has said, you can only teach three classes or you hit the 29-hour threshold. How does that happen? Well, for every hour you're in the classroom, they count 2 hours outside the classroom. I think it's called the Cambridge hour. So you can only teach three classes. It will mean in their community college that they won't be able to offer certain classes on time. It'll delay students getting out. The State of Virginia has 7,000 part-time workers, and

they're going to be sure they stay under those 29 hours. And they make it a little more individual.

Someone that I know in my district works for a chain restaurant, Mr. Speaker, divorced woman who works full-time. She relies on tips and relies on her 40 hours a week. She has a health insurance policy. She's going to lose her health insurance policy, and they are going to cut her hours to 29, which means that for every month, she loses an entire week of wages.

□ 2030

So she now has got to go find a second job to pay her bills, Mr. Speaker. And I can go on and on with examples like this that I've heard in testimony.

Just yesterday, we had testimony on the mandate. Certain of the businesses appreciate the year of reprieve. We voted here on the House floor in a bipartisan manner, Mr. Speaker, I might add, to also take individuals. My goodness, here's a person out here that just graduated from college, got their first job, and we're taxing them if they don't buy this insurance. And let me point out how quickly the young people will figure this out.

I did something rather unique, as Dr. GINGREY did. I heard here on the House floor we should pass the bill and then read it and find out what's in it. Well, guess what? I did just the opposite. I read the bill and found out some things. I went back and checked to be sure I was correct on this.

But here's what happens if you don't pay the penalty. Let's say you're a young individual out there and you say, I just can't afford $400 or $300 a month out of my paycheck. I've got student loans and other things to pay for. I'm trying to get into my first apartment. The penalty is this: it's $95 for the first year.

So what can the IRS do to collect that money? They can't garnish your wages. They can't do that. There's no civil or criminal penalty so there's nothing they have to come after you. The only thing they can do is if you have overpaid your taxes or if you have a refundable credit coming in like an earned income tax credit or child tax credit, they can withhold your refund. That's the only recourse they have.

Young people will figure it out. And why will they figure it out and not buy it? Why is this going to collapse? It's going to collapse because these young people are going to pay the $95, not the $300 a month or $200 a month that they're going to pay. They'll pay the one-time penalty, if the IRS can ever figure out how to collect it. That's what they're going to do. And if you don't have all these young, healthy people paying in, it doesn't work.

Mr. GINGREY of Georgia. I've got one last poster that I wanted to point out, Mr. Speaker, to my colleagues. It's a little complicated. I'll try to make it as simple as I can.

Basically, let's start right here with the employer. Under that, in this diagram, fewer than 50 full-time employees, including full-time equivalents, then no employer penalty for offering a health insurance benefit. But in the most egregious situation, the employer has 50 or more full-time employees, including full-time equivalents, and the employer decides not to offer coverage. If a tax credit is obtained by at least one of those full-time employees in an exchange, then the annual penalty to that employer is $2,000 for the year—not just for that one, but for every single employee that he or she employs. It could be hundreds; it could be thousands.

Mr. ROE of Tennessee. Above 30.

Mr. GINGREY of Georgia. They get a break for 30, yes.

Again, we just have maybe a little bit of time left, and I wanted to point out some things to our colleagues.

I want to call this ''ObamaCare Shot and Chaser.'' Bear with me a little bit because I think this is interesting and cute at the same time.

ObamaCare has been a train wreck since its inception. March 23, 2010, almost 3½ years ago, the Democrats passed it to see what's in it. And now families, taxpayers, and job creators are paying one steep price. Between its skyrocketing cost, unsustainable and wasteful programs, and job-strangling policies, a majority of Americans disapprove of this law—and they disapprove of it today.

On top of that, implementation of ObamaCare has become a full-fledged disaster, as we've pointed out this evening. Some of its biggest supporters agree with us—and not news media publications that are considered particularly conservative.

As for the President, he just can't seem to make up his mind on the employer mandate. He was against it in 2009 before he was for it in 2010. After signing the mandate into law, the administration announced earlier this month it would delay the employer requirement for 1 year. When the House of Representatives acted last week to really make it constitutional—because he didn't have the right to do that—but when we voted to allow him to do that, the same White House issued a veto threat on the bill. The thing that he had done and that we made it legal for him to do, he's going to veto that.

So the shot:

> We have heard concerns about the complexity of the employer mandate requirement and the need for more time to implement them effectively. We have listened to your feedback and we are taking action. The administration is announcing that it will provide an additional year before the Affordable Care Act mandatory employer mandate and insurer reporting requirements begin.

The chaser. That was the bill that we passed, H.R. 2667. Employer mandate delay is unnecessary. These are the words of the administration:

> Enacting this legislation would undermine key elements of the health law.

That was stated July 17 by the White House veto threat. President Obama's repeated flip-flops on the individual mandate are well-documented. He pledged support for it in 2007 on the campaign trail to a group of union workers. When his health care plan was released months later, the individual mandate was noticeably absent. He went on to attack his Presidential primary opponents—think HC—for supporting the requirement, only to change his mind once again shortly thereafter.

I could go on and on. I think we've made our point here tonight, and maybe we can yield back a little time. I will yield to my colleague, and he can yield back to me for closing.

Mr. Speaker, colleagues on both sides of the aisle, we're here to get it right. I've always said this—and I truly believe it—the politics will take care of itself. The people will decide. We don't need term limits. They term-limit us. Let's quit worrying about the politics, and let's do the policy. Let's get the policy right.

A 2,700-page bill crammed down the throats of the American people will never work. It never has worked. It never will work. And that's why we're here tonight, taking pains to explain and make sure that anybody within earshot understands that we're sincere about this. It's not partisan. We need to get rid of this law, and we need to replace it with something that truly will effect those changes that Dr. ROE was talking about in regard to the cost of health care and the accessibility. We didn't even talk about accessibility and about whether or not there will be any doctors there to see these patients.

So I yield to my friend from Tennessee.

Mr. ROE of Tennessee. People ask me if there are things in the bill I like. Absolutely. You can't write a 2,700-page bill and not put some things in there that are positive. There are positive things in the bill. We should have worked together in a bipartisan way to look at those positive things we agreed to and then things we didn't agree to.

I think the approval rating now for the Affordable Care Act is at 35 percent. Is this objection just Republicans? Are just Republicans out there?

Well, let me read to you just a little bit here. This came up in testimony yesterday in my subcommittee hearing. The letter was from James P. Hoffa, general president of the International Brotherhood of Teamsters; Joseph Hansen, international president of the United Food and Commercial Workers Union; and Donald D. Taylor, president of UNITE-HERE, a union representing hotel, airport, food service, gaming and textile workers. This is to then-Speaker PELOSI, now minority leader:

> When you and the President sought our support for the Affordable Care Act, you pledged that if we liked the health plans, we could keep them. Sadly, that promise is under threat. Perverse incentives are causing nightmare scenarios. First, the law creates an incentive for employers to keep employees' work hours below 30 hours a week.

Numerous employers have begun to cut workers' hours to avoid this obligation, and many of them are doing so openly. The impact is two-fold: fewer hours means less pay while also losing our current health benefits.

These are the presidents of three major unions.

So it's not just Republicans, Mr. Speaker. It's the public beginning to focus on this now, because this bill is becoming the law of the land January 1. I wish it had worked as smooth as it could. It has not. And it has not because it's not doing what it promised, which was the single most important thing, which is cut the cost of care so more of us out there could afford to have it.

Mr. GINGREY of Georgia. Mr. Speaker, in closing, I want to thank all of the members of the House GOP Doctors Caucus who participated tonight. If I tried to add up the number of years of clinical experience in our group of about 21 members on the Republican side of the aisle in this caucus, it would probably be 600-plus years. So we really do know of what we speak. We don't have every answer, but we know of what we speak; and we want to get it right. That's what this is all about.

With that, Mr. Speaker, I yield back the balance of my time.

PROTECTING THE RIGHT TO VOTE

The SPEAKER pro tempore (Mr. LAMALFA). Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. Mr. Speaker, I am proud to rise on behalf of the Congressional Progressive Caucus. Tonight, the Congressional Progressive Caucus would like to talk about voting rights and how important that is to this country and to every single person in our country.

Last week, both the Senate and House Judiciary Committees held hearings on the Voting Rights Act and what steps we need to take forward to protect the right to vote in this country. There's potentially no right that is more important, no issue that is more important to this country that we should consider than our right to vote. It should be our most fundamental right. It's the right that preserves all other liberties that Americans hold dear.

When aspiring Americans take the citizenship test, they're asked, What is the most important right granted to U.S. citizens? And the correct answer: the right to vote. Protecting this right should be the primary concern of our democracy. So you would think that when that question is asked, What are our most important rights, and the answer is, The right to vote, it would be something that's enshrined in our U.S. Constitution and you would think there is explicitly a right to vote. I certainly thought that. But you would be wrong. It's startling to think, at first. It seems against everything you think you've been taught and against the principles that our country has been built on. But within our Constitution there is no explicit right to vote.

We have to remember that when our Constitution was originally ratified, the right to vote was specifically not guaranteed. In fact, it was an incredibly restrictive law. Only white male property owners above the age of 21 could vote. That was less than 20 percent of the country's population at the time. Many of our Founders specifically did not want to expand the franchise of voting, believing most in society were unqualified for the privilege. In fact, John Adams famously wrote:

It is dangerous to open so fruitful a source of controversy and altercation as would be opened by attempting to alter the qualifications of voters. There will be no end of it.

Mr. Speaker, since that time, our Nation's attitudes towards voting have changed slowly but very progressively. But the fact that we have needed constitutional amendments prohibiting discrimination based on race, gender, and age demonstrates that we possess no guaranteed right to vote in our Constitution.

Meanwhile, these accomplishments have oftentimes been accompanied by a myriad of tactics, laws, and strategies meant to suppress the vote: literacy tests, poll taxes, grandfather clauses, voter intimidation.

□ 2045

These targets of discriminatory efforts have changed as well. Our first literacy tests were adopted to keep Irish-Catholic immigrants from voting. Then we saw a wide array of efforts to stop African Americans from going to the polls.

Now, today, the bills introduced to restrict the right to vote may be a little less obvious and voters lawmakers wish to suppress are a little harder to define, but these efforts are nonetheless discriminatory.

We have seen burdensome registration requirements and reduced early voting opportunities, which are often critical for low-income Americans who cannot take off work on Election Day. African Americans and Latinos, in particular, have utilized early voting days in very high numbers.

College students have been the targets of a number of efforts to decrease their participation, from disallowing student IDs as an acceptable form of voter identification, to stricter residency requirements, to limited polling locations on campuses.

Voter ID and burdensome registration requirements often make it harder for senior citizens also to be able to vote. In Wisconsin, we've had this issue before us. Many senior citizens no longer carry their driver's license because they no longer drive, and yet that's one of the very things that they may need to go vote with a photo ID.

I myself didn't realize the full extent of the attack on our right to vote until voter ID laws were actually introduced in my home State of Wisconsin. As is often the case with voter ID laws, Republicans justified the photo ID requirement as a way to counter voter fraud in our State.

Well, Mr. Speaker, the fact of the matter is this crisis of voter fraud is a fraud in and of itself. As the Brennan Center for Justice points out, you are more likely to be killed by lightning than you are to commit voter fraud in your lifetime. To be killed by lightning is more common than voter fraud in this country.

Now, in Wisconsin, we're very proud that we're one of the top three States for voter participation—Maine, Minnesota, and Wisconsin—and we're known for our clean and effective elections. Our chief elections officer found that since the year 2000 in statewide elections the State has seen about 20 instances of voter fraud out of more than 6 million votes cast. Most of those instances of voter fraud involved felons who were ineligible to vote but voted—a problem that doesn't get fixed with a photo ID.

So why did the Wisconsin Legislature believe we needed to combat against voter fraud? What does it mean when you have a cure in search of a disease? Well, in my experience, there's usually an ulterior motive. And in the case of restrictive voting laws, the design is to suppress the vote, to encourage lower voter turnout in the hopes of influencing elections. In other words, it's about elected officials trying to pick their voters rather than the voters picking their elected officials.

Now, in Wisconsin, we're very fortunate because our State constitution specifically guarantees the right to vote. Because of this provision, the suppressive voting laws that have been introduced in our State have largely been blocked by the courts.

But what I did realize is that, while Wisconsin had a strong amendment that protected our right to vote, our U.S. Constitution does not. Unfortunately, without a guaranteed Federal right to vote, we will continue to see the types of disenfranchising efforts that have become a plague on our modern society.

Mr. Speaker, that takes us to today and last month's Supreme Court decision that struck down section 4 of the Voting Rights Act. Section 4 was the act's preclearance formula, the formula that determined which States and counties needed to get Federal approval before they make voting law changes. The Court ruled that the formula was outdated and, thus, unconstitutional.

Now, I think the Court may have forgotten that when we reauthorized the Voting Rights Act, overwhelmingly, just from 2006, we had 390 supporters in the House of Representatives and a unanimous 98–0 vote in the Senate. Clearly, there was strong support in the legislative body for the Voting Rights Act that was now turned aside by the Supreme Court.

Either way, what we know for certain is that before the ink was even dry on the Supreme Court decision, State legislatures began to act. Of the nine States that were fully covered by the Voting Rights Act, six have already started to move on legislation that would restrict the right to vote. Let me just read you a couple quotes from a couple of these States.

Texas—this was really quick. This is the headline: ''That was quick: Texas moves forward with voter ID law after Supreme Court ruling.'' That's from the National Journal on June 25:

> The Texas law requires voters to show photo identification to vote—a measure that was blocked by the Justice Department, arguing the law would discriminate against racial minorities. At the time, Attorney General Eric Holder called the law a ''poll tax.''

And that's where Texas went as soon as that Supreme Court decision happened.

In Mississippi, the headline: ''Mississippi's Secretary of State Moves to Enforce Voter ID Law.'' Their new voter ID law may seem innocuous, but more than one out of 10 of every eligible voters do not have a government-issued ID, clearly making it harder for people to vote in the State of Mississippi.

Finally, just another example is in the State of North Carolina. The headline: ''Senate Republicans Unveil Stricter North Carolina Voter ID Bill.'' Again, according to the article from the Charlotte Observer, Republican lawmakers are emboldened in their effort to push a photo identification requirement for in-person voting after the U.S. Supreme Court struck down a key part of the 1965 Voting Rights Act. The ruling means the bill would no longer need Justice Department approval before it becomes law.

So we're seeing in State after State after State that was protected by the Voting Rights Act that States now are trying to change those laws and make it harder for people to have that ability to go out and vote.

Now, I happen to agree with the Court that the formula was outdated. As I previously detailed, it doesn't reflect the current attempts to restrict the right to vote. In fact, it underestimates them.

Let's look at it this way: under the Voting Rights Act, nine entire States and certain counties in six others were covered, but just this year already, more than 80 restrictive voting laws in 31 States have been introduced.

Given my experience in Wisconsin and what I'm seeing in States across the country, I knew that we had to take action at the national level. So I got together with Congressman KEITH ELLISON from Minnesota and we worked with FairVote to work on a right to vote amendment to the U.S. Constitution that would guarantee an affirmative right to vote for every single American.

Our amendment is as simple as it is necessary. It says that every American citizen possesses the fundamental right to vote in any public election where they reside, and Congress has the power to protect this right.

This amendment would create an important change from current policy. No more would Americans have to prove that their right to vote has been infringed. If you live in a State right now, you have to prove that that State, in changing voting laws, has somehow infringed your ability to vote in order to have success. Instead, under our constitutional amendment, the burden of proof would go to the States, and the States would have to demonstrate that any new law they put in place would not burden any of their citizens' ability to have a right to vote.

Now, our vote is the great equalizer in this country. My brother and I have one thing in common with the Koch brothers: we each come with one single vote. The average person in the world, you may not have billions of dollars like Sheldon Adelson, but the one thing that you have in common with Sheldon Adelson is that you each have one single vote.

Now, I understand that ratifying the Constitution is not an easy task, but on this measure, it's a deeply important one. We can, and we must, build a grassroots movement needed to ensure our most fundamental right is not subject to the partisan whims of State legislatures.

I am holding in my hand pages and pages of people across the country who support a national right to vote constitutional amendment. Over 28,000 people have signed petitions. They're circulated by U.S. Action and PCCC, Bold Progressives that have got signatures saying we need to make our Constitution work for every single American, that every single person has that right to vote. This has 28,000 names right here of people who support this most fundamental right.

Mr. Speaker, at the end of the day, the right to vote is not a Republican right or a Democratic right, it's an American right. And if the recent Voting Rights Act decision demonstrates anything, it's that we need to do everything we can to help protect that right.

Mr. Speaker, I would like to reinforce that the Congressional Progressive Caucus is going to do everything that we can to make sure that every American has the right to vote, and that a right to vote amendment to the U.S. Constitution is the most sure, most effective way to get that done.

Mr. Speaker, with that, I yield back the balance of my time.

CHALLENGES FACING INDEPENDENT AND COMMUNITY PHARMACISTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Georgia (Mr. COLLINS) for 30 minutes.

Mr. COLLINS of Georgia. Well, it's good to be here at the end of a day in which there's been a lot of excitement here on the floor, a lot of voting going on, a lot of debate, which is what we're up here for.

One of the things that I have committed to, as we talked about a little bit last week, is pointing out some things that may fall a little bit under the radar but actually matter a great deal to the people of not only the Ninth District, but to the people of the United States.

Up here, we can get, many times, lost in what I'll call the big picture items or the latest of what's hot, so to speak, and tonight I want to talk about our local pharmacists.

I have a little pharmacist I go to. We have several, but one of the main ones I go to is Woody's Pharmacy, Kevin Woody. And I go in there and I know that when I ask him about the drugs for myself, for my wife, my kids, he gives me answers. He helps me know why they interact, what goes on. We've got pharmacists in all kinds of settings that do that every day for folks. But our local pharmacies, and especially our community pharmacies, right now are under attack.

I'm going to be joined, hopefully, here in a little bit by the gentleman from Pennsylvania to talk about the challenges facing independent community pharmacies. You see, local pharmacists play a vital role in America's neighborhoods and communities, particularly in the more rural areas of northeast Georgia. They provide unparalleled guidance, assistance, and resources for families, including my own. I'm committed to protecting access to independent and community pharmacists and helping to level the playing field through effective and robust oversight of pharmacy benefit managers, or PBMs.

It's a tough enough task to survive in this economy, and the overregulation by the administration is only making it more difficult. I am committed to working with my colleagues, particularly the gentleman from Pennsylvania, to promote legislation that will provide consumers with greater choice of pharmacies, require fair standards for PBM pharmacies, support access to diabetes testing supplies, protect traditional pharmacy compounding, and ensure that our military families can enjoy the many benefits that community pharmacies provide.

In many cases, independent and community pharmacists have dedicated their careers to providing quality patient care. However, they've been continuously cut by unfair reimbursements, overbearing audits, and a take-it-or-leave-it approach to contracts. Over the next 30 minutes, I look forward to discussing the challenges facing independent and community pharmacists and the important role they play in the lives of many of our constituents.

Although we cannot sufficiently cover these issues in the next half hour, I hope this will be the first of

many conversations on this floor about this important topic. And this is what I mean about ideas and topics that may not make the headlines, they may not bring the stories on the opening of the evening news, but they affect us daily in our lives and they're often overlooked.

When we deal many times on this floor, and I have spoken of it before, is how do we deal with and what is the cost of regulation and how they are affecting our everyday lives, this is one of the areas, especially with our community pharmacists, that they're affecting right now. It's affecting how they do business.

As one community pharmacist told me recently, that if something doesn't change soon, that in my area of northeast Georgia, which has a vibrant community pharmacy along with PBM pharmacists and others, that within 10 years there may not be a community pharmacist left in northeast Georgia. That's a scary thought, Mr. Speaker.

When you think about that for a second, when you look at an industry that many of us grow up and you have stories going back to when many pharmacists had soda stands; they had just a full-service place where you could go. Even my pharmacist today still has the scoops of ice cream. One of the ways my kids want to come with me to the store is they say, I'll go with you if you're going to Woody's because I want a scoop of ice cream.

So it's a family place. It's something that I think brings back a sense of Americana, but it also hits at the very idea of what we'll just take as just good old-fashioned entrepreneurship—businesses that mean something to our community but also provide a service that is invaluable. Right now I think those are under attack, and those are the things that just concern me.

When we look at that possibility, as the pharmacist told me, he said that there possibly may not even be community pharmacists in our area within the next 10 years, that really struck my attention; and it's made me, before I was even elected, begin to look at what are the problems and how can we address those as we go along.

□ 2100

I can give examples. And I bet almost every Member here on both sides of the aisle can come in and talk about their pharmacist, wherever they may work, but a community pharmacist who they can call on and ask about. My parents—I have watched them grow up and they get older, and when we have questions about their medicines I know that I can call my pharmacist and ask him questions. I know that many of you—and maybe even you, Mr. Speaker—have that person that you can talk to about the drugs and the issues that just keep us healthy.

One of the things that they also help us do, and community pharmacists do, is provide that preventive care that keeps us from getting into these long-term illnesses which drive up the health care costs, which is talked about so much on this House floor. And really from my perspective the tragedy of ObamaCare is: let's get back to the very roots of medicine. And as the doctors were speaking earlier tonight on the floor, talking about how we can do preventive medicine and make sure that the health of our constituents is taken care of, community pharmacists do just that.

One of the first challenges facing our local pharmacists I want to discuss here tonight relates to diabetic testing supplies and the competitive bidding process. Earlier this year, I wrote the Comptroller General Gene Dodaro expressing concern about the impact that the Medicare Competitive Bidding Process will have on patient access to diabetic testing supplies.

Seniors in northeast Georgia, and across the State, rely on their ability to get the testing supplies from their local pharmacists. Many have written to me expressing their concerns that applying competitively bid pricing to independent community pharmacies could negatively impact their access to these essential supplies.

In more rural communities, such as northeast Georgia, an independent community pharmacy may be the only available option for seniors. Their local pharmacist helps them properly use their test strips and meters and provide much needed resource and guidance in managing their disease.

A 72 percent reduction in reimbursement for retail pharmacies that are currently supplying these items to Medicare beneficiaries was announced on January 30, 2013. This reduction in reimbursement took effect on July 1 of this year.

Here are some of the feedback that Georgians have given about the impact that this reimbursement reduction is having on their quality of life and access to care. We've heard things like: ''I've had difficulty finding a new provider; my product of choice was unavailable; I've been forced to change providers; the quality of my care and services is poor; my cost has increased; I've experienced poor communication from CMS; I'm confused about the changes.''

Independent community pharmacists typically sell diabetic testing supplies to provide a service to patients, not to make money. Even before the reduction in reimbursement rates, the profit margins on these supplies were very low.

Now, pharmacists have to choose between keeping their business open or giving their patients the supplies and care they need. This isn't a choice they should be forced to make. In an area and a time in which our economy and jobs are suffering, this is another example of a business that is fighting against the world, so to speak, to stay in business and to employ those 3 or 4 or 5 or up to 10 or 15 people that take care of the people in our communities, Mr. Speaker.

This is something we need to take care of. This is something when you hear the feedback from folks who are calling our office and writing our office and calling their pharmacist and saying: ''I'm having difficulty finding a new provider; I can't make sense of this; I'm forced to change my provider; and the quality and service are poor.'' We need to take a look at what's going on.

Another pressing issue from my local pharmacists is the lack of oversight and transparency when it comes to the pharmacy benefit managers. PBMs are actually one of the least regulated segments of the health care market, yet they are the cause of numerous frivolous audits that local pharmacies are subjected to.

Now, supporting strong PBM transparency requirements is key to delivering real savings to patients. Unlike my local pharmacist, and those across the Nation, PBMs do not have a real relationship with patients. In fact, it is not uncommon for them to secretly retain most manufacturer payments—e.g. rebates, discounts and other fees—instead of passing the savings on to patients.

Additionally, PBMs have been known to switch plan members from low- to high-cost drugs and manipulate generic pricing. At the end of the day, the data points to the fact the PBM market is broken. I can speak to this from my own personal experience. As I've shared before, I believe when we talk about problems, we need to relate it to what people can understand. For this, I can understand it through my family, but also through my parents, who have talked about how their drugs have been changed, or they've been given short notice of changes, or when they get them from their doctor, who gives them the prescription to take them to their pharmacy, they have a problem because they're not going to be certified because there's been a change just in the last little bit in what drug the coverage will make, and the PBMs have had a large part in that.

What I believe is, their conduct is anticompetitive and anticonsumer, and independent community pharmacists are often left vulnerable to their market power.

But there are solutions to this problem. For example, allowing the smaller to collectively negotiate will help level the playing field.

The threat of antitrust liability in the status quo prevents these collective negotiations, and I believe an antitrust exemption is appropriate and consistent with past exemptions enacted by this Congress.

It is with that that I am proud to be an original cosponsor of what is known as the ''Protecting our Hometown Independent Pharmacies Act of 2013,'' which I believe achieves this goal.

The author of this bill, Mr. MARINO, and I have had several conversations discussing his examples and what brought him into an understanding of

what is going on with our community pharmacists and the problems that have developed here. And I want to applaud, and I want to take out and highlight Members who have brought forward pieces of legislation that I believe matter to our constituents and they matter to the American people.

This is a conservative piece of legislation that brings forward and highlights a problem with our community pharmacists, who are reliable businessmen in their communities. And by doing so and taking that part, Mr. MARINO has helped bring forth a piece of legislation that I am glad to support and look forward to moving forward, hopefully through the committee process and onto this floor and eventually signed into law.

Now, understand, there's a lot of discussion that needs to be had here. PBM takes their fair share of blame, and there are a lot of problems in this situation. It is something that we need to discuss because it matters to the people back home, it matters to the very essence of health and health care, which we come down to this well and we talk about all the time. We talk about costs, we talk about the problems with access. This is an area where I believe we can continue to move forward.

There's also another pressing matter facing independent community pharmacists, particularly in northeast Georgia, and that is abusive audit tactics. I believe, like many Americans, that pharmacy audits should be focused on uncovering actual fraud and abuse. Audits play an important role in ensuring high-quality patient care and services.

Unfortunately, PBMs are leveraging their power to abuse the auditing process. They're singling out expensive drugs and using typographical and other trivial errors to recoup from pharmacies significant amounts of money—not to return to Medicare, but to line their own pockets.

Now, this is where I'm going to use an example that I had a few months ago. I had a number of pharmacists, my local pharmacists all over northeast Georgia, came in and they met with me. All I did was, I sent out a note because I had been hearing about this from my local pharmacist and from others, and I said, come talk to me about what you're experiencing.

Like a lot of times—and Mr. Speaker, maybe you've done a similar thing with businesses—you expect maybe three or four people to show up. In my conference room I had a full house. Pharmacists who left and drove, some as many as 2 hours, to come to that office to sit down and talk about the problems that they were facing. What that told me in the middle of the day was that the issues and the problems that they have were more important to them than spending time at their shop that morning, and were finding somebody to cover their shop so they could come talk about this because it's affecting the very quality of their existence.

Now, as we look at this, they began to give me examples. For example, let's say your local pharmacist fills a $500 prescription for you that you called in over the phone or you had called in from the doctor's office. The pharmacist dispensed the correct drug in the correct amount and provided you the correct directions for taking the drug. Mr. Speaker, do we have a problem at this point? I don't think so. You're getting the right drug in the right amount in the right container with the right label. Everything is there on what your doctor had wanted you to have.

But if the pharmacist makes a mistake in his personal records in his checking off—instead of checking the ''called in over the phone'' box he checks ''the faxed in'' box—a PBM could then during their audit of the pharmacy find the mistake and take back the entire $500. Not just the copay, and not just the profit the pharmacy received; they take back the entire cost of the drug.

Now, I've said before, there are a lot of things that make me scratch my head. This is one of them. It's one thing to come in and be audited, it's one thing to find a mistake in which there's a clerical error—and there needs to be some correction to that clerical error. But let me go back, Mr. Speaker, and remind you that it was dispensed properly in the correct amount with the correct drug and the correct facility with the correct directions on there. But, however, on the paperwork on how the call came in, how they took the prescription down, they were audited and deemed for that, and they were not just deemed for the amount of their copay or their profit even; they were deemed for the entire amount of the drug.

What's really interesting about this is I've also had several of my pharmacists say it is eerily interesting to them that when they're audited, it's not the generics that are audited, it is the brand names that seem to be audited, the higher cost drugs that find their way onto the audit list. I think that's really interesting because what happens is if one mistake comes, you're talking about a major cost for these pharmacists. This is not something they can continue to eat.

Now, it can be said they can appeal it, and they can go through the process, but it is something over and over. They don't get to appeal it and hold the money. They have to send the money in and then appeal. Now, does that sound fair? I don't think so.

I think what we've got to do here is begin to look at this problem in its entirety. The PBM could pocket the entire cost of a correctly dispensed drug, even what the pharmacy paid wholesale. This leaves me baffled. Obviously, an auditing measure should be in place, but for transparency and accountability, not to financially penalize one's competitors.

Oh, by the way, some of the PBMs are actually involved in the competitors to the local pharmacies in which they audit. Just a small reminder.

I can stand here all evening and tell you story after story of the unfair and almost unbelievable auditing practices that my local independent folks have had to deal with.

One local pharmacist told me about how they had already been audited three times that year, and they were preparing for their fourth. Mr. Speaker, do you know when he told me that? March. He had been audited three times, getting ready for a fourth, and it was January, February, March. This seems to be a problem.

Interestingly enough, the audits don't focus, as I've already said, on generic drugs. The audits typically look at administrative errors on high-priced drugs.

This comes as no surprise. We know that the PBMs are looking to take money, line their pockets, and not care for patients. They don't sponsor baseball teams, they don't participate in chili cook-offs, and they sure aren't going to any tomato festivals. Patient care takes a back seat to profit margins.

I believe that Congress should take a closer look at PBMs because, in the status quo, after a pharmacy has been audited, recoupment funds go back to the PBM. This is unacceptable. In other words, you're auditing, and the fines that you get, the penalties that you get, go to you. Again, there seems to be an incentive problem here. You're dealing with the high-cost drugs, you're missing the generics, you're looking for clerical errors on correctly dispensed drugs. The patient never had a problem, but yet the pharmacist was deemed.

I'm committed to working with my colleagues to make sure that Medicare is getting its fair share of funds back. There is one word we hear a great deal on this floor. No matter the debate topic it is bound to come up at least once. And that word is ''transparency.''

But there are few areas in which this concept is more important. You see, transparency saves money and helps markets work better. It helps it work as it was intended to work.

Transparency allows plans and payers, including large corporations and governments, to confirm that a PBM is, in fact, providing the service it was hired to do: to secure low drug costs.

Now, remember, in this world of regulation—and for those who know me in my short time up here in Washington, this is one of the issues that I have focused like a laser on, regulation. In fact, tomorrow morning, I encourage Members if they are not busy and they want to come to a regulatory reform caucus breakfast, come see us. We'll have breakfast there for them, and we're going to discuss the effects of regulatory reform and why this matters.

Many times, we in the elected office, we talk about regulatory reform and

why it matters, and it's going to make sense. I believe tonight we've shown how it affects local community pharmacists, and that's something that needs to be looked at.

□ 2115

But again, what were the PBMs supposed to do? They were supposed to secure low drug costs. They were supposed to secure a better way for our Medicare savings. This is not what is happening.

Unfortunately, under today's policy, the plan's sponsor has no way to verify that their PBM is sharing manufacturer rebates or that the PBM is negotiating the lowest possible cost for specific drugs. In fact, recent data indicate the exact opposite is occurring. For example, TRICARE anticipates a savings of $1.67 billion by negotiating its own drug prices and rebates for its 9 million beneficiaries rather than going through a PBM. Let me state that one more time, Mr. Speaker. TRICARE anticipates saving $1.67 billion by negotiating its own drug prices and rebates for its 9 million beneficiaries rather than going through a PBM.

I happened to be on this floor for the last couple days and in that chair, listening to discussions on our DOD appropriations and on the struggles that we're having with our funding for our vital services in our defenses. Don't you think that this is something that we can afford, not only in defense, but in other areas as well? I believe it is. The State of Texas estimates it could save $265 million by switching to a transparent PBM contract. This is no chump change we're talking about here tonight.

Although my time draws to a close, I am pleased that the conversations are just beginning. The challenges facing independent community pharmacies are great, but the important role they play in our towns and States is even greater. It is coming to a time and a place like this in which we can look forward to solutions that matter. I did not come to Washington, D.C., simply to watch things happen and to wonder why. I came to be part of a solution. Like you, Mr. Speaker, we are part of a freshman class that came here believing, as I've said before, that this is a place to which people still look to make this country continually the greatest country on Earth, and people look to us for solutions and answers. The way they do that is by looking at commonsense legislation. They look at commonsense solutions that affect them every day.

For many, many people in this country—and especially in my home of northeast Georgia—local pharmacies are a place that sponsor those football teams and baseball teams. They are the places where senior citizens go as I have watched many times in the pharmacies that I go to whether it be my own pharmacy or not.

Just the other day, I went in and saw a sweet little senior citizen lady I'd pastored for 11 years. In my first church, I actually had 45 senior adults. They were all that was there. I was 28 years old, and all of a sudden, I gained all of these grandparents. So, for me, it was something I learned a great deal from. When I watched this sweet old lady come up to the counter, she asked Kevin about some issues that she was having with her drugs. She was trying to figure out what was going on, and Kevin took the time to talk with her and to explain, No, this is not what's really happening. This is what you need to do, and this is the medicine you need to take. He took the time to care.

Pharmacists all across this country—and I want to make this very clear; this has nothing to do with pharmacists individually. Pharmacists, whether they work in large shops or small shops, in community stores or large box stores, are wonderfully dedicated professionals who do a wonderful job. They work hard in helping their customers, and they work hard at helping those who have come in between.

When we deal with this kind of environment, we make sure that our local pharmacies are the ones that can have a chance to continue to grow and to prosper in their communities. When we have our community pharmacies operating as they should, then we are going to be able to continue the process of making sure that our communities have the pharmacies that they can depend on and also a transparency that comes with dealing with these PBMs and with the auditing practices which have been really tearing apart our pharmacies and community pharmacies as a whole.

I go back to that one statement that my local pharmacist said to me. He was sitting there, and he was looking across, and he was explaining what I've talked about here tonight about the auditing practices. He said that, if this doesn't change, our pharmacists will be out of business, that there won't be any pharmacies left in the community world. For northeast Georgia, that would be a tragedy.

I am pleased tonight to also see my good friend from Pennsylvania (Mr. MARINO), who has been a real leader in this area, and I am a proud cosponsor of his legislation, the Preserving Our Hometown Independent Pharmacies Act of 2013. I would love to yield to him now to share further on what we've experienced during this time.

Mr. MARINO. Thank you.

Mr. Speaker, today, independent pharmacists are facing an increasing number of challenges that threaten their very livelihoods. These are the independent mom-and-pop pharmacies that all Americans have come to know and to love. They are the neighborhood staples that you have come to rely on. They are where you can go for basic medical advice, and they are where new parents can have their children's prescriptions filled. On average, independent pharmacies fill over 200 prescriptions every day, provide immunization, durable medical equipment, diabetes training, and other vital services. Unfortunately, these independent pharmacies are more vulnerable than ever and are having to lay off workers at an alarming rate.

As more independent pharmacies are forced to close their doors, I am increasingly concerned about the impact that this will have on American families, especially on those in rural areas like my district in northeast Pennsylvania. Not only does their closure jeopardize the local drug supply, but it also has dangerous consequences for the surrounding areas' medical providers—that's right—dangerous consequences for the surrounding areas' medical providers.

One of the biggest dangers to local independent pharmacies is the pharmacy benefit managers industry, or PBMs. Over the past few years, the PBMs' power has become concentrated in the hands of a few, enabling them to dominate over their competition. Independent pharmacies are at a competitive disadvantage, which prevents them from providing their customers with vital prescriptions at a reasonable cost.

I have heard from a number of pharmacists that PBMs have an incredible market power over independent pharmacists. Even worse, the political power of only a handful of companies has enabled them to grow and to swallow their competition, which is only expected to intensify if ObamaCare is fully implemented.

This is why I, along with my colleague to my right and JUDY CHU of California, introduced H.R. 1188, the Preserving Our Hometown Independent Pharmacies Act of 2013. This bipartisan, commonsense legislation provides a limited exemption for independent community pharmacists from antitrust laws. My bill would level the playing field by enabling the mom-and-pop pharmacies to work together in order to negotiate better contract terms from the large drug companies and pharmacy benefit managers, or PBMs. The unchecked practice of PBMs has gone on for too long, and it's time we passed H.R. 1188 in order to stop these harmful practices.

Mr. COLLINS of Georgia. I appreciate that.

As our time draws to a close tonight, I am pleased that we can begin these conversations. That's what I want to have with the American people and with our body here, bringing out and highlighting legislation and the work that I believe is being done here, because I believe there are great things that can happen when we pull together and when we find the things that matter to Main Street. When we do that—Congressman MARINO and others as we pull forward like this—we are actually bringing ideas to the forefront that help and build our economy, that talk about those jobs, that keep those jobs in the community, and provide a great public service.

When we are looking at a health care situation and an aging population, our community pharmacists need to be a vital player in that market, making sure that our health and our well-being are taken care of in a kind and caring and compassionate way. The challenges facing independent community pharmacists are great, but the important role they play in our towns and States is even greater still.

I want to thank the gentleman from Pennsylvania for his leadership, and I want to thank him for joining me here tonight and for being a part of discussing real solutions and real answers of why a conservative agenda is important to America, because it matters to Main Street, because it matters to real people in everyday life situations.

Mr. Speaker, with that, I yield back the balance of my time.

THE RULE OF LAW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from Minnesota (Mrs. BACHMANN) for 30 minutes.

Mrs. BACHMANN. Mr. Speaker, thank you, and thank you to the Constitution, the Declaration of Independence and to the rules of this body that allow for Members to come down to this well in the most important place where free speech is allowed, and I am extremely grateful for that opportunity to be here tonight.

One subject that I would like to focus on this evening is the issue that is being taken up here in Washington, D.C. It has gotten some attention in recent weeks—certainly with a bill that came through the United States Senate—and that was a bill that granted amnesty to illegal aliens. That bill passed through the United States Senate. Unfortunately, that bill does nothing about the main problem that we deal with in immigration, and that's border security.

Twenty-seven years ago, Ronald Reagan made a deal with the American people, Mr. Speaker. He said this, that we're going to have a onetime deal. We're going to deal with immigration right now.

It kind of sounds like very familiar rhetoric that we're getting today—we're going to deal with this issue once and for all. We're going to take this issue off the table. Then President Reagan said, We're going to secure the borders. We're going to make that happen, but we're also going to grant amnesty to the illegal aliens who are here in the United States. He estimated about 1 million illegal aliens would be here in the United States.

Once the bill was passed, the American people found out it wasn't 1 million illegal aliens. It was 3.6 million illegal aliens who were granted amnesty status. Once that amnesty status was granted, the United States had a policy of dealing with chain migration, and pretty soon that turned into 15 million foreigners or illegal aliens who were allowed to come into the United States as immigrants.

Now, we're all immigrants. I'm an immigrant. Mr. Speaker, I imagine you're an immigrant. All of us are descended from immigrants. This is a good thing. We're not here bashing immigrants. If we didn't have immigrants, we wouldn't have a country. We love immigrants. What we love also is the rule of law. We believe in the rule of law.

That's what this Chamber is. In fact, this Chamber, Mr. Speaker, is surrounded. There are medallions above every door in this Chamber, and those medallions have the faces of lawmakers over the time of recorded human history. Each one of these is a silhouette, and they contributed to the rule of law by adding to the certainty for mankind—for good rules and a good society that we can live under. In this Chamber, many of the American people may not know that our motto, ''In God We Trust,'' is written above the stand, Mr. Speaker, where you're standing today just above the American flag. Just opposite from ''In God We Trust'' is a lawmaker unique among all of the lawmakers in this Chamber. That lawmaker is Moses. Moses faces the Speaker, and you'll note, Mr. Speaker, that Moses is the only lawmaker who has a full face.

Why would that be? Why would Moses be given a status different than all of the other lawmakers in this Chamber?

Mr. Speaker, I believe it's for this reason. I believe it is because of the great English jurist Blackstone, who is the mentor to the Founders of this Nation. Blackstone wrote that English common law and all of law in England is based upon the foundation bedrock of the Ten Commandments as given through Moses, and Moses is the full face—the most important lawgiver—because all of the law you see, all of the subsequent lawmakers down throughout the recorded annals of human history rest on the foundation of law and the rule of law as given by Moses and as given by God—according to the holy Torah and to the Bible—to Moses, and all of law descends from there.

Why that history lesson? Why that lesson on talking about law and a lawgiver while we're in the middle of talking about immigration?

It's because, right now, Mr. Speaker, the Senate bill and also the proposed House bill, the so-called DREAM Act, are premised upon the condition that people who came into the United States by breaking the law would receive an unparalleled benefit, much more so than the benefit of those who come into America legally. How many people come into America legally every year? It's shocking. People think we're not allowing people in. A million people a year, Mr. Speaker, are allowed into the United States legally. They go through the process, and they become American citizens, and we applaud. I have been to naturalization ceremonies, proudly welcoming individuals in.

□ 2130

Today I was in a cab just before I came over here. A man from Pakistan was thrilled to be an American citizen. I shook his hand. I said, I'm so grateful that you're here, and I'm grateful that you came into our Nation legally. I'm grateful. Welcome. We're happy you're here.

I married a family of immigrants. My in-laws came here through the legal process. Why is this important? It's important because we as a Nation of laws must observe those laws. Now we're looking at changing that status by rewarding people who broke laws and putting them at the head of the line in front of people who stood by the law and did everything they could to follow the law to become legal citizens.

If you look at every nation in the world and their immigration policy, and if you look at the numbers of people of every single nation of the world—remember, Mr. Speaker, the United States is not the most populated country—there are more people in China than there are in the United States, and yet the United States is such a generous group of people, we allow more legal immigration in one year than the rest of the world. Every country of the world combined, we allow more legal immigrants, a million people a year.

Yet we still have 4 million people on a waiting list doing everything right, trying to come into the country legally. So why, I ask, Mr. Speaker, would we put to the front of the line lawbreakers, people who decided we're not going to pay attention to the law to the lawgivers of history, to Moses who gave the original Ten Commandments? We're going to break this law in this body where law is made; we're going to break this law. And for some reason this body would choose to benefit those who broke our laws? I say no, because the real problem with immigration, Mr. Speaker, is that we need to keep it legal and make it legal. That's why our very first consideration and only consideration should be complete border security first.

Border security for America first. Why? Because amnesty for illegal aliens is incredibly expensive. The estimate, Mr. Speaker, is $6 trillion of additional debt for our children, $6 trillion in redistribution of wealth with amnesty for illegal aliens. Nearly half of that number, Mr. Speaker, shockingly would be for retirement benefits for illegal aliens. So while you and I and millions of Americans have been working and paying in over the decades to Social Security and to Medicare, while we've been paying in and while people who are baby boomers like myself are just about at that time to draw down on our Social Security and our Medicare benefits, now we

would open the door wide, we would benefit and grant citizenship, a legal protected status, and immediate access to Social Security and Medicare, ObamaCare, Medicaid, 80 different means-tested welfare programs. Why would we do this? Is it because we have an abundance of money that's overflowing from our Treasury and we have absolute no idea what to do with it? I don't think so. Just in my brief time in Congress, we have doubled the national debt. That's one bill, essentially full-on amnesty, perpetual amnesty, with no means of deportation ever, with no border security ever. That's the fake bill that is coming out of the Senate.

What is the House of Representatives looking to take up? It is a different bill. It's called the DREAMers bill, and we're all told that what we need to do is get behind this effort to reward instant legalization status to children of illegal aliens. I want to put this on the floor for the American people. The children of illegal aliens very well may make up the largest subset of illegal aliens in the United States, but we need to recognize this is fake, backdoor amnesty.

This isn't feeling sorry for kids or trying to deal with people through no fault of their own who are here in the United States illegally. This is what we're talking about. We're talking about millions of individuals who would be given instantaneous legal status. But it isn't just the children, Mr. Speaker. Because they would be given amnesty, they would immediately have the right to apply, and it would be granted, for their parents to have legal permanent status.

We aren't just talking about millions of kids, Mr. Speaker. We're talking about all their parents, too. So take all of the kids, and then double the number for their biological parents. Then, if there is a waiting period—let's say 5 years until they get their full legal status—then the parents can apply for legal status for their parents. And it goes from there. Very likely what we will see is a family reunification, chain migration, and rather than tens of millions of illegal aliens, some have estimated as much as over 100 million additional illegal aliens would be given amnesty in addition to the generosity of every year.

Why is this important? Again, because we hate immigrants? Absolutely, 1,000 percent no. That's not true. Number one, the rule of law. We need to observe the law. Number two, dealing with our debt and with the cost. It costs a fortune to have illegal immigration. Here's the third reason: it's because we will never solve this problem. You see, all we will have done, Mr. Speaker, is made sure that we will increase this problem, and we will have it with us forever because we will have ongoing perpetual amnesty.

I would like to ask to join me right now, my fellow colleague, Representative STEVE KING from Iowa, who has been essentially the leading voice on this issue in Congress, talking about making sure that we, the American people, recognize what we're going into.

You see, we had the ObamaCare bill. The former Speaker, NANCY PELOSI, said we had to read the bill to know what was in it. It's a travesty. It's bankrupting America. Also, with the so-called DREAM Act, which, let's face it, it is three-quarters of the cost of the terrible fake border security bill in the Senate. So you've got this terrible full-on amnesty bill in the Senate. Mr. Speaker, the DREAMers bill takes you three-quarters of the way to the full-on amnesty bill. So when you take these two bills and you put them in conference committee, you can have either 100 percent amnesty or you can have 75 percent amnesty. When you split the difference on that, where are you? You've got amnesty. That's the problem, Mr. Speaker. It's a fake, no-border security, but it's a total authentic, nearly 100 percent amnesty bill.

I'd like to ask Representative STEVE KING to speak to that now as I yield to the gentleman.

Mr. KING of Iowa. I thank the gentlelady from Minnesota for yielding, and I appreciate the delivery you make and understanding in driving this issue. If a few of us don't stand up and drive this issue and remind, Mr. Speaker, that the American people observe what we do here—and they are thoughtful, they're intelligent, they're analytical, and they understand the history of this country, and they don't want to have somebody feed them a line. They want to know the squared-away truth. That's why I dig down into a bill like S. 744, the Gang of Eight's bill in the Senate, and take it apart and analyze it and put it back together and come down with this conclusion.

From the beginning, I called it the Always is, Always Was, and Always Will Be Amnesty Act. The reason I say that is because you'd have to just kind of have a little bit of license with our grammar. But if you is in America, you get to stay. If you was in America, you get an invitation to come back. And if you ever get here, you always will get to stay here. So it's the Always Is, Always Was, and Always Will Be Amnesty Act.

If that doesn't trip your biblical trigger, then I can describe it this way in more secular terms. It is the Perpetual and Retroactive Amnesty Act, which means it was on forever and it also invites the people who have been deported in the past. It says, We really didn't mean it. If we deported you in the past, it was by a mistake that we didn't realize because our President hadn't been elected yet, and he hadn't decided that he was going to violate his constitutional oath and grant this executive edict that's called the ''Morton Memos'' that legalizes the people that are here.

I would remind you, Mr. Speaker, that we had 400,000 people that were adjudicated for removal in this country, and the President issued an order and used our precious resources to go back and comb through the records again, and that directive said, Look at them on an individual basis. The reason they do that is because they claim they have prosecutorial discretion. If they deal with individuals, then they cannot enforce the law. But If they have to put it into classes of people, then they know that they don't have prosecutorial discretion from a legal point.

So they use resources to comb through those 400,000 names of people to find ways they can waive the application of the law. That's amnesty by executive edict, and it's using resources to grant that. It didn't matter that they were young or old. If they hadn't committed a felony and been caught at it, or if they didn't commit and been caught at these three mysterious misdemeanors, they were going to get the application of the law, which was removal. They were just waiting for their final removal order, and so the President believed that he had the constitutional authority to grant this amnesty.

Now, this was just the precursor to the balance of the Morton Memos, which are the DREAM Act lite, so to speak, this executive edict for the DREAM Act. And it then sets up four categories of people, generally young people, but now we see, according to the Gang of Eight's bill, age up to 35. If up to age 35, if you want to test that you came to America, say, before your 16th birthday or your 18th birthday, depending on which policy you want to take—now, it really wasn't your fault; it was your parents' decision.

Well, it reminds me of a long shirttail relation who found himself in jail on Christmas Eve, and his father decided he would bail him out and bring him home for Christmas Eve, Christmas Day, Christmas dinner, and take him back to the jail where he belonged again. When his father showed up, let me say this uncooperative son was so resentful that he said to his father, It's not my fault, Dad, it's your fault because you controlled everything. You controlled my genes and you controlled my environment. I didn't control either one. I'm a product of nature and nurture, and you are the one who produced the nature and nurture; therefore it's your fault that I'm in jail. I can tell you what his father said: You can stay in jail if you think it's not your responsibility and think it over.

Well, I heard this new theory come in the committee here just yesterday, I guess it was, that young people can't form intent. I wondered about that. That was a bit of a new theory for me. We do prosecute intent in this country and we prosecute intent of juveniles.

Mrs. BACHMANN. Reclaiming my time, Mr. Speaker, Representative KING had stated that in the committee they were told that young people could not form intent. And my question would be, under the proposed DREAM Act that we have looked at so far,

we're looking at that from age zero to 35. These people would be given automatic amnesty from being an illegal alien. Then, of course, we know their parents would immediately be able to come in as legal permanent residents, as well. So my question would be: Do we consider that you are not legally capable of forming an intent when you're age 35?

I yield back to the gentleman.

Mr. KING of Iowa. I thank the gentlelady for yielding, as that is my point.

We know that young people can form intent. That's why we discipline them at a young age; 2-year-olds get a little discipline because they have intent; 3-year-olds have a little more intent, and they get a little more discipline. By the time they get to be 7 or 8, they are actually disciplined. So I think that's an argument that moves us off the target. Regardless of whether they have intent when they're 1 day old, 1 week old, 1 month old, 1 year old, or 10 years old, whenever that time comes, when they become of age and they realize that they're unlawfully present in the United States, the law requires that they remove themselves. It's just the law. So we expect them to accept this responsibility, whether it was the intent that they had when they came in or the intent that they have to stay tomorrow. If we don't do that, then we've absolved a whole class of people from a responsibility and rewarded them with the objective of their crime.

These are the things that trouble me. If we destroy the rule of law, an essential pillar of American exceptionalism—we could not be a great Nation without the rule of law. If we destroy that even in the narrower version of immigration or the even narrower version of the DREAM kids, if we do that, then it expands into all people that are here illegally because age is the only difference, and you cannot draw a bright line.

Furthermore, then you have expanded the amnesty throughout all immigration, and you've destroyed the rule of law. And if we can't restore it in this time, since we've been struggling to do so since the 1986 Amnesty Act, we could not restore the rule of law with regard to immigration for all time. And we could therefore, then, not control immigration in this country any longer, only by trying to keep people out by barriers at the borders. But we then couldn't enforce the law against anybody that got in.

□ 2145

Can you imagine, turning over the immigration law in the United States to everybody but those who are in America? If you're not in America, you get to decide immigration law; and if you're in America, you don't get to decide immigration law. That's what we're dealing with.

Mrs. BACHMANN. Thank you so much. One thing that I wanted to mention as well, in speaking with one of the experts, Mr. Speaker, Robert Rector from the Heritage Foundation, we asked him: What is the average age of the average illegal immigrant into the United States? He said it is age 34. Isn't it a coincidence, Mr. Speaker, that the legislation being proposed is to grant amnesty to anyone 35 or below. And again, they would instantaneously be able to apply for legal permanent residence for their parents, and it would be granted automatically.

So we are talking not about a tiny subset. We're talking about a tremendously huge subset. But here's the other identifying feature that Mr. Rector had said: the average age being about 34, the average education level being something less than 10th grade. Now, that's not to make fun of anyone that they don't have the education level, but I'm talking about the impact now not on the illegal immigrant, I'm talking about the impact on the American people, on American citizens who are senior citizens, American citizens who are in the working age population, and also the young people who will shoulder the burden for all of the debt that is being handed to them right now.

I'm thinking also, Mr. Speaker, about the fact that when an individual comes into this country and they have less than a 10th grade education, the statistics bear it out, Mr. Speaker, according to Heritage Foundation, that those individuals over the course of their lifetime are revenue consumers. In other words, they take more out of the United States Treasury than they pay in.

And so if we allow the DREAM Act, which is three-fourths of the way amnesty, which is backdoor amnesty, for all practical purposes full-on amnesty, if we allow that, we are bringing into this country legally tens of millions of individuals who would be taking out of the Treasury at the worst possible time—when we have pensions to pay, when we have health care to pay, when we have education to pay for, police, fire protection. And the estimate is that we're looking at over $30,000 a year in annual subsidy, direct payout for the average illegal alien that's coming into the United States.

Now, they do pay taxes. They might pay about $10,000 in taxes, but they are a net minus. They are a cost to the Treasury of about $10,000. Why is this important? Because we are talking about people. Yes, we are, Mr. Speaker. We're talking about American people, American senior citizens who worked their whole life for their Social Security and their Medicare and who are nervous about the fact that we are going into bankruptcy.

And yes, Mr. Speaker, we are talking about people all right. We're talking about the American worker, 22 million of whom can't find full-time employment. And now we have James Hoffa from the Teamsters Union who wrote a letter this last week, and he said, Mr. President, what's wrong with you? Mr. Speaker, he said we worked hard for a 40-hour workweek, and now the new norm is 30 hours a week or less, and no benefits package. So where's the jobs? Where's the wages? Where's the benefits packages? Are the jobs all fleeing to illegal aliens that we're making legal? Or are we going to think about our senior citizens who are Americans who fought and bled and died for this country, for the workers of this country, and for the people that we are about to hand the baton to, the next generation, who are going to take over this country?

I yield to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentlelady.

I think we have some intelligent and some responsible Members of Congress that probably haven't contemplated something that I'm about to say. I hear them talking about they're okay with increasing the workforce, especially in the low-skilled categories because they believe that agriculture needs laborers and food processing needs laborers. I hear that from agriculture and I hear that from food processors, too. But here are the facts. The double-digit unemployment, the highest unemployment levels that we have, are in the lowest skilled jobs.

So when you go into double-digit unemployment and the low-skilled people are in oversupply, you have to believe that labor is a commodity like corn or beans or gold or oil, and it is determined by supply and demand in the marketplace. And if you have an oversupply of people that are willing to work in unskilled or underskilled jobs, then the wages go down and get suppressed.

An example would be like this. In the packing plant in the town where I was born, people that worked in the packing plant 25 or perhaps 30 years ago made equivalent to the salary of a college-educated teacher working in the same town, and they could raise their family and pay for a modest home. Those children would have an opportunity to go to college, if they chose, and they could live a happy life by punching the clock and going to work every day and cashing the check and paying the bills.

Today, people working in the same plant are making about half of what the teachers are making; and the teachers aren't overpaid in that community, either. That's what we're dealing with. The difference is that the people who used to work in that plant 30 years ago, they're not there anymore. But people who came to work in the plants have been recruited from foreign countries and put into that workforce, and there has been such an oversupply that they've driven the wages down—supply and demand.

So why would we as a Nation, when we have an oversupply of people who are willing to do low and unskilled work, and the wages are suppressed and the unemployment rate is up, why would we go out and legalize another 11

or 22 or 33 or 44 or 55 million people? Why would any nation do that? Why would a nation that has 100 million people of working age that are simply not in the workforce decide we don't want to pull those people to work, we're going to let them collect the 80 different means-tested welfare benefits, and instead we're going to go over here and import tens of millions of people to do this work, then realize that you've got a double liability here because people working in the lower skilled jobs can't sustain themselves in this society with the wages that they're getting because they're suppressed by oversupply. And on the other side of this, you've got these 100 million people, a lot of them are drawing from the public Treasury and we're paying them not to work. You put that all together, we've got a double liability here instead of a double asset.

I spent part of my life in the trucking business. We always say we want a payload both ways. We don't want to go empty two directions. We want a payload both ways.

Mrs. BACHMANN. That's true.

Mr. Speaker, I don't think that we can underscore enough the fact that when we are looking at the DREAM Act, people think we are talking about a very small group of people. This is a large group of people, and we're talking about amnesty, three-quarters of the way of amnesty. So the Senate bill is 100 percent amnesty for all illegal aliens in the United States. The DREAM Act is three-fourths of the way toward full amnesty. It isn't just children. We're talking about 35-year-olds, with the average age being 34 of an illegal alien, and we're talking about them having an immediate ability to make their parents legal.

So the $6 trillion cost is pretty darn close with the DREAM Act as well. Again, just realize politically what happens here. We're looking at 100 percent amnesty in conference committee with three-quarters of the way amnesty in conference committee. Does anybody think we're going to have anything less than full-on 100 percent amnesty and no border security.

I yield to the gentleman from Iowa.

Mr. KING of Iowa. I think the gentlelady has described it very accurately. We have to be very careful what vehicles get sent over to the United States Senate that could eventually be turned into a conference report.

I know that we have an assurance that it's not going to be such a thing, but we also know that there are things that come up that surprise us. So I ask people that are advocating for different pieces of legislation that would come off of this floor, paint for me the path through which enforcement legislation could get to the President's desk without amnesty attached. And even if it did get to the President's desk with the best enforcement model that you could imagine, that amnesty attached, the President would sign it and he wouldn't enforce the law; he would just grant the amnesty.

I had a statement that I would like to introduce into the RECORD just for clarity purposes. And I want to say that I appreciate the gentlelady coming down here and leading on this event here tonight and taking such a strong voice. We have a great country still, and we can be a greater country yet, but we must reanchor and reestablish ourselves to the principles and the pillars of American exceptionalism. We cannot do it without holding the rule of law intact.

[From the Associated Press]

MEXICO CHILDREN USED AS ''MULES'' BY DRUG GANGS

(By Omar Millan)

TIJUANA, MEXICO.—Luis Alberto is only 14 but has the wizened gaze of a grown-up hardened by life. He never met his father, worked as a child, was hired by a gang to sell drugs and then got addicted to them. In October he checked into Cirad, a rehab center west of this border city that handles about 500 drug addicts at a time, a fifth of them younger than 17.

''They brought me here because I was using and selling 'criloco,'" Luis Alberto said, referring to methamphetamine, the drug of choice for 90 percent of adolescents in detox because of its low cost and easy availability.

Luis Alberto is just one of an increasing number of young people being used as ''mules'' to ferry drugs across the border into the U.S. or sell them in nearby Mexican towns, said Victor Clark, an anthropologist who studies drug trafficking.

''Minors are cheap labor and expendable for organized crime in an area where there are few job opportunities or places for recreation, and where the distribution and consumption of drugs have grown fast,'' Clark said.

Mexican authorities say they are aware of the problem, but there are no official figures on the number of adolescents detained for selling or distributing drugs because the law forbids keeping criminal records for minors.

The U.S. Immigration and Customs Enforcement says that between 2008 and 2011, the number of youths aged 14 to 18 caught trying to cross the border between Tijuana and San Diego to sell drugs has grown tenfold. Lauren Mack, spokeswoman for ICE in San Diego, said 19 minors were arrested in 2008, 165 in 2009, 190 in 2010 and 190 again last year.

Most of them were high school students who carried drugs, usually methamphetamine or cocaine, hidden in their bodies or in their cars, Mack said.

Clark said similar things are being seen all along the border, at Mexican cities like Nogales, Ciudad Juarez and Reynosa. ''It's growing at a worrying pace,'' he said.

Officials at drug rehab centers across Tijuana estimate that of the approximately 500 adolescents now undergoing treatment, about a tenth of them are like Luis Alberto, not only addicted to a drug but also used by cartels to sell it.

Luis Alberto, whose last name cannot be published because he is a minor, said he started selling drugs about two years ago in a neighborhood of east Tijuana along with other minors who were hired by ''a boss.'' He made about 200 pesos ($16) a day, which he says he spent on food and drugs.

''Between me and my friends we sold about 40 packets a day. My boss kept 1,100 pesos (about $88) per packet and the rest was for us. Sometimes there were about three or four packets left over and we just divided them among ourselves,'' he said.

Sometimes the drug bosses used the children as lookouts in case police or soldiers approached, he added.

Mexico's cartels have also employed children for their hit squads.

In what may be the most shocking case involving a youth in Mexico's drug war, a 14-year-old boy born in San Diego and known only as ''El Ponchis'' was arrested in December 2010 in central Mexico and told reporters he had been kidnapped at age 11 and forced to work for a cartel. He said he participated in at least four beheadings.

The number of youths 18 and younger detained for drug-related crimes in Mexico has climbed from 482 in 2006, when President Felipe Calderon launched his offensive against drug traffickers, to 810 by 2009. The latest available numbers indicate 562 youths under age 18 were arrested in the first eight months of 2010.

In Tijuana, officials grew aware of the growing involvement of young people at the end of 2008 as more and more youths turned up at drug rehab centers and told their stories, said Jose Luis Serrano, director of the El Mezon rehab center.

Serrano said that on average 70 adolescents come to his center each month with addiction problems, and about a tenth of them have also worked in the drug trade.

Jose Ramon Arreola, director of the department for children and adolescents at the Cirad center, has seen a similar trend. ''There are a lot of drugs on the street; anybody can tell you how easy it is to get some,'' he said.

Serrano said drugs became extremely cheap by the end of 2008, with methamphetamine easily available and selling for about 15 pesos (a little over $1).

Due to increased border vigilance, ''it became harder for the drug traffickers to cross the border into the U.S., and they started paying their employees with merchandise, which the employees then had to distribute along the border. That was when we noted an increase in teen drug use, mainly crystal (methamphetamine),'' Serrano said.

According to the National Survey on Addictions, Tijuana has Mexico's worst methamphetamine addiction problem. The Tijuana Psychiatric Institute says it has about 22,000 meth addicts.

Serrano and Arreola point to outdated laws as one reason gangs have recruited young people to help push drugs. In Baja California, children under 17 can be jailed for no more than seven years even if they are convicted of serious crimes such as murder, violent robbery or involvement in a drug cartel.

Tijuana was one of the first cities to which Calderon sent troops to fight the cartels five years ago, yet hundreds of kilos of drugs still arrive each week for local consumption or for sale in other cities, military and police officials said.

The Sinaloa cartel, considered Mexico's most powerful crime organization, is mainly responsible for bringing in heroin, cocaine and marijuana, said Gen. Gilberto Landeros, the military official in charge of Baja California. Other gangs from Jalisco and Michoacan bring in mainly methamphetamine, he said.

''We are fighting the supply but not the demand, and as long as there is demand, there will be people producing and distributing the drugs,'' said Jose Hector Acosta, director of the treatment department at the Youth Integration Center, an organization that has been treating drug addicts for 37 years.

John: ''A moment ago you mentioned the issue of amnesty here, and this seems to be a big sticking point in the House on what to do moving forward. Would you describe amnesty as anything that allows people who are

in this country illegally for any amount of time, for any reason, that if those folks are allowed to gain full citizenship you would define as amnesty?''

SK: ''That's pretty close, John, I mean you know I defined it as a pardon and a reward for immigration lawbreakers coupled with the reward of the objective of their crime. I think that your definition's very close to that of mine.

That doesn't mean there aren't groups of people in this country that I have sympathy for, I do. And there are kids that were brought into this country by their parents unknowing that they were breaking the law. And they will say to me and others who defend the rule of law ''we have to do something about the 11 million.'' And some of them are valedictorians—well my answer to that is—and by the way their parents brought them in. It wasn't their fault. It's true in some cases, but they aren't all valedictorians. They weren't all brought in by their parents.

For everyone who's a valedictorian, there's another 100 out there that they weigh 130 pounds—and they've got calves the size of cantaloupes because they're hauling 75 pounds of marijuana across the desert.

Those people would be legalized with the same act. And until the folks that want to open the borders and grant this amnesty can define the difference between the innocent ones who have deep ties with America and those who have been, I'll say have been undermining our culture and civilization and profiting from criminal acts, until they can define that difference they should not advocate for amnesty for both good and evil.''

Mrs. BACHMANN. Mr. Speaker, I thank the gentleman from Iowa, and I am grateful that he is putting into the RECORD the pillars of American exceptionalism. That is our Nation. Again, what we are concerned about is America first; the American people first; American jobs first; American wages first; American benefits first. And unfortunately, a study came out in April from Harvard that said illegal aliens have contributed to a loss of income of $1,300 a year. Let's not drive that number any further. So I am very grateful to have had this opportunity to discuss this with the American people this evening.

I yield back the balance of my time.

WHAT AMNESTY FOR ILLEGAL IMMIGRANTS WILL COST AMERICA

(By Jim DeMint and Robert Rector, Heritage Foundation)

The economist Milton Friedman warned that the United States cannot have open borders and an extensive welfare state. He was right, and his reasoning extends to amnesty for the more than 11 million unlawful immigrants in this country. In addition to being unfair to those who follow the law and encouraging more unlawful immigration in the future, amnesty has a substantial price tag.

An exhaustive study by the Heritage Foundation has found that after amnesty, current unlawful immigrants would receive $9.4 trillion in government benefits and services and pay more than $3 trillion in taxes over their lifetimes. That leaves a net fiscal deficit (benefits minus taxes) of $6.3 trillion. That deficit would have to be financed by increasing the government debt or raising taxes on U.S. citizens.

For centuries immigration has been vital to our nation's health, and it will be essential to our future success. Yet immigrants should come to our nation lawfully and should not impose additional fiscal costs on our overburdened taxpayers. An efficient and merit-based system would help our economy and lessen the burden on taxpayers, strengthening our nation.

A properly structured lawful immigration system holds the potential to drive positive economic growth and job creation. But amnesty for those here unlawfully is not necessary to capture those benefits.

We estimate that when those who broke our laws to come here start having access to the same benefits as citizens do—as is called for by the Senate ''Gang of Eight'' immigration bill—the average unlawful immigrant household will receive nearly $3 in benefits for every dollar in taxes paid. The net annual cost is $28,000 per unlawful immigrant household.

Given the U.S. debt of $17 trillion, the fiscal effects detailed in our study should be at the forefront of legislators' minds as they consider immigration reform.

Already, illegal immigrants impose costs on police, hospitals, schools and other services. Putting them on a path to citizenship means that within a few years, they will qualify for the full panoply of government programs: more than 80 means-tested welfare programs, as well as Social Security, Medicare and Obamacare. The lifetime fiscal cost (benefits received minus taxes paid) for the average unlawful immigrant after amnesty would be around $590,000. Who is going to pay that tab?

Our government is now in the business of redistribution. As Nicholas Eberstadt, an economist at the American Enterprise Institute, has pointed out, federal transfer payments, or taking from one American to give to another, grew from 3 percent of spending in 1935 to about two-thirds of all spending in 2010. Adding millions of unlawful immigrants to U.S. programs will have a massive negative fiscal effect.

Our findings are based on empirical research and reflect common sense. Unlawful immigrants have relatively low earning potential because, on average, they have 10th-grade educations and low skills. Heads of households like that, whether from the Midwest or Central America, will receive, on average, about four times as much in government services and benefits as they pay in taxes. Adding millions more to bloated welfare and overburdened entitlement programs would deepen the fiscal hole our country is in.

In addition to costing taxpayers, amnesty is unfair to those who came to this country lawfully. More than 4 million people are waiting to come to the United States lawfully, but our dysfunctional bureaucracy makes it easier to break the law than to follow it.

Our cost estimates are in some ways very conservative: The $6.3 trillion figure does not factor in the waves of unlawful immigrants who could pour into this country hoping for another future amnesty. As scholars at the Heritage Foundation and elsewhere have explained, the comprehensive immigration bill being considered in the Senate differs little from previous empty promises to secure our borders and enforce immigration laws on the books. When amnesty was granted under a similar plan in 1986, there were about 3 million unlawful immigrants; now we have more than 11 million.

Instead of forcing through a complicated, lengthy bill, Congress ought to advance piece-by-piece immigration solutions that enjoy broad support and build trust with the American people. We should move to streamline our legal immigration system, encourage patriotic assimilation to unite new immigrants with America's vibrant civil society, fulfill promises to secure our borders and strengthen workplace enforcement.

We are proudly a nation of immigrants. People the world over are attracted to the United States because we are a nation of laws. Granting amnesty to those who broke the law and putting them on a path to citizenship would be unfair, would encourage more bad behavior and would impose significant costs on American families.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BARLETTA (at the request of Mr. CANTOR) for today and July 25 on account of a family emergency.

Mr. HORSFORD (at the request of Ms. PELOSI) for today on account of medical-mandated recovery.

ADJOURNMENT

Mrs. BACHMANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 25, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2323. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the 2012 Annual Report regarding the Department's enforcement activities under the Equal Credit Opportunity Act, pursuant to 15 U.S.C. 1691f; to the Committee on Financial Services.

2324. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Board's semiannual Monetary Policy Report pursuant to Pub. L. 106-569; to the Committee on Financial Services.

2325. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Rescission of Supervised Investment Bank Holding Company Rules [Release No.: 34-69979] (RIN: 3235-AL35) received July 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2326. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicaid and Children's Health Insurance Programs: Essential Health Benefits in Alternative Benefit Plans, Eligibility Notices, Fair Hearing and Appeal Process, and Premiums and Cost Sharing; Exchanges: Eligibility and Enrollment [CMS-2334-F] (RIN: 0938-AR04) received July 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2327. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund [WC Docket No.: 10-90] received July 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2328. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-39, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

2329. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's No FEAR Report to Congress for Fiscal Year 2012; to the Committee on Oversight and Government Reform.

2330. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule — Use of Meeting Rooms and Public Spaces [FDMS No.: NARA-13-0001] [Agency No.: NARA-2013-033] (RIN: 3095-AB77) received July 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2331. A letter from the Assistant Secretary, Indian Affairs, Department of the Interior, transmitting the annual report on the Contract Support Costs of Self-Determination Awards; to the Committee on Natural Resources.

2332. A letter from the Director, Administrative Office of the U.S. Courts, transmitting the Office's report on applications for orders authorizing or approving the interception of wire, oral, or electronic communications and the number of orders and extensions granted or denied during calendar year 2012, pursuant to 18 U.S.C. 2519(3); to the Committee on the Judiciary.

2333. A letter from the Ombudsman for the Energy Employees Occupational Illness Compensation Programs, Department of Labor, transmitting the Department's 2012 Annual Report of the Ombudsman for the Energy Employees Occupational Illness Compensation Program; to the Committee on the Judiciary.

2334. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Martinez Fourth of July Fireworks Display, Carquinez Strait, Martinez, CA [Docket No.: USCG-2013-0345] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2335. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Diego Symphony Summer POPS Fireworks 2013 Season, San Diego, CA [Docket Number: USCG-2013-0388] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2336. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Execpro Services Fireworks Display, Lake Tahoe, Incline Village, NV [Docket No.: USCG-2013-0383] (RIN: 1625-AA00) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2337. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fifth Coast Guard District Fireworks Displays, Barnegat Bay; Barnegat Township, NJ [Docket No.: USCG-2013-0431] (RIN: 1625-AA00) received July 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2338. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Red Bull Flugtag National Harbor Event, Potomac River; National Harbor Access Channel, MD [Docket No.: USCG-2013-0114] (RIN: 1625-AA08) received July 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2339. A letter from the Deputy Administrator, Department of Transportation, transmitting the Transportation Statistics Annual Report 2012, pursuant to 49 U.S.C. 111(f); to the Committee on Transportation and Infrastructure.

2340. A letter from the Director of Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting the Department's final rule — Medications Prescribed by Non-VA Providers (RIN: 2900-AO77) received July 16, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2341. A letter from the Chairman, International Trade Commission, transmitting the Commission's report ''The Year in Trade 2012''; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 1961. A bill to amend title 46, United States Code, to extend the exemption from the fire-retardant materials construction requirement for vessels operating within the Boundary Line (Rept. 113–175). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HOLDING (for himself, Mr. BACHUS, Mr. COBLE, Mr. FRANKS of Arizona, Mr. CHABOT, Mr. MARINO, Mr. COLLINS of Georgia, Mr. SMITH of Missouri, and Mr. LAMALFA):

H.R. 2804. A bill to amend title 5, United States Code, to require the Administrator of the Office of Information and Regulatory Affairs to publish information about rules on the Internet, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Mrs. CAROLYN B. MALONEY of New York, Ms. GRANGER, and Mr. NOLAN):

H.R. 2805. A bill to amend title 18, United States Code, to clarify the range of conduct punished as sex trafficking, and for other purposes; to the Committee on the Judiciary.

By Mr. MARCHANT (for himself and Mr. KIND):

H.R. 2806. A bill to amend the Tariff Act of 1930 to provide that importation of certain containers containing de minimis residual matter shall be excepted from the Customs laws of the United States; to the Committee on Ways and Means.

By Mr. GERLACH (for himself, Mr. THOMPSON of California, Mr. BACHUS, Mr. BISHOP of New York, Mrs. BLACK, Mrs. BLACKBURN, Mr. BLUMENAUER, Ms. BORDALLO, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. CAPPS, Mr. CARTWRIGHT, Mr. CICILLINE, Mr. COFFMAN, Mr. COHEN, Mr. CONAWAY, Mr. CONNOLLY, Mr. COSTA, Mr. CRAWFORD, Mr. CRENSHAW, Mr. RODNEY DAVIS of Illinois, Ms. DEGETTE, Ms. DELAURO, Ms. DELBENE, Mr. DENT, Mr. DESJARLAIS, Mr. DIAZ-BALART, Mr. DINGELL, Mr. DUFFY, Mr. ELLISON, Mr. ENGEL, Mr. ENYART, Ms. ESHOO, Ms. ESTY, Mr. FARENTHOLD, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. FORTENBERRY, Mr. FRELINGHUYSEN, Mr. GARAMENDI, Mr. GARDNER, Mr. GARRETT, Mr. GIBSON, Mr. GOODLATTE, Mr. GRIFFIN of Arkansas, Mr. GRIMM, Mr. GUTHRIE, Ms. HANABUSA, Mr. HANNA, Mr. HARPER, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Mr. HURT, Mr. ISRAEL, Mr. JOHNSON of Ohio, Ms. KAPTUR, Mr. KEATING, Mr. KIND, Mr. KING of New York, Mr. KING of Iowa, Ms. KUSTER, Mr. LANCE, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEWIS, Mr. LOEBSACK, Ms. LOFGREN, Mr. LUETKEMEYER, Mr. BEN RAY LUJÁN of New Mexico, Mrs. LUMMIS, Mr. SEAN PATRICK MALONEY of New York, Mr. MATHESON, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCINTYRE, Mr. MEADOWS, Mr. MEEHAN, Mr. MICHAUD, Mr. MILLER of Florida, Mr. MORAN, Mr. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mrs. NEGRETE MCLEOD, Ms. NORTON, Mr. NUNNELEE, Mr. OLSON, Mr. PERLMUTTER, Mr. PETERS of Michigan, Mr. ROE of Tennessee, Mr. PETRI, Mr. PIERLUISI, Ms. PINGREE of Maine, Mr. PITTS, Mr. POLIS, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. ROGERS of Kentucky, Mr. ROGERS of Alabama, Mr. ROKITA, Ms. ROS-LEHTINEN, Mr. RUNYAN, Mr. RUPPERSBERGER, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHOCK, Mr. SCHRADER, Ms. SCHWARTZ, Mr. AUSTIN SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SIMPSON, Ms. SLAUGHTER, Mr. SMITH of Texas, Ms. SPEIER, Mr. TERRY, Mr. THORNBERRY, Mr. TIERNEY, Mr. TIPTON, Ms. TSONGAS, Mr. TURNER, Mr. VAN HOLLEN, Mr. WALZ, Mr. WATT, Mr. WAXMAN, Mr. WELCH, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. WOMACK, Mr. YARMUTH, and Mr. YOUNG of Alaska):

H.R. 2807. A bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions; to the Committee on Ways and Means.

By Mr. MATHESON:

H.R. 2808. A bill to designate certain National Forest System land in the Uinta-Wasatch-Cache National Forest in Salt Lake County, Utah, as wilderness, to facilitate a land exchange involving certain land in such National Forest, and for other purposes; to the Committee on Natural Resources.

By Mrs. BLACKBURN (for herself, Mr. MEADOWS, Mr. WILSON of South Carolina, Mr. PRICE of Georgia, Mr. YODER, and Mr. HARRIS):

H.R. 2809. A bill to delay the application of the Patient Protection and Affordable Care Act; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, the Judiciary, Natural Resources, Rules, House Administration, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS (for himself, Mr. PALLONE, Mr. UPTON, Mr. WAXMAN, Mr. PITTS, and Mr. DINGELL):

H.R. 2810. A bill to amend title XVIII of the Social Security Act to reform the sustainable growth rate and Medicare payment for physicians' services, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker,

in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. HUFFMAN, and Mr. GRIJALVA):

H.R. 2811. A bill making supplemental appropriations for the National Institutes of Health for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Appropriations.

By Ms. JACKSON LEE (for herself, Mr. CUMMINGS, Ms. BASS, Mr. ELLISON, Mr. LEWIS, Mr. JOHNSON of Georgia, Mr. GUTIÉRREZ, Ms. HAHN, Mr. LOWENTHAL, and Mr. COHEN):

H.R. 2812. A bill to encourage States to prohibit ''stand your ground'' laws and require neighborhood watch programs to register with local law enforcement agencies and the Department of Justice, to direct the Attorney General to study such laws, and for other purposes; to the Committee on the Judiciary.

By Mr. COTTON:

H.R. 2813. A bill to amend the Water Supply Act of 1958 to establish a mechanism to permit State and local interests to release to the United States future water storage rights associated with Corps of Engineers reservoir projects; to the Committee on Transportation and Infrastructure.

By Mr. CRAWFORD (for himself, Mr. COTTON, Mr. GRIFFIN of Arkansas, and Mr. WOMACK):

H.R. 2814. A bill to designate the facility of the United States Postal Service located at 100 North Main Street in Strawberry, Arkansas, as the ''Noel Austin Harris, Jr. Post Office''; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. DANNY K. DAVIS of Illinois, Mr. CARSON of Indiana, Mr. PERLMUTTER, and Ms. MOORE):

H.R. 2815. A bill to authorize a pilot program to improve asset recovery levels, asset management, and homeownership retention with respect to delinquent single-family mortgages insured under the FHA mortgage insurance programs by providing for in-person contact outreach activities with mortgagors under such mortgages, and for other purposes; to the Committee on Financial Services.

By Mr. AL GREEN of Texas (for himself, Ms. CHU, Mr. HINOJOSA, Mr. DANNY K. DAVIS of Illinois, Mr. CARSON of Indiana, Mr. CLEAVER, Mr. PERLMUTTER, and Ms. MOORE):

H.R. 2816. A bill to extend the pilot program under section 258 of the National Housing Act that establishes an automated process for providing alternative credit rating information for mortgagors and prospective mortgagors under certain mortgages; to the Committee on Financial Services.

By Mr. HARRIS:

H.R. 2817. A bill to amend title XXVII of the Public Health Service Act to remove the non-discrimination requirements relating to health care providers; to the Committee on Energy and Commerce.

By Mr. HOLT:

H.R. 2818. A bill to repeal the USA PATRIOT Act and the FISA Amendments Act of 2008, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Intelligence (Permanent Select), Financial Services, Foreign Affairs, Energy and Commerce, Education and the Workforce, Transportation and Infrastructure, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio (for himself, Mr. CHABOT, Mr. TURNER, Mr. RENACCI, Mr. JOYCE, Mrs. BEATTY, Mr. LATTA, Mr. JORDAN, Mr. RYAN of Ohio, Mr. WENSTRUP, Mr. STIVERS, Mr. TIBERI, Ms. FUDGE, Ms. KAPTUR, and Mr. GIBBS):

H.R. 2819. A bill to designate the facility of the United States Postal Service located at 275 Front Street in Marietta, Ohio, as the ''Veterans Memorial Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. RIBBLE (for himself and Mr. HARRIS):

H.R. 2820. A bill to amend the Internal Revenue Code of 1986 to provide for equity relating to medical costs; to the Committee on Ways and Means.

By Ms. WILSON of Florida (for herself, Ms. PELOSI, Mr. CLYBURN, Ms. FUDGE, Mr. CICILLINE, Mr. ENYART, Ms. HANABUSA, Ms. NORTON, Ms. BASS, Mr. BUTTERFIELD, Ms. SEWELL of Alabama, Mr. RICHMOND, Mr. CONYERS, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. CÁRDENAS, Ms. LEE of California, Mr. TAKANO, Mrs. NAPOLITANO, Ms. DELAURO, Ms. FRANKEL of Florida, Ms. CLARKE, Mr. BRADY of Pennsylvania, Ms. SCHAKOWSKY, Mr. TONKO, Ms. SHEA-PORTER, Mr. GRIJALVA, Mr. HOLT, Mr. SABLAN, Mr. CARTWRIGHT, Ms. WASSERMAN SCHULTZ, Mr. NADLER, Mr. LARSON of Connecticut, Mr. PAYNE, Mr. MCGOVERN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Ms. MOORE, Mr. VEASEY, Mrs. BEATTY, Ms. KELLY of Illinois, Mr. AL GREEN of Texas, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Mr. JOHNSON of Georgia, Ms. EDWARDS, Mr. RANGEL, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. BISHOP of Georgia, Mr. CLEAVER, Mr. DANNY K. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Mr. CARSON of Indiana, Ms. WATERS, Mr. WATT, Mr. LEWIS, Mr. GUTIÉRREZ, Mr. CLAY, Mr. CUMMINGS, Mr. GARCIA, Ms. MCCOLLUM, Mr. ELLISON, Mr. FATTAH, Mr. DEUTCH, Mr. MEEKS, Ms. HAHN, Mr. CARNEY, and Mr. KEATING):

H.R. 2821. A bill to provide tax relief for American workers and businesses, to put workers back on the job while rebuilding and modernizing America, and to provide pathways back to work for Americans looking for jobs; to the Committee on Ways and Means, and in addition to the Committees on Small Business, Education and the Workforce, the Judiciary, Transportation and Infrastructure, Financial Services, House Administration, Oversight and Government Reform, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CULBERSON (for himself, Mr. CUELLAR, and Mr. BISHOP of Utah):

H.J. Res. 52. A joint resolution proposing an amendment to the Constitution of the United States allowing the States to call a limited convention solely for the purposes of considering whether to propose a specific amendment to the Constitution; to the Committee on the Judiciary.

By Mr. CULBERSON (for himself, Mr. BISHOP of Utah, Mr. SAM JOHNSON of Texas, Mr. GOWDY, Mr. MULVANEY, and Mr. PRICE of Georgia):

H.J. Res. 53. A joint resolution proposing an amendment to the Constitution of the United States regarding the effect of treaties, Executive orders, and agreements with other nations or groups of nations; to the Committee on the Judiciary.

By Mr. CULBERSON (for himself, Mr. BISHOP of Utah, Mr. SAM JOHNSON of Texas, Mr. GOWDY, and Mr. MULVANEY):

H.J. Res. 54. A joint resolution proposing an amendment to the Constitution of the United States relating to the use of foreign law as authority in Federal courts; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself and Mr. ROSKAM):

H. Res. 316. A resolution expressing heartfelt condolences and support to the people of India and all those affected in the aftermath of the deadly flash floods and landslides triggered by massive monsoons of June 2013, which devastated many states in northern India; to the Committee on Foreign Affairs.

By Ms. HAHN (for herself, Mr. KENNEDY, Mr. HOYER, Ms. BROWNLEY of California, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Ms. LINDA T. SÁNCHEZ of California, Mr. CÁRDENAS, Mr. LOWENTHAL, Mr. MCCARTHY of California, Mr. MCKEON, Mr. ROYCE, Ms. WATERS, Ms. CHU, Mr. SHERMAN, Mr. WAXMAN, Ms. BASS, Mrs. NEGRETE MCLEOD, Mr. BECERRA, and Mr. SCHIFF):

H. Res. 317. A resolution celebrating the upcoming 2015 Special Olympics World Games in Los Angeles, California; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII,

109. The SPEAKER presented a memorial of the Legislature of the State of Maine, relative to a Joint Resolution opposing section 9 of H.R. 1919; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HOLDING:

H.R. 2804.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8 of the United States Constitution, in that the legislation concerns the exercise of specific legislative powers granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; and, Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof''

By Mr. POE of Texas:

H.R. 2805.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MARCHANT:

H.R. 2806.

Congress has the power to enact this legislation pursuant to the following:

This trade related bill is addressed under the Constitution's Commerce Clause; Article 1, Section 8, Clause 3 of the U.S. Constitution, which gives Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. GERLACH:

H.R. 2807.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. MATHESON:

H.R. 2808.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the U.S. Constitution

By Mrs. BLACKBURN:

H.R. 2809.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. BURGESS:

H.R. 2810.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COHEN:

H.R. 2811.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Ms. JACKSON LEE:

H.R. 2812.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause Art I Sec. 8 and the fifth Amendment.

By Mr. COTTON:

H.R. 2813.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—The Commerce Clause provides for regulatuon of commerce between the states.

Article II, Section 3, Clause 2—The Property Clause allows Congress to manage the lands under its control, including water resources.

By Mr. CRAWFORD:

H.R. 2814.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. AL GREEN of Texas:

H.R. 2815.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

By Mr. AL GREEN of Texas:

H.R. 2816.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)

By Mr. HARRIS:

H.R. 2817.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I, Sec. 8.

By Mr. HOLT:

H.R. 2818.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution of the United States.

By Mr. JOHNSON of Ohio

H.R. 2819.

Congress has the power to enact this legislation pursuant to the following:

Congress has the authority to establish post offices and post roads, as enumerated in Article I, Section, 8, Clause 7 of the United States Constitution.

By Mr. RIBBLE:

H.R. 2820.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 of the U.S. Constitution.

By Ms. WILSON of Florida:

H.R. 2821.

Congress has the power to enact this legislation pursuant to the following:

The Commerce clause and provisions to provide for the general welfare.

By Mr. CULBERSON:

H.J. Res. 52.

Congress has the power to enact this legislation pursuant to the following:

Article V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

By Mr. CULBERSON:

H.J. Res. 53.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution.

By Mr. CULBERSON:

H.J. Res. 54.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 102: Mr. RANGEL.
H.R. 129: Mr. CLEAVER.
H.R. 176: Mr. DUNCAN of Tennessee.
H.R. 279: Ms. MCCOLLUM.
H.R. 301: Mr. PEARCE.
H.R. 366: Mr. CAPUANO and Mr. PALLONE.
H.R. 506: Mr. SWALWELL of California and Mr. HASTINGS of Florida.
H.R. 508: Mr. FRELINGHUYSEN.
H.R. 647: Mr. SCHWEIKERT, Ms. WILSON of Florida, Mr. DAVID SCOTT of Georgia, Mr. ROKITA, Mr. NUGENT, Mr. POLIS, Mr. ROSS, Mr. RIGELL, and Mr. WALDEN.
H.R. 676: Mr. CAPUANO.
H.R. 680: Mr. COOK.
H.R. 685: Mr. SMITH of Texas and Mrs. NAPOLITANO.
H.R. 721: Ms. ROS-LEHTINEN.
H.R. 752: Ms. WATERS.
H.R. 760: Mr. COSTA.
H.R. 822: Mr. MCNERNEY.
H.R. 850: Mr. MCCARTHY of California.
H.R. 855: Mr. SCHRADER.
H.R. 900: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 920: Mr. CASTRO of Texas and Mr. SCHRADER.
H.R. 921: Mr. FRELINGHUYSEN.
H.R. 985: Ms. KAPTUR.
H.R. 1001: Mr. HUDSON.
H.R. 1020: Mr. WILSON of South Carolina and Mr. SOUTHERLAND.
H.R. 1024: Mrs. ELLMERS, Mr. LONG, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1095: Mr. WITTMAN and Mr. LONG.
H.R. 1150: Ms. WATERS and Mr. COHEN.
H.R. 1250: Mr. ROONEY and Mr. COFFMAN.
H.R. 1281: Mrs. BEATTY.
H.R. 1286: Mr. ENYART.
H.R. 1318: Ms. BROWNLEY of California.
H.R. 1340: Mr. CARTWRIGHT.
H.R. 1354: Mr. CARTWRIGHT.
H.R. 1389: Mr. THOMPSON of California.
H.R. 1409: Ms. BASS.
H.R. 1416: Mr. CHABOT.
H.R. 1579: Mr. CAPUANO and Mr. TAKANO.
H.R. 1621: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1634: Mr. POLIS.
H.R. 1652: Ms. MENG.
H.R. 1726: Ms. DELAURO.
H.R. 1734: Mr. CARTWRIGHT.
H.R. 1755: Mr. DAVID SCOTT of Georgia.
H.R. 1771: Mrs. NAPOLITANO.
H.R. 1775: Mr. BISHOP of New York and Mr. MEEKS.
H.R. 1787: Mr. BARLETTA, Mr. SHUSTER, Mr. TONKO, and Mr. PETERSON.
H.R. 1805: Mr. BARBER and Mr. LOWENTHAL.
H.R. 1816: Mr. O'ROURKE.
H.R. 1825: Mr. LONG, Mr. GRAVES of Georgia, and Mr. SAM JOHNSON of Texas.
H.R. 1827: Mr. BLUMENAUER, Ms. SPEIER, and Ms. MATSUI.
H.R. 1845: Ms. SHEA-PORTER.
H.R. 1851: Mr. COHEN.
H.R. 1867: Mr. CARTWRIGHT.
H.R. 1920: Ms. SCHAKOWSKY.
H.R. 1931: Mr. COSTA.
H.R. 1980: Mr. BRALEY of Iowa, Mr. DEUTCH, and Ms. SINEMA.
H.R. 1982: Mr. NEAL.
H.R. 1998: Mrs. NAPOLITANO.
H.R. 2000: Mr. THOMPSON of Mississippi and Mr. BISHOP of New York.
H.R. 2009: Mrs. ROBY.
H.R. 2019: Mr. BROOKS of Alabama, Mr. MICA, Mr. KING of Iowa, Mr. JONES, Mr. BRADY of Texas, Mr. LAMALFA, Mr. PERRY, and Mr. MEADOWS.
H.R. 2084: Mr. OWENS and Mr. PERRY.
H.R. 2099: Mr. STOCKMAN.
H.R. 2116: Ms. TITUS, Mr. CICILLINE, Mr. POCAN, Mr. LANGEVIN, and Mr. HONDA.
H.R. 2144: Mr. COOK.
H.R. 2146: Mr. MURPHY of Florida and Mr. SCHNEIDER.
H.R. 2149: Mr. CARTWRIGHT.
H.R. 2150: Ms. SINEMA.
H.R. 2224: Ms. MCCOLLUM, Mr. BISHOP of New York, Ms. SHEA-PORTER, Ms. GABBARD, and Mr. MCNERNEY.
H.R. 2264: Mr. BARLETTA.
H.R. 2273: Mr. MAFFEI.
H.R. 2288: Ms. LEE of California.
H.R. 2310: Mr. LAMBORN.
H.R. 2315: Mr. PAULSEN.
H.R. 2332: Mr. RANGEL, Mr. MAFFEI, and Mr. COOK.
H.R. 2366: Mr. CLAY and Mr. GARAMENDI.
H.R. 2399: Ms. SHEA-PORTER, Mr. NUGENT, and Mr. HUFFMAN.
H.R. 2401: Mr. LAMALFA.
H.R. 2403: Mr. GRAVES of Georgia.
H.R. 2418: Mr. RENACCI and Mr. KELLY of Pennsylvania.
H.R. 2429: Mrs. BLACK.
H.R. 2449: Mr. PEARCE.
H.R. 2453: Mr. SHUSTER and Mr. HINOJOSA.
H.R. 2456: Mr. HUDSON.
H.R. 2468: Mr. LOBIONDO and Ms. TITUS.

H.R. 2476: Mr. MICHAUD.
H.R. 2542: Mr. ISSA.
H.R. 2553: Mr. BISHOP of New York and Mr. COHEN.
H.R. 2557: Mr. MULVANEY, Mrs. BLACKBURN, Mr. WEBER of Texas, Mr. DESJARLAIS, Mr. PEARCE, and Mr. HUIZENGA of Michigan.
H.R. 2575: Mr. SHUSTER, Mr. DIAZ-BALART, Mr. BARLETTA, and Mr. YOUNG of Florida.
H.R. 2581: Mr. ROE of Tennessee, Mr. DENHAM, Mr. LAMALFA, and Mr. PEARCE.
H.R. 2586: Mr. WELCH.
H.R. 2607: Mr. WOLF, Mr. BUCHANAN, and Mr. ROE of Tennessee.
H.R. 2613: Mr. ENYART, Mr. COOPER, Mr. MICHAUD, Mr. CARTWRIGHT, Mr. HIGGINS, and Mrs. BUSTOS.
H.R. 2614: Mr. CARTWRIGHT.
H.R. 2619: Mr. COHEN.
H.R. 2633: Mr. HONDA, Mr. PAYNE, Mr. SCOTT of Virginia, Mr. VEASEY, Mr. CAPUANO, Ms. WATERS, Ms. SEWELL of Alabama, Mr. MCGOVERN, and Mrs. BUSTOS.
H.R. 2641: Mr. PETERSON.
H.R. 2643: Mr. YOUNG of Indiana.
H.R. 2646: Mr. HECK of Washington.
H.R. 2682: Mr. SOUTHERLAND, Mrs. HARTZLER, Mr. YODER, Mr. MARCHANT, Mr. HARPER, Mr. MESSER, Mr. ROONEY, Mr. PRICE of Georgia, Mr. JOHNSON of Ohio, and Mr. BENISHEK.
H.R. 2692: Ms. SHEA-PORTER and Ms. ROYBAL-ALLARD.
H.R. 2700: Mr. LONG.
H.R. 2708: Mr. BRADY of Texas, Mr. BOUSTANY, and Mr. ROSKAM.
H.R. 2709: Mr. BRADY of Texas, Mr. BOUSTANY, Mr. ROSKAM, and Mr. MCDERMOTT.
H.R. 2717: Mr. NUNNELEE and Mr. LONG.
H.R. 2720: Mr. CÁRDENAS, Mrs. BLACKBURN, Mr. WILSON of South Carolina, Mr. YOHO, Mr. KELLY of Pennsylvania, and Mr. RENACCI.
H.R. 2721: Ms. TITUS and Mr. TAKANO.
H.R. 2750: Mr. SCHRADER and Mr. TERRY.
H.R. 2771: Mr. HALL.
H.R. 2775: Mrs. BLACKBURN, Mr. MEADOWS, Mr. WILSON of South Carolina, Mr. HARRIS, and Mr. HECK of Nevada.
H.R. 2776: Mr. COLLINS of Georgia, Mr. ROE of Tennessee, Mr. SOUTHERLAND, and Mr. CRAMER.
H.J. Res. 19: Mr. MILLER of Florida.
H.J. Res. 34: Ms. WILSON of Florida.
H.J. Res. 44: Mr. CUMMINGS and Ms. BASS.
H.J. Res. 51: Mr. FORBES, Mr. BOUSTANY, and Mr. HUNTER.
H. Con. Res. 41: Mr. O'ROURKE.
H. Res. 285: Mr. SEAN PATRICK MALONEY of New York, Mr. GRAYSON, Mr. WEBSTER of Florida, Mr. TAKANO, and Mr. SCHIFF.
H. Res. 293: Mr. O'ROURKE.
H. Res. 307: Mr. COFFMAN and Mr. ROE of Tennessee.
H. Res. 314: Ms. LOFGREN.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2641: Mr. CAPUANO and Mr. PALLONE.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, WEDNESDAY, JULY 24, 2013 No. 107

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of life, as Senators deal with today's challenges, purge their hearts of anything that does not honor You. Remove that which divides them, uniting them in the common task of doing what is best for our Nation and world. When they are tempted to doubt, steady their faith. When they feel despair, infuse them with hope. When they don't know what to do, open their minds to a wisdom that can change and shape our times according to Your plan. Lord, empower them to trust You more fully, live for You more completely, and serve You more willingly.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 24, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks there will be 1 hour of morning business, with the first half controlled by the Republicans and the second half controlled by the majority.

Following morning business the Senate will resume consideration of the Transportation appropriations bill. Senators MURRAY and COLLINS have done good work. We hope to wrap up this bill in the next 24 hours. We hope to vote in relation to the Portman amendment sometime this morning. We also expect to consider the student loan legislation today. Under the orders that have been entered, we have the ability to vote on the student loan bill, which is so important. There are several hours of debate—4 hours plus other time on various amendments—so I think Members should consider that at about 4 p.m. this afternoon or thereabouts, we could have a series of votes. We also have other nominations that are subject to vote. So we should have a number of votes today. I hope that, in fact, is the case.

I admire and appreciate the work, as I have already mentioned, on the appropriations bill. Hopefully we can wrap it up soon.

OFFICER CHESTNUT AND DETECTIVE GIBSON

Mr. REID. Mr. President, it is hard to believe that 15 years ago, as the Presiding Officer knows, Police Officer Jacob Chestnut and Detective John Gibson were killed trying to prevent a crazy man from entering the Capitol. We will have at 3:40 p.m. a moment of silence in memory of these two good men. And, of course, every year their families are there.

I really appreciate the work of the Capitol Police to make this building safe for us, staff, and all the visitors, and there is no time more directed toward that than events like this. But because of the sacrifice those two men made, the Capitol is a safer place as a result of the Visitor Center, which now allows people to come into the Capitol in an orderly fashion. They can have their bags checked and everything so very quickly. In addition, there are restrooms and meeting halls. So the sacrifices made by these two men have made this place safer. It is just tragic that it took both their lives to do that.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Senator from Illinois.

MEASURE PLACED ON THE CALENDAR—H.R. 2668

Mr. DURBIN. Mr. President, I understand that H.R. 2668 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

The assistant legislative clerk read as follows:

A bill (H.R. 2668) to delay the application of the individual health insurance mandate, to delay the application of the employer health insurance mandate, and for other purposes.

Mr. DURBIN. Mr. President, I now object to any further proceedings on the bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar subject to the provisions of rule XIV.

Mr. DURBIN. Mr. President, my understanding is that the minority has the first half of morning business.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

REMEMBERING OFFICER CHESTNUT AND DETECTIVE GIBSON

Mr. MCCONNELL. Mr. President, this morning I would like to start by remembering the sacrifice of two 18-year veterans of the Capitol Police, Detective John Gibson and Officer Jacob Chestnut. On this date in 1998, Gibson and Chestnut paid the ultimate price while standing in defense of the U.S. Capitol. We know these men fell defending more than just the structure, though. We know they fell defending more than just the Members sent here or even the staffs who help each of us better serve constituents and our country. No, these men died while protecting everything this building represents—our democratic way of life, the freedom granted to each of us by a creator we often thank but never see.

We honor these men for their lives, and we honor them for the final act of heroism that ended those lives. That is why a plaque inside the Capitol commemorates their sacrifice. That is why the Capitol Police headquarters bears both of their names. That, I know, is of little solace to the wives, children, and friends left behind, but it is a small way of saying ''we remember'' when the scale of the debt owed can never truly be repaid in full.

So today the Senate honors John Gibson and J.J. Chestnut for their sacrifice, and the Senate sends its condolences and its gratitude to those who loved them most.

WORKING TOGETHER

Mr. MCCONNELL. Mr. President, I am glad to see that Senate Democrats have finally ended their obstruction of the bipartisan student loan bill. It has been weeks since the Democrats blew past the July 1 deadline they kept warning about, and it has been even longer since the House passed a bill similar to the one they are actually now agreeing to. But at least Democrats have finally stopped obstructing and arguing. At least now they are ready to put their partisan political fix aside and join President Obama and congressional Republicans in enacting real permanent reform for all students—the only real reform on the table that is designed to help every middle-class family.

I would like to thank the sponsors of this bill for their hard work: Senators MANCHIN, KING, ALEXANDER, BURR, and COBURN. They may come from different political parties, but they all really care about students, and this bill certainly proves it.

There is something else this bill proves too: that Democrats can work with Republicans when they actually want to—when they check their partisan take-it-or-leave-it approaches at the door and actually talk with rather than at us.

That is why it is really disheartening to hear about the partisan speech President Obama plans to give today, the one the White House can't stop talking about. With all the buildup, you would think the President was unveiling the next Bond film or something, but in all likelihood it will be more like a midday rerun of some 1970s B movie because we have heard it all before. It is really quite old.

These speeches are just so formulaic, and they are usually more notable for what they leave out than what they contain. Here is what I mean. We all know the President will bemoan the state of the economy in his speech, but he won't take responsibility for it. He will criticize Republicans for not rubberstamping his policies but will leave out the fact that for 2 years Democrats did just that, and yet the economic recovery is still stagnant.

He won't talk about the fact that since he lost control of the House and his ability to have things exactly the way he wanted, he has refused to engage with seemingly anyone in Congress on ways to get the economy moving. A perfect illustration of that is the fact that instead of working with us on solutions, he is out giving speeches. And here is the kicker: Instead of taking responsibility for his failure to lead, he will probably try to cast this as some titanic struggle between those who believe in ''investing'' in the country and those who supposedly want to eliminate paved roads or stop signs or whatever ridiculous straw man he invents this time.

Give me a break. There is a real philosophical debate going on in our country, but it is not anything like how he imagines it. I would say it is more of a debate between those who believe in a government that is smarter and more efficient and some who seem to believe in government against all the evidence; between those who draw the obvious lessons from human tragedies in places such as Greece and Detroit, and some who cannot face up to the logical endpoints of their own ideology, who cannot accept the terrible pain their own ideas inevitably inflict on the weakest in our society.

It is between those who understand the necessity of empowering of private enterprise if we are ever going to drive a sustained recovery for middle-class families and some who can't seem to let go of ivory tower economic theories, even after 4½ years of an economy literally treading water.

Speaking of ivory tower theories, here is another difference. Some of us believe it is actually possible to act as good stewards of the environment without declaring war on vulnerable groups of Americans. I know a lot of people here in Washington who think of Appalachia as fly-over country, but many in my State have another word for it. They call it home. When these struggling families hear one of the White House climate advisers say a war on coal is exactly what is needed, can you imagine how that makes them feel? It makes them feel as though they are expendable, as though Washington does not understand them or, frankly, simply doesn't care. ''[It is] like going to some of these big cities and shutting Wall Street down,'' is how a coal worker from eastern Kentucky recently put it.''See how it affects everything,'' he said. ''Coal is our Wall Street.''

This is just one of the many reasons Republicans have long called for an ''all of the above'' strategy. We understand that traditional sources can be developed in tandem with new alternative energies and technologies and that there is no other sane strategy anyway, since it is basically physically impossible, even putting the catastrophic economic consequences aside here for a moment, to even come close to meeting our energy needs with renewables today. We cannot even come close.

What are we going to do in the meantime, power our country with foreign energy or American energy? This should be a no-brainer, but then again we are talking about Washington here. That is why it is so frustrating when the administration drags its feet on projects such as the Keystone Pipeline. The North American oil that Keystone would bring is basically going to come out of the ground whether we take it or not. So will the administration take it and the jobs that would come along with it or surrender it to places such as China? The White House will not say. The President's spokesman was asked for a decision again yesterday. You know what his answer was? Don't look to us.

Look, this pipeline has been under review for years and years. It is basically

being held up for one reason and one reason only: because the President is afraid to stand up to some of the most radical elements of his base, the kind of people you will find at one of those meetings of the Flat Earth Society he likes to talk about.

It is time for him to choose between his political friends and the middle-class families who stand to benefit from the jobs, growth, and energy that Keystone would bring. Keystone is just one example of a project the President could work with both parties to implement right now, that would help our economy. There is a lot more we can get done if he would actually pick up a telephone and try to work with us every once in a while. I know Democrats would love to hear from him every now and then as well, because every time he goes out and gives one of these speeches, it generates little more than a collective bipartisan eye roll.

It is such a colossal waste of time and energy, resources that would actually be better spent working with both parties in Congress to grow the economy and to create jobs. I know that is what my constituents in Kentucky expect and, frankly, they should expect that.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip is recognized.

Mr. CORNYN. Mr. President, I come to the floor to follow the remarks of our Republican leader on the President's pivot to the economy. Over the last 4 years, the Obama administration has given us one of the biggest economic experiments in American history. The numbers tell the story. Under this President, the Federal Government has increased the Federal debt by $6.1 trillion, raised taxes by $1.7 trillion, and imposed $518 billion worth of new regulations. The President, when he came to office, when he had a Democratic Senate and a Democratic House—in other words, his party controlled all branches of the legislative and executive branch—got virtually everything he wanted.

He got a $1 trillion stimulus package. He wanted a government takeover of America's health care system and that is what he got. He wanted extensive new regulations for the financial industry and he got that too. He wanted to impose, through the Environmental Protection Agency, radical environmental regulations and that is what he got as well.

From 2009 through 2010, until the voters spoke in November 2010, our friends on the other side of the aisle controlled the White House, the House of Representatives under Speaker PELOSI, and the Senate. They got virtually everything they wanted. That was their great experiment, to see whether a growing and intrusive and expanding Federal Government was the answer to our economic challenges and high unemployment.

We now know what the results have been. America's unemployment rate hit 10 percent for the first time since the early 1980s and it stayed above 8 percent for 43 straight months. Meanwhile, many Americans have simply given up looking for work. How do we know that? The Bureau of Labor Statistics publishes something they call the labor participation rate. We know the percentage of people in the workforce is the lowest it has been for more than 30 years. That is a tragedy. Add it all up and we have been experiencing the weakest economic recovery and the longest period of high unemployment since the Great Depression in the 1930s.

Even by the President's own measuring stick, by his own standards, his economic record has been a huge disappointment. Hence, his repetitive pivots to the economy, time and time again, particularly at a time when his administration is having to answer a lot of hard questions about various scandals. But I am with Speaker BOEHNER. I say: Welcome, Mr. President. Let's talk about the economy. Let's talk about what works and what does not work.

I think we know now what does not work, which is another government program that raises taxes, increases regulations, and creates uncertainty on the job creators upon whom we are depending to put America back to work.

As a Washington Post correspondent noted this past week:

> The President promised 1 million new manufacturing jobs by the end of 2016. But factory employment has fallen for the last 4 months, and on net is only 13,000 jobs toward that goal.

There is some good news. I was on the floor yesterday, admittedly bragging a little bit about the economic growth in my State, in Texas, and one of the reasons is because we are taking advantage of the innovation and the technology boom in the energy production business and we are actually seeing a huge movement back onshore, to the United States, of a lot of manufacturing because of the low price of natural gas. But, unfortunately, the President does not seem to recognize the benefits of producing our own domestic natural energy and what that would mean in terms of bringing jobs back onshore and creating more manufacturing jobs.

The President has promised to increase net take-home pay and expand the middle class. You may recall particularly on the health care bill he said it would reduce health care premiums by $2,500 for a family of four. Unfortunately, he proved to be wrong because the cost has actually gone up $2,400 for a family of four, not down. We know from Labor Department statistics that median earnings for American families have fallen by 4 percent since the recession ended.

I think even its most ardent advocates now are coming to the realization that ObamaCare is not working out the way they had hoped. Indeed, I was on the floor a few days ago with a letter from three union leaders who said that basically it is turning out to be a disaster. It is hurting their own members. Again, these are people who were for ObamaCare, saying it is not turning out the way we had hoped.

The administration itself has implicitly acknowledged this by saying the employer mandate; that is, the requirement for people who employ 50 people or more, is stifling job creation and prompting many companies to take full-time jobs and turn them into part-time jobs. Between March and June, the number of Americans working part time jumped from 7.6 million to 8.2 million. I think the administration saw that number and it scared them a little bit, as it should. Hence, they delayed the employer mandate for another year, unilaterally.

A new survey finds that in response to ObamaCare, 74 percent of small businesses are going to reduce hiring, reduce worker hours, or replace full-time employees with part-time employees.

I am not suggesting those of us who did not vote for ObamaCare should be rejoicing in this development. Indeed, I think it is a sad moment. But even its most ardent advocates are finding out that their hopes and their dreams and their wishes for this government takeover are not turning out the way they should. Again, this is not a time for anyone to spike the ball or to rejoice in the failure of this program. This is a time for us to work together to say: OK, there are people who opposed ObamaCare. They ended up being right in their predictions. There were those who supported ObamaCare and unfortunately for the country it did not work out the way they had hoped. Now is the perfect time for us to come together and say: What do we do next to prevent the failure of this health care takeover by the Federal Government hurting the very people it was supposed to help? This is an opportunity for us to work together to do that.

We need to do something different. Someone said a long time ago that the definition of insanity is doing the same thing over and over and expecting different results. It is not going to happen so we need to do something different. We need to do something different in terms of delivering access to quality health care and making it affordable. Instead of more tax increases and more temporary tax gimmicks, we need fundamental tax reform. This is something that Republicans and Democrats I think all agree on. The President himself said he believes we need to do revenue-neutral corporate tax reform that lowers the rates, broadens the base, and gives us a revenue system that is more conducive to strong economic growth.

Instead of having people in politics pick winners and losers in the economy or pick which parts of the law to enforce and which parts to waive, we need to dismantle what is left of ObamaCare and replace it with sensible, patient-centered alternatives that will lower costs, improve access to quality, and

not interfere with that important doctor-patient relationship—something the Senator from Wyoming has eloquently spoken about many times.

Instead of letting the Environmental Protection Agency regulate our entire economy, we need to expand domestic energy production by eliminating misguided Federal regulations. Instead of adopting energy policies that hamper job creation, we need to adopt policies that help promote jobs such as approving the Keystone Pipeline from Canada and not trying to overregulate something that is already subject to State regulation, such as fracking.

Here in Washington, people act as though this horizontal drilling and this fracking process is something new. We have been doing it in Texas for 60 years and it has been regulated by the oil and gas regulator in our State. They protected the water supply and benefited job creation and economic growth for a long time.

I understand it is hard for those of us who were wrong about their predictions for many of these policies to say: You know what. It did not work out the way we planned. None of us are relishing the failure of some of these policies, but we need to work together and get outside of our ideological comfort zone and address the problem of chronic high unemployment, the fact that our young people are graduating from college and they cannot find jobs. They know they are going to be burdened by the debt we continue to rack up, and that our economy is bouncing along the bottom. I am afraid if we continue with the policies of the last 4 years we will create a lost generation of young Americans who cannot find good, full-time jobs. None of us—Republicans and Democrats alike—wants that to happen, but it is time we did something about it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, later today President Obama is scheduled to give the first in a series of speeches about the economy. He is pivoting one more time to turn his attention to the millions of Americans who are still struggling 4 years after the recession ended. The reason I say ''one more time'' is because this morning one of the reporters said this is about the tenth time the President has pivoted to the economy.

A White House adviser said on Sunday that the President is going to speak about ''what it means to be middle class in America.'' Well, I hope President Obama will talk about how his own policies have harmed and continue to harm the middle class in America. I hope he will talk about the harm that his health care law has done to hard-working families. I hope the President will finally start talking about these things because the American people have been talking about them for a long time now.

I hear it every time I go home to Wyoming—almost every weekend. It doesn't matter whether I am in Fremont County, Park County, Laramie County, or Natrona County—wherever I am in Wyoming, I continue to hear about this law. Now we are even hearing about it from the very union leaders who were among the law's biggest supporters. The heads of three major labor unions put out a letter recently that warned of the damage the health care law is doing to the middle class. They wrote:

> The unintended consequences of the ACA are severe. Perverse incentives are already creating nightmare scenarios.

Perverse incentives are already creating nightmare scenarios. That is what the law's supporters are saying.

They wrote that the health care law ''will shatter not only our hard-earned health benefits but destroy the foundation of the 40-hour workweek that is the backbone of the American middle class.''

If the President wants to talk about what it means to be middle class in America, he needs to explain why his policies are destroying the backbone of the middle class. That is what the union leaders are saying. They are seeing, just like the rest of us, that the job numbers are not good for America.

In June, the number of people working part time who want to work full time soared by 322,000. There are more than 8.2 million Americans working part-time jobs because their hours were either cut back or because they can't find the full-time work they seek.

The White House conceded that the law was a problem for employers when it said they needed relief from the logistical mess the law has created. That is why the Obama administration decided to delay the so-called employer mandate. That was one of the signature parts of the President's health care law. Under the law, every employer with 50 people who were working 30 hours a week or more was going to have to offer expensive government-mandated health insurance. Now we have a 1-year delay on this extremely unpopular and damaging Washington mandate.

If the law is so bad for businesses that they can't handle it in 2014, it is still going to be bad for them in 2015, and that was just one regulation. The President's health care law has already created more than 20,000 pages of new regulations. Well, those regulations concern middle-class families I hear from in Wyoming, and it is not just Wyoming. The front page of the Washington Post has a headline that reads ''Health law's unintended impact on part-timers.''

> For Kevin Pace, the president's health-care law could have meant better health insurance. Instead, it produced a pay cut.
>
> Like many of his colleagues, the adjunct music professor at Northern Virginia Community College managed to assemble a hefty course load despite his official status as a part-time employee. But his employer, the state—

The State of Virginia is his employer. This is not some company, it is the State of Virginia—

> slashed his hours this spring to avoid a Jan. 1 requirement that all full-time workers—

As a requirement in the health care law.

> for large employers be offered health insurance. The law defines ''full time'' as 30 hours a week or more.

This isn't a business worried about a bottom line, this is the State of Virginia.

> Virginia's situation provides a good lens on why. The state has more than 37,000 part-time hourly wage employees, with as many as 10,000 working more than 30 hours a week.

Remember, 30 hours is the key number.

> Offering coverage to those workers, who include nurses—

An important part of our economy and important as far as the needs of our country—

> park rangers and adjunct professors, would have been prohibitively expensive, state officials said, costing as much as $110 million annually.
>
> ''It was all about the money,'' said Sarah Redding Wilson, director of Virginia's Department of Human Resource Management.

The health laws have an unintended impact on part-timers, and as a result it is hurting the middle class.

Middle-class Americans are also worried about their health insurance premiums—and they have a right to worry. The McClatchy News Service ran this headline last week: ''Obama boasts of health care saves, but costs likely to rise for many.''

The article went on to say:

> Experts predict that premiums on individual plans will increase in most states because of the new consumer protections this sweeping legislation requires.

''Consumer protections'' is just the White House's way of saying more red-tape. That includes all of the new, required services people have to have in their Washington-mandated, Washington-approved health insurance. It is all of the health care services people have to pay for in advance whether they need them, whether they want them, or whether they will ever use them. Those requirements are a big part of the reason—and another reason—that health insurance costs are still going up even though Washington Democrats promised the health care law would have the opposite effect.

It is happening all across the country. Indiana was the latest State to announce that premiums are going to go up next year—not down. Last Friday the State insurance department—this is not just somebody looking around—said the average rates for people buying individual plans will go up 72 percent. That announcement follows big increases in Ohio, Maryland, Idaho, Missouri, and Kentucky.

In one State after another, rates for next year are being announced, and they are much higher than they were before the President's health care law went into effect. When President Obama gives his speech today and over the next few weeks he should tell his audience the truth about what is happening to the rates and why. He should

also talk to middle-class Americans about what might happen as far as their access to their family doctor under his health care law.

Remember when the President said: If you like your doctor, you can keep your doctor? That was something the unions wrote about in their letter. It is a promise they think the President now isn't going to keep. Well, I think they are right.

Now the Health and Human Services Department admits that individuals may not be able to keep their doctors. This comes from the Web site the Department set up to try to answer questions people have been asking about the health care law. The Department's Web site now says if you get your coverage through the government's new insurance marketplace ''you may be able to keep your current doctor.''

That is a long way from when the President of the United States stood up and promised—actually he used the word ''guarantee''—you will be able to keep your doctor. It is that kind of backpedaling and broken promises that has union leaders worried. It has them worried, it has job creators hesitant, and it has middle-class Americans all across this country concerned.

Of course, the health care law is just one of the areas where overregulation is hurting the economy. Another example is President Obama's announcement last month of tighter regulations on powerplants. That is on top of the excessive redtape the administration has already put in place that makes it harder and much more expensive for America to produce American energy.

Last week I introduced a bill to block President Obama from going around Congress to implement his national energy tax through regulations. The American people have repeatedly told Washington to focus on jobs, not to roll out more redtape that increases energy bills and decreases economic opportunities.

The President promised that he cared about hard-working, middle-class families, but his policies, one after another, are hurting those families and are making their lives much more difficult.

President Obama needs to stop the Washington spin and tell the truth about his health care law and the truth about his other failed policies. Then he needs to come back to Washington, put aside his tired, old rhetoric and work with the Republicans to do the right thing for the American people. That means coming up with a replacement health care plan to finally give people what they were asking for all along: The care they need from a doctor they choose at a lower cost.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, are we in morning business at this point?

The ACTING PRESIDENT pro tempore. Yes, we still are.

STUDENT LOAN DEBT

Mr. DURBIN. Mr. President, later today we will consider a student loan bill that will affect 11 million students across America.

On July 1 the interest rate paid by students for their student loans doubled; it went from 3.4 percent to 6.8 percent. We know students are graduating with more and more debt. We also know the cost of that debt—the interest rate—makes a big difference in their lives. Sometimes they postpone important life decisions because of student loan debt.

My daughter has a business in New York with two employees who are paying off student loans. She said the biggest worry they have from month to month is making that payment. I understand that too. After taking a look at the increase in debt, we find that student loan debt has now surpassed credit card debt in America. It is more than $1 trillion, and it is growing faster than any other form of debt. It is an indication of an indebtedness we need to take seriously. We will have a chance to do that this afternoon.

There are many different points of view on what to do with student loans. Some people say that the government should be involved but it really should be a market-based system. Others say, no, the government should be involved and it should be a subsidy. We should help students go to school. We should find ways to keep the cost of education affordable, and lowering interest rates is one way to do it.

We will have two amendments this afternoon. Senator JACK REED and Senator ELIZABETH WARREN are offering an amendment that will cap the interest rate on student loan debts at 6.8 percent for most debts affecting undergraduate students and 7.9 percent for other loans. To put a cap on that interest rate means we have to subsidize. In other words, as we project out what the cost of student loans will be based on market interest rates, a subsidy is necessary to honor that cap.

The second proposal will be from Senator SANDERS of Vermont, and his approach is a little different. He basically says we ought to sunset any changes we make to student interest rates today after 2 years and then revert back to the current 6.8 percent rate. That ends up costing about $20 billion. Senator SANDERS may or may not offer a means to pay for that. I believe, from some statements he has made publicly, he believes that should be a debt of the government, but I will leave it to him to make his explanation.

At the end of the day, after those two amendments are considered, we will come down to one basic decision we have to make as a body, Democrats and Republicans. It can be simply stated, and here is what it is: Should the student loan interest rate—currently at 6.8 percent for most students—stay at 6.8 percent or be reduced to 3.8 percent? That is the question.

If we pass the Bipartisan Student Loan Certainty Act, which I have worked with Republicans and Democrats to craft, the interest rate for undergraduate students—that is almost two-thirds of all students—goes down 3 percent, from 6.8 percent to 3.8 percent. I won't mislead my colleagues. It is based on a 10-year Treasury rate and will be projected over a period of time. As general interest rates go up, so will the student loan interest rate from 3.8 percent, but we put a cap on it and say that rate can go no higher than 8.25 percent in a 10-year period of time, protecting students even if interest rates go up dramatically. So there it is.

The final vote will be whether to reduce the student loan interest rate from 6.8 to 3.8 and to cap it for two-thirds of the students at 8.25 percent—no higher than that—for the next 10 years. Students who are receiving subsidized loans won't have to pay the interest while they are in school, and they will have some other benefits at the end of the day. What we are setting out to do is to make student loans affordable for students and to make sure families are not burdened with loans they can't pay back.

I hope my colleagues, no matter what their philosophy on student loans—whether they believe they should be market-based or government-subsidized—realize that at the end of the day we have a very clear choice to make: Stick with the 6.8 percent interest rate or lower it to 3.8 percent.

What does that mean for students, the 3-percent difference? We calculated it. We looked at the average undergraduate student in America, and here is what it means: If we don't lower it to 3.8 percent, if we keep it at 6.8 percent, it means that student, over the course of 4 years of undergraduate education, will pay an additional $2,000 in interest. Why would we want to do that? Why at the end of the day would we want to keep interest rates at 6.8 percent and penalize students with $2,000 in interest over the next 4 years? That is the wrong thing to do.

I urge my colleagues, when the bipartisan alternative comes up, to vote for it. Even if my colleagues believe it should be a government subsidy, which we have not been able to enact, or if they believe it should be market-based—either way, this is a better outcome.

Personally, I hope this isn't the end of the story. Senator TOM HARKIN of Iowa chairs the HELP Committee—the education committee—and he is going to come to the floor soon to start working on the reauthorization of higher education. We understand it is more than the interest rate that is

causing a problem for students; it is the cost—the cost—of higher education.

I went to Georgetown Law School. I couldn't get in there today with the standards they have. Currently, I am told it costs over $50,000 a year to go to this law school—$50,000 a year for 3 years, in addition to undergraduate debt. Well, a person better get a darn good job at a Wall Street firm afterward because they will face a mountain of debt. They are not alone. All across the United States we are seeing tuition rates go up—even at public universities—to record levels.

We have to find a better way to prepare the next generation of leaders in America. The old model of 4 years of undergraduate and then graduate school and professional school has gone beyond the reach of most students and families.

Keep in mind, too, that student loans are different from most other debt. Student loans are not dischargeable in bankruptcy. The debt a 19-year-old student and his family sign up for is a debt that can trail them to the grave. We have cases where people are signing up to basically guarantee the loans of granddaughters to make sure their granddaughter can go to college, and then the granddaughter either drops out or can't find a job and defaults on the student loan, and they proceed to collect it from grandma. I am not making this up. They are garnishing the grandmother's Social Security benefits to pay for student loans she guaranteed for her granddaughter. That is how ruthless this industry is and how tough this debt is.

We have a chance today to make this debt more affordable for students now, to reduce the interest rate from 6.8 percent to 3.8 percent and cap it over the next 10 years at 8.25 percent. I won't mislead my colleagues. In some debt categories of borrowing—graduate students and parent PLUS loans—in the second 4 years the interest rates go up more, and many of those who borrow in those categories are going to find 5 years from now that they are facing a much tougher debt situation. I won't mislead my colleagues on that at all.

I think we can't leave the conversation today and say we are finished and we don't need to talk about it anymore. Let's give the students and families the help they need today, but let's not stop on this issue. On the higher education reauthorization bill, we will have a chance to address overall student indebtedness and affordability for families.

Let me close by saying that the worst offenders—the worst offenders—when it comes to college loans are the for-profit schools. People may not know much about them unless a person is 18 or 19 years old and they can't escape them when they go on the Internet. They are trying to sign up students to for-profit schools, many of which are worthless—worthless.

The numbers to remember are three, and they are going to be on the final, so listen carefully. Twelve percent of all students coming out of high school go to for-profit schools. Twenty-five percent of all Federal aid to education goes to for-profit schools. Forty-seven percent of all student loan defaults are students at for-profit schools. So what is the message there? They are raking in Federal dollars at twice the rate they should, and their students are failing at a rate greater than any other category of schools. Their students are failing to get a job, failing to graduate, failing to pay back their loans.

For-profit schools are a national scandal. We need to deal with them in the higher education reauthorization. I know Senator HARKIN has held hearings on these schools, and he understands this. We need to take an honest look at the schools that are misleading our students and their families. These schools aren't worth the accreditation, they certainly aren't worth the time, and they aren't worth the debt they are pushing on students.

Let me make a marketing pitch, if I may. I say it in Illinois, and I will say it anywhere. If you are graduating from high school and not sure where to go, what you want to do, what you want to major in, your safest bet is your community college. It is nearby. It is affordable. It offers many options. In most States the hours are transferable to other colleges. It is a good way to start your college education. Also, for vocational training, community college is a smart investment. When it comes to these for-profit schools, exactly the opposite is true.

So when we reauthorize higher education, let's come up with a good student loan approach that builds on what we can vote for today, but let's also start looking at the overall cost of higher education, sensitive to the needs of families today to make sure their kids have a fighting chance for the best jobs in America.

I travel all around my State, and I go to businesses. I asked my staff: Find me businesses that have done well in the recession and are hiring today. I find a lot of good businesses, including Kraft Foods in Champaign, IL. Each year they need over 100 industrial maintenance engineers—people to keep the assembly lines running—who understand how to repair things, understand computers, and are good employees. The starting wage for those employees, by and large, is $50,000 a year. That is the average wage in my State. Think about it—a starting wage.

Well, what is holding them back? Why didn't they fill the jobs? The students coming out of high school are not ready. They do not have the math skills or the computer skills. But if they go to Parkland Community College in Champaign, they can acquire it affordably.

That makes sense. That is a way to bring a student out of high school with a year or two of good training at a community college and have a good job and opportunity for a lifetime. It is a great place to start. Those jobs are all over my State and all over America.

So let's focus on affordability in higher education, on training for vocational skills that give people a chance to become skilled apprentices and beyond, and let's make sure today that we do not miss this opportunity to reduce interest rates.

A ''no'' vote on the bipartisan plan will keep interest rates for students at 6.8 percent. A ''yes'' vote will lower the interest rates for two-thirds of students to 3.8 percent and save those students $2,000 over the next 4 years. It caps that interest rate at 8.25 percent. That is a guarantee that no matter what happens to interest rates, these students will be protected.

This is a pretty basic choice. We need a strong bipartisan vote. Regardless of your philosophy on what student loans should look like, keep these families and students in mind. If you are frustrated with the legislative process, frustrated that Congress is not doing it exactly the way you want to have it done, do not take it out on the students and their families. Give them a break today with a ''yes'' vote for the bipartisan bill.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Washington.

Mrs. MURRAY. Madam President, what is the pending business?

The PRESIDING OFFICER. The Senate is currently in morning business.

Mrs. MURRAY. Madam President, I yield back the remaining time in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1243, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1243) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, for the information of all Senators, we are now back on the transportation and housing appropriations bill. My colleague and I, Senator COLLINS from Maine, will be here all day working our way through any amendments that our Members have to offer. We encourage Members to come to the floor and let us know what those are so we can get this done in a timely fashion.

Madam President, I believe, under the previous order, Senator PORTMAN is here to offer his amendment, and I yield to him at this time.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 1749, AS MODIFIED

Mr. PORTMAN. Madam President, I call up amendment No. 1749 and send a modification of my amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Ohio, [Mr. PORTMAN] for himself, Mr. BROWN, and Mr. MCCONNELL, proposes an amendment numbered 1749, as modified.

Mr. PORTMAN. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prioritize certain projects under the bridges in critical corridors program)

On page 26, line 12, after ''benefits'' insert '', and projects shall be carried out on bridges that the Federal Highway Administration has classified as structurally deficient or functionally obsolete''.

Mr. PORTMAN. Madam President, thank you for allowing me to offer this amendment today, and I thank my colleagues from Maine and Washington State for agreeing to work with us on this important amendment. I also thank them for the way they are conducting this appropriations bill by allowing amendments to come forward and having debate.

This amendment is one that I think will be relatively noncontroversial. This is an amendment to the underlying Transportation and Housing and Urban Development appropriations bill. It simply says that our nation's bridges that need repairs the most ought to be prioritized.

There are bridges that are classified by the Federal Highway Administration as ''functionally obsolete'' or ''structurally deficient,'' and we want to be sure they receive priority consideration under the section of the bill that provides for Bridges in Critical Corridors. This is a fund that is established under the appropriations bill. In this way, we are helping to ensure that fund in question actually accomplishes its objective.

We all know the Federal Government's highway trust fund dollars are stretched very thin and, frankly, there are not enough dollars that are making their way to the core infrastructure needs we have in this country. In fact, in 2008, the fund got in trouble, and since that time it has been bailed out four times from the Treasury's general fund, and a fifth bailout is now scheduled for fiscal year 2014. Clearly, the funds are very limited, and we have to be very careful and resourceful in how we spend those funds.

This appropriations bill does include, as I said earlier, a separate funding mechanism—$500 million—for Bridges in Critical Corridors across the country. I know there are some in this Chamber who wonder whether that is necessary in the legislation, and I understand their argument. But if we are going to include this special fund, let's be sure the money is used in the most efficient way possible, and that is what this amendment is all about. Let's be sure we target the limited resources we have in a way that addresses our Nation's bridges that are outdated and often at risk.

This amendment narrows the number of bridges that receive priority consideration by 75 percent, and does so by focusing these resources on functionally obsolete and structurally deficient bridges throughout the country that need the funding. These are the bridges with problems that if left unaddressed could be in tomorrow's headlines.

We do not have to just deal with hypotheticals, it is happening. We have all seen recent accounts of this functionally obsolete Skagit River Bridge on Interstate 5 in Washington State that collapsed in May. I know Senator MURRAY was very involved in responding to this. It was struck by a truck that exceeded the bridge's height limit. The good news is there were no direct fatalities, unbelievably—at least in this instance there were not. The bad news is there are a lot of bridges that are functionally obsolete or structurally deficient around the country. There are thousands of them, and we need to be sure that, again, they are prioritized in this legislation.

One of those bridges happens to be the Brent Spence Bridge in my hometown of Cincinnati, OH. The bridge is located at the critical intersection of I–75 and I–71—an important artery—and it is a bridge between southwest Ohio and northern Kentucky.

This Brent Spence Bridge was built nearly 50 years ago, and it was designed to carry 80,000 vehicles every day. As of this year, it is carrying more than double that number every day. It is expected to exceed 200,000 vehicles per day by 2025.

To facilitate the increased traffic and congestion on the bridge, the engineers actually removed the bridge's emergency shoulders, so there are no emergency shoulders on the bridge anymore. They also had to narrow the lanes to 11 feet rather than the 12 feet recommended by the Federal Highway Administration. So this makes it hazardous for drivers. It also has not alleviated the congestion much because it continues to result in an average of 3.6 million hours of delay for passenger vehicles every year.

So Brent Spence is one example of an endangered bridge this amendment could help. We need to ensure that bridges such as Brent Spence receive the priority access to the funds in the Bridges in the Critical Corridors section of this legislation.

So for this reason, I would urge my colleagues to support this commonsense amendment.

Again, I want to thank Senator COLLINS and Senator MURRAY for allowing this amendment to be part of the process.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I support this amendment. What it does is it clarifies that when the Department of Transportation awards funding under Bridges in Critical Corridors, priority should be given to structurally deficient and functionally obsolete bridges.

The Federal Highway Administration uses those terms to talk about the status of the bridges across the country. So when a bridge is ''structurally deficient,'' its condition has deteriorated over time. And when a bridge is ''functionally obsolete,'' its design does not meet today's standards. Both situations, obviously, can be a serious concern.

In the underlying bill itself, I took the initiative to include an additional $500 million for these bridge investments so that we can address these serious concerns across our country and make sure our transportation network is safe and reliable.

So I support this amendment. I urge our colleagues to vote for it.

I would ask the Senator from Ohio if he wants a voice vote and would allow us to move forward on it now or if he requires a rollcall vote.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I would defer to the chairwoman. I would like a voice vote, if that is what the chairwoman would prefer. But it might be a good amendment to have a recorded vote on.

What is the chairwoman's preference?

Mrs. MURRAY. Madam President, it is completely up to the Senator from Ohio. As I said, if the Senator offers us a voice vote right now, I can guarantee its adoption quickly. How long does the Senator want to wait to vote?

Mr. PORTMAN. Madam President, I think I will take the Senator up on her offer.

Mrs. MURRAY. A wise choice and a good example for those Senators who follow the Senator in offering an amendment.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I just want to commend the Senator for his amendment. The fact is that 25 percent of our Nation's bridges are either structurally deficient or functionally obsolete, as described by the Senator from Ohio.

In my home State of Maine, nearly a third of our 2,408 bridges are deficient. Senator PORTMAN's amendment targets these funds to ensure that they are awarded to structurally deficient or functionally obsolete projects in an effort to respond to our Nation's crumbling infrastructure.

Like Senator MURRAY, I support this amendment, and I too am prepared to accept it on a voice vote.

The PRESIDING OFFICER. Without objection, the question is on agreeing to the amendment offered by the Senator from Ohio.

The amendment (No. 1749), as modified, was agreed to.

Mrs. MURRAY. Madam President, I move to reconsider the vote.

Ms. COLLINS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. MURRAY. Madam President, I thank the Senator from Ohio for bringing his amendment before us and setting a good example for all Members, as we now move forward, to bring their amendments to the floor. We will work our way through them. We hope everybody can contact myself and Senator COLLINS as quickly as possible so we can get these amendments up.

AMENDMENT NO. 1760

With that, Madam President, I call up Senator CARDIN's amendment No. 1760.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for Mr. CARDIN, proposes an amendment numbered 1760.

Mrs. MURRAY. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the Secretary of Transportation to submit to Congress a report relating to the condition of lane miles and highway bridge deck)

On page 38, between lines 17 and 18, insert the following:

SEC. 127. The Secretary shall submit to Congress a report describing the percentages of lane miles and highway bridge deck in each State that are in good condition, fair condition, and poor condition, and the percentage of Federal amounts each State expends on the repair and maintenance of highway infrastructure and on new capacity construction.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, as the chair of the full Committee on Appropriations, I rise today to comment on this bill, but also to thank and acknowledge the really important role that Senators Murray and Collins have played. Really, it has been the way the Senate should operate. They have held extensive hearings in the subcommittee on America's needs in transportation—an ever-piling up backlog that we need to address.

It would accomplish several good, agreed-upon public policy goals. No. 1, safety. Because when we are talking about roads, bridges, and the other infrastructure areas in this bill, safety is our No. 1 priority.

No. 2, when you are building or repairing a bridge in Maryland, Maine, Washington State, or North Dakota, those people are working in the United States of America, and, hopefully, the supply chain involved—whether it is asphalt to steel—is made in the good old USA. So what we would do is improve the safety rates and lower the unemployment rate and at the end of the day have something to show for it.

So many of the American people are frustrated with us when it comes to spending because they think if they give us $1, we will spend $2 and not have spit to show for it. But yet in this bill, at this time, we have a legislative framework, and a restrained fiscal framework, to be able to move on important transportation infrastructure needs and on housing.

The appropriate role for the Federal Government to be involved in is housing: those things that are involved in, No. 1, promoting economic development in blighted areas, regardless of whether you are in an urban State or a rural State. The needs of North Dakota are different than the needs of Maryland. Even in my very dear State of Maryland, we have different needs in different parts of the State. The robust Baltimore corridor, which is more urban, requires one framework for the community development block grant money.

If you go to Garrett County, in the western part of my State, that was hit by a blizzard during Hurricane Sandy or you go down to the Eastern Shore, Somerset County, that was hit by a hurricane, literally flooding to dangerous proportions—those two counties have as high a poverty rate as Baltimore City.

So when we talk about the great things in this bill, what I like about it is it is local—it is money that will come for local needs. The needs of Garrett County and Somerset County are different than the needs of Baltimore City. But what we do know is that we need jobs and we need to be able to address the needs of the people who want to be middle class and are looking for an opportunity to get there and also for the compelling needs particularly of the elderly and disabled.

Again, we in the Senate know because we are urban and rural and suburban. You meet different needs according to the locale. In Baltimore City, it is a high concentration of elderly in certain areas. We can meet those needs through a combined effort of housing, Meals On Wheels, helping people be able to receive coordinated services to keep them independent and healthy. When you get to the rural parts, that is even harder.

So what I like about this bill is it is, first of all, focused on rebuilding America. I so salute our troops. We have been in a 10-year war. The consequences of that war will be felt by the men and women who served and the taxpayers who have to pay it for many years to come.

But as we look at this, what they fought for is for America. Now we have to think about rebuilding America. I am glad we gave it a try in Iraq. OK. We gave it a try in Afghanistan. But come home, America. As the troops come home, and hopefully the money comes back home, we begin to show results there. If we rebuild our infrastructure, focus on compelling human needs, I think we will not only serve the Nation well but people will begin to have trust in us that through smart approaches, restrained spending, we can get there.

I am proud of what this bill does in Maryland. It does create jobs. It helps with infrastructure. This bill is absolutely crucial to Maryland. First, the THUD bill provides $40 billion for highways and nearly $9 billion for mass transit. We need that. This means Maryland will receive in fiscal year 2014 $700 million.

We are not waiting only for the Federal Government. The Maryland General Assembly recently increased the gas tax—very controversial—because of our compelling needs. Governor O'Malley and our general assembly wanted to rise to the occasion, but they want us to rise to the occasion as well.

As we look at some of these projects, they affect not only the State of Maryland but they affect the region and the Nation. The Presiding Officer was not here when we had a horrific accident in 2009 on the Metro. The Metro suffered a terrible crash: brakes failed, safety systems failed, a lot failed—nine people lost their lives.

We said we were going to create a safety culture and turn to our National Transportation Safety Board to be able to do it. I made two promises to families: that I would do everything I could to see what were appropriate Federal safety standards and to put money in the Federal checkbook to improve that safety. I demanded reforms at Metro management to a culture of safety.

So where are we now? Guess what. We have put money in the Federal checkbook, $150 million to continue to buy the important crash-resistant cars that will be able to help them. The money will be used for signal improvement, rail car maintenance to make sure we are improving this.

Safety is the No. 1 obsession with me. In addition to working on Metro, I know this bill deals with FAA's contract tower program, a subject of much debate during last year's continuing funding resolution. I remember real debate with Senator MORAN on how we could keep those airports open.

They are the first to be hit by the sequester. I have five of them. They are in communities called Easton—by the way, Secretary Rumsfeld is down there. Cheney would come by as well—the Frederick Municipal Airport that the President uses periodically for

coming to Camp David, Hagerstown, Martin, Salisbury, and Ocean City.

Those towers are important for two reasons: national security and economic security. So we are looking at how we can make sure we keep these towers open so airplanes can come and land safely and take off safely and aid the commerce to our communities.

You have heard me also speak about housing and community development. When I got started in Congress, we had something called revenue sharing that was started by President Nixon so the local communities would get formula-based funding to help them rebuild their communities or strengthen them in the area of economic development.

That changed. That ended. That ended during the Gingrich era. But we came up with community development block grant money. Again, that money comes locally to meet local needs. The criteria are: eliminate blight, improve employment opportunities, and be able to create a sustainable infrastructure that will not need government subsidies so the community can be able to sustain itself and build on that to create jobs.

We are very impressed with this. Again, this legislation meets needs for seniors and housing. I could go on about it. But this bill is a very important accomplishment for the State of Maryland. When I talk about safety, I note the Portman amendment. I note Senator CARDIN has an amendment on a report on the highway deck.

I wish to say something else. We had some tough things happen in my State over the last couple of days on the Bay Bridge. Many of the people in this Senate travel the Bay Bridge, some to go to their State. We are a next-door neighbor with our pals from Delaware, Senators CARPER and COONS, who represent the Delmarva Peninsula, a wonderful place. We hope the Presiding Officer comes over sometime and actually sees real water, oceans and rivers and crabs and so on, the Senator from North Dakota.

But this bridge, we now have two of them because of the volume, and then, second, the way people travel on it, the velocity has increased. Last Friday, we had a terrible situation where a truck tailgated a passenger vehicle and pushed it off the bridge—off the bridge. The car fell 40 feet.

Thank God the passenger survived, a young lady who—the impact was so hard, the windshield broke, so she was able to get out. She is a fitness instructor. So she had the robust and physical vigor to be able to swim to safety. We thank God for her survival. But we are now scared on the Bay Bridge.

Yesterday, we had another head-on collision on the bridge. The AAA, the American Automobile Association, has called upon the National Transportation Safety Board to review the conditions on our bridge. Are the barriers high enough? Should we be using two-way traffic now to alleviate the traffic jams because transportation is changing? In other words, these are very important questions related to safety.

Do we need another bridge? An analysis needs to happen. If we build another bridge, should it be there or further south? Controversy. But again we need analysis.

I cite that example because as I review the facts of this case and consult with the State, I too am considering joining with the American Automobile Association to ask for the NTSB to review the accidents on the bridge and give us recommendations in terms of what we need so it does not happen again.

You cannot fall 40 feet. It could have been someone elderly. There could have been babies in that car. It does not matter. You cannot fall 40 feet off the bridge being rear-ended by a trick and think it is OK. You cannot have a head-on collision and think it is OK. I do not think it is OK what is happening on the Bay Bridge.

I now want to work with my Governor and consider what are the best steps forward. But as of today, I am very strongly recommending a review by the National Transportation Safety Board to look at it. It is not only what is happening in Maryland. It is what is happening all over America.

I see on the floor the Senator from Oklahoma. I am going to yield the floor so others can speak. But before I do, I wish to compliment Senators MURRAY and COLLINS and the way they have been moving this bill. I think it is important.

I suggest the absence of a quorum.

Mr. COBURN. I wanted to speak for a moment about——

Ms. MIKULSKI. Wait a moment, I suggested the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded just to talk about the THUD bill.

Ms. MIKULSKI. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue the call of the roll.

The legislative clerk continued the call of the roll.

Ms. MIKULSKI. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, my colleague from Oklahoma was waiting to offer amendments, but filling in for Senator MURRAY, I was trying to get a sense what that meant. The reason I wanted the quorum to go on was so I could have a chance to talk to the Senator from Oklahoma. Wherever he is, I want him to know that if he thinks I was trying to stifle him or not allow him to have his rights on the Senate floor, I apologize. What I was trying to do was create an orderly process so we could keep this excellent momentum going. I invite Senator COBURN to please return to the floor. If in any way he felt I was being negative toward him, I do not mean that. In fact, what I meant was let's get it clear so he could go forward.

The Senator from Oklahoma and I have an excellent relationship. We have agreed on many things, and we have duked it out on others. We did promise an open amendment process, and we intend to keep it.

Again, I apologize. I invite him to come back to the floor. Let's have a discussion and let's keep it going.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MIKULSKI. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I wish to add some further comments on the bill while we are waiting for Senators to return to the floor to offer amendments. I note the gentlelady from Maine is returning.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. BALDWIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. BALDWIN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT LOANS

Ms. BALDWIN. Making college affordable is one of the most important steps we can take toward completing our economic recovery and ensuring a path to the middle class for all Americans. As a Nation, we are still working to recover from the largest economic downturn since the Great Depression. Access to student loans at affordable interest rates represents an incredibly important piece of this vital recovery.

I often use a quote of President Obama that he included in his State of the Union Address a couple of years ago. It says to win the future, we must outeducate, outinnovate, and outbuild the rest of the world. I believe we do this best by supporting our students and investing in their future.

Unfortunately, the Student Loan Certainty Act on the floor today is a step in the wrong direction. A college education should be a path to prosperity, a path to the middle class, not a path to indebtedness.

As many of my colleagues have described, the bill before us today offers students and families lower student loan interest rates in the near term, but we can fully expect higher student loan interest rates in the years to come.

For families with multiple children who are college bound, their children's education becomes more expensive in each ensuing year. This means that under this plan, a current freshman in college may get a decent student loan interest rate for a few years, but a current freshman in high school will end up with rates much higher than the cap contained in current U.S. law.

Not only does this legislation raise long-term interest rate loans for students, it fails to close tax loopholes. It does not ask the wealthy to pay their fair share, and it burdens students who can least afford it with deficit reduction.

The bill before us lacks a true vision for outeducating the rest of the world. It doesn't ask our country to invest in the future, nor does it offer a comprehensive solution to college affordability. Rather, it offers a poor permanent fix and slaps students and their families with the bill.

I remind my colleagues that there were multiple alternative solutions proposed before Congress slumped over the July 1 deadline that doubled the interest rates on student loans. I supported two measures offered by my colleague from Rhode Island, Senator REED, that would have paid for lower interest rates for students by closing tax loopholes for the very wealthy in our country. The Senate twice voted on Senator REED's proposals and they received a majority vote each time.

We are also making a good-faith effort to address the shortcomings of the bill before us to work toward a deal that would be a true win for students and their families. The Reed-Warren amendment, which I proudly cosponsor, would impose a lower cap to protect student borrowers. Why on Earth would we wish to expose our students to higher rates?

Senator SANDERS' amendment would sunset the current deal in 2 years and allow for a return to regular order so Congress can rightly deal with interest rates and a host of other issues that affect college costs. These amendments are sound improvements to the underlying bill that would allow us to invest in students and families, rather than obfuscate the student loan and debt problem. I am disappointed that we have reached the point where debates about the future of college affordability are less about the lives of students and their families and more about protecting loopholes for corporations and the wealthy.

It wasn't always this way. In 1944, starting with the compact to returning soldiers from World War II made through the GI bill, our Nation made a commitment to future progress by investing in education. Between 1944 and 1951, 8 million veterans received education benefits, including many former distinguished Members of this body.

In 1958, President Dwight Eisenhower, a Republican, signed the National Defense Education Act, providing loans for college students and funds to encourage young people to enter teaching careers, the precursor to our current program for student loans.

President Lyndon Johnson built upon this legacy. A cornerstone of the Great Society was a path to the middle class through a college education. The Higher Education Act of 1965 gave us the Federal student loan program, known today as the Stafford Loan Program, and the Educational Opportunity Grant Program, known today as the Pell Grant Program. This generation of American lawmakers lived in trying times—winning a war, fulfilling the dream of the civil rights movement—yet they still had the foresight to make the hard choices, the choices necessary to invest in the future—our future.

Legislation I supported as a Member of the House of Representatives built on this investment and lowered the subsidized Stafford loan rate to 3.4 percent, which was the rate at which students borrowed until July 1. We recognized that investing in students is important, and lowering rates is a part of that investment.

The fact that State investment in higher education has declined significantly over the past decades has exacerbated the problem. Particularly as States struggle to balance their budgets in these tough economic times, their investments in students have decreased, meaning higher tuition, fewer grants, and fewer scholarships.

I hear regularly from Wisconsin students that the cost of higher education in my State puts college out of reach for some. Thirty years ago undergraduate tuition at the University of Wisconsin-Madison was about $1,000. Today it is well over $8,000. And it is not just my home State of Wisconsin. Across the country tuition at public 4-year colleges has tripled. This means more students are borrowing through Federal student loan programs to cover the higher cost of higher education. For students at the University of Wisconsin System, unmet needs after grants and scholarships is over $9,000—nearly doubling in the last decade. Yet the Federal Government limits on subsidized loans have remained relatively stagnant over the past 30 years. In many cases the limits on what a student can borrow through the Stafford Loan Program means their loans will not even cover the cost of their tuition.

This is what it all comes down to—a series of choices. Are we going to sacrifice the progress of our next generation because we are unwilling to do the hard work and make those tough choices now? Are we going to gradually chip away at the ladders of opportunity put in place by the generations before to lift Americans into the middle class and out of poverty; do we ask the wealthy to pay a little bit more; do we ask corporations to pay their fair share. Or do we say to students: You are on your own; sink or swim.

I say to students across Wisconsin and this great country: We should all be in this together. We must continue this compact from one generation to the next. The veteran who was educated on the GI bill wants to see his neighbor's children able to afford college. The teacher who earned her education through the Pell Grant Program wants the same opportunity for her students. The mother who attended college through the Stafford Loan Program does not want to see her savings for retirement depleted or her children sapped with debt.

I reject sacrificing the progress of the next generation because we are unwilling to do the hard work and make the hard choices now. I reject short-changing the next generation of young Americans by making college more expensive and then using the profits from their high interest rates to pay down the deficit, particularly when we ask the wealthiest to contribute nothing.

If we are to win the future, we must make the hard important choices now. For this reason and for the hard-working people of Wisconsin, I oppose this bill, and I urge my colleagues to do the same.

I yield the floor.

Ms. MIKULSKI. Well said.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, we have had a good discussion about how to proceed with this bill. The chairman of the full committee has been extremely constructive in exercising her leadership. She very much wants a new approach, and I commend her for bringing bills individually to the Senate floor.

What we are going to propose—and through the Chair I would like to engage in a colloquy with the chairman of the full committee—is that, as usual, we would go back and forth, one side then the other, in considering amendments but that we would allow Senator COBURN to file a series of amendments at this point. They are already filed, but he will call them up and make them pending, with the understanding that we would set aside individual amendments so we could keep going back and forth and so that other colleagues on the Republican side who have amendments would not be shut out but, rather, would be accommodated as well.

Is that the understanding of the chairman of the Appropriations Committee?

Ms. MIKULSKI. I thank the Senator, and I wish to respond to the ranking member of THUD to say this: No. 1, yes, that is our understanding. As we move ahead on this bill, remember that this is the first appropriations bill on the floor in 2 years and the first time THUD has been on the floor in 4 years. The Senator from Maine and Senator MURRAY are to be commended. The old-school way—old school, with respect—was an open amendment process with alternating amendments back and forth. Old school was never to bring up 12 or 15 amendments at one time; it was usually 1 amendment.

So the understanding is that it is to go back and consider one amendment at a time, alternating sides, with the understanding that the Senator from Oklahoma wishes to speak on a variety of amendments and offer them.

Again, I think we have cleared the air, and I am so happy about that. So I do concur with the Senator from Maine.

We also understand, in addition to his amendments, alternating among the ranking member, the chair, and the chairman of the subcommittee, there might also be other intervening amendments; is that correct?

Ms. COLLINS. I would say through the Presiding Officer that is my understanding as well. And I think this was a very good example of everyone operating in good faith.

I, for one, am prepared for the Senator from Oklahoma to proceed, but I would note that the Cardin amendment is the pending amendment.

Ms. MIKULSKI. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, first of all, I thank the chairman of the full committee and the chairman and the ranking member of the subcommittee. I first want to give them some praise. Although I don't agree with the total numbers in this bill, I do recognize the significant changes they have made to the bill with ideas we had 2 years ago, and I am very appreciative of the fact that the slumlord problem is being taken care of, the count on vehicles for the Federal Government is being taken care of, and the conferences are being taken care of. Almost all of my concerns have been addressed very faithfully in looking at those issues we raised and actually including them in the underlying language, and I am very appreciative of that.

In terms of getting amendments up, my desire is just to get them up and pending and to be flexible with the chairman and the ranking member on which ones they will accept, which ones they do not want to take a vote on, and then talk about that and not to ramrod the process. It is only a matter of efficiency for me. If their pleasure is for me to do one or two or three and then come back later and do it again, as long as we have an open amendment process, I don't have any problem with it.

I do think we have some ideas to improve this bill, and I think the amendments ought to be considered. So I thank them for their consideration and allowing me to make some amendments pending, and I will talk with both the chairman and the ranking member about when and what we will do with the disposition of those amendments.

AMENDMENT NO. 1750

Madam President, I call up amendment No. 1750, and I ask unanimous consent that the pending amendment be set aside for the purposes of calling up this amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 1750.

Mr. COBURN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit funds from being directed to federal employees with unpaid Federal tax liability)

On page 185, lines 9 and 10, strike ''or provide a loan or loan guarantee to, any corporation'' and insert ''provide a loan or loan guarantee to, provide an annual salary to, or provide any other federal funding to, any Federal employee, any individual, or any corporation''.

AMENDMENT NO. 1751

Mr. COBURN. I ask unanimous consent that the pending amendment be set aside and that I be allowed to bring up amendment No. 1751.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 1751.

Mr. COBURN. I ask unanimous consent that amendment be considered as read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit Federal funding of union activities by Federal employees)

At the appropriate place, insert the following:

SEC. _____.

None of the funds made available under this Act may be used to pay an employee (as that term is defined in section 7103 of title 5, United States Code) for any period of official time (as that term is used in section 7131 of title 5, United States Code).

AMENDMENT NO. 1754

Mr. COBURN. I ask unanimous consent that the pending amendment be set aside and that we bring up amendment No. 1754.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 1754.

Mr. COBURN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To prohibit Federal funds from being used to meet the matching requirements of other Federal Programs)

On page 104, line 12, strike ''*Provided further*'' and all that follows through ''use of any such funds'' on line 18, and insert ''*Provided further*, That for all match requirements applicable to funds made available under this heading for this fiscal year and prior years, a grantee may not use as a source of match funds other funds administered by the Secretary and other Federal agencies''.

Mr. COBURN. Madam President, I would like to spend a moment talking about amendment No. 1750.

This bill has a prohibition in it that I think is long overdue and very good. What it does is it prohibits the transfer of funds for Federal assistance in the bill to corporations with delinquent taxes. I believe that is a great step in the right direction.

Companies that are contracting with, doing business with the Federal Government have an obligation to pay their taxes, but I also believe our Federal employees ought to be paying their taxes as well. We have $5 billion due to the Federal Treasury from Federal employees where the cases have been adjudicated. They are not under question any longer. There is no question about whether the money is owed. They have run through all their appeals. All this amendment would do is to strike the same balance for both independent contractors, which is not a part of the Senate bill as presently on floor, and individual Federal employees who have a tax obligation.

When the average Federal compensation fully absorbed is calculated, it is in excess of $134,000 a year. That includes all the benefits and everything else. That is twice the per capita median family income in America. So the fact that we have this large of an outstanding amount—it is about $1 billion—with current active Federal employees, I believe there ought to be some consequence for Federal employees who have a tax obligation but aren't paying it and whom we continue to keep in our employ and continue to pay them with no payment back to the Federal Treasury.

In one division of the Federal Government—the Internal Revenue Service—if, in fact, an individual is found in a situation such as this, they lose their job. It is grounds for termination. So this is a simple improvement that would say what is good for American taxpayers is also good for Federal employees and what is good for businesses that do business with the Federal Government is good for Federal employees. And what is good for the businesses ought to also be good for independent contractors who owe the Federal Government money.

So I would be happy to have any modifications the committee might recommend to this as well, but in terms of fairness and running a $17 trillion debt and running $600 billion in deficits, we ought to be aggressive about collecting the taxes owed to us that there aren't any questions about. The principle the committee used in terms of businesses that deal with the Federal Government ought to be applied to individual contractors and individuals as well.

With that, I thank the chairman and the ranking member of the subcommittee, as well as the chairman, for the opportunity to offer this amendment and will await their disposition and their plan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, President Barack Obama today is in the Midwest talking to folks about how important it is that Congress return its focus to our Nation's economic recovery. I couldn't agree more. Flustered by filibusters and paralyzed by politics, Washington has gotten off track, and it is time that changes.

The Senate this week has an opportunity to pass an appropriations bill. I am grateful for the leadership of Senator MURRAY of Washington and ranking member Senator COLLINS of Maine in bringing this appropriations bill to the floor. I am still fairly new here, relatively speaking, but I am told it wasn't an unusual or shocking occurrence back in the day for the two parties to come together to negotiate and pass a bipartisan spending bill.

The bill in front of us would fund the Departments of Transportation and Housing and Urban Development. While I think to most people these agencies aren't especially related to their daily lives, both are actually fundamentally about investing in our Nation and its critical infrastructure—the roads we drive on, the homes we live in, the trains and planes we ride on, the ports our goods are shipped through. This bill is about infrastructure. We know that when we invest in America's infrastructure, we are actually investing in America's communities and in America's future.

This bill is about building the infrastructure for the long-term strength and stability of our communities and our country, and it is about putting Americans back to work. This bill will put Americans back to work on a wide range of major transportation projects in communities across our country. The programs in this bill have meant an enormous amount to my home State of Delaware, as I know they have to the Presiding Officer's. They can continue to have an important, positive impact on communities across our country, but only if we can come together to fund them.

The so-called TIGER grants program helps States and local governments pay for new highways and bridges, public transit projects, railways and port infrastructure. It is a competitive, highly sought-after program. For the current fiscal year, the Department of Transportation received nearly 600 applications from across all 50 States, the District of Columbia, Puerto Rico, Guam, and American Samoa—$9 billion in requests for just $470 million in available funds. That competition helped focus these resources where they were best leveraged and where they would have the best impact. In my view, our communities need these funds, and they need this bill to make possible this program.

TIGER grants in Delaware made possible the building of the Newark Regional Transportation Center, which will support 350 high-skilled, high-wage construction jobs a year while it is being built. This new center will give folks in New Castle County new options for public transportation, cutting down on the number of cars on I–95 and our local roads, and strengthening the community.

TIGER grants are a core part of our Nation's infrastructure strategy, and they will be at risk if we don't move this bill forward.

The new Bridges in the Critical Corridors Program is another significant part of our infrastructure strategy, and I commend Senator MURRAY for her efforts to ensure that our Nation's bridges are safe. At home in Delaware, one out of five bridges is deemed structurally deficient or functionally obsolete. Let me repeat that. One out of five bridges in my little home State of Delaware is structurally deficient or functionally obsolete. They may have major defects and need major repairs or may have been built so long ago that they are not up to current code. Either way, I think we would agree that this Nation, our constituents, our communities need our bridges to work, and work safely.

We also need and rely on our highways. The Federal-Aid Highway Program uses the highway trust fund to help States and local governments to help plan, build, and repair our Nation's needed roadways. It is a true Federal-State-local partnership and has helped ensure consistent quality and safety standards on highways across our country for nearly a century.

I shouldn't have to explain to this body why having functional roads is important to businesses, to families, or even to the public's safety, but I will say this: There are more vehicles on the roads year over year than ever before. Part of our responsibility is to make sure those roads work—and work safely. Another part is to offer our citizens other options to reduce the traffic burden on those roads.

This bill also contains two new programs to do just that, that I think are worth highlighting. The New Starts Transit Program supports projects to provide new or expanded public transportation services. The passenger rail grants, of particular interest to me, are focused more narrowly on intercity passenger rail services designed to reduce traffic congestion.

How are we going to move this country forward if we can't move around within this country? As a Congress, we have to do more to strengthen our Nation's infrastructure, and that is a big part of what this bill does.

I recently joined the Appropriations Committee after the passing of a great senior Senator—Senator Frank Lautenberg of New Jersey—who was for many years a great and tireless champion of Amtrak. He fought harder than anybody to build Amtrak into what it is today because he saw that with our population steadily growing we needed to be prepared to provide reliable, safe, affordable transportation, in particular here in the eastern region.

At his funeral, Vice President BIDEN said that, ''If it wasn't for Frank, Amtrak wouldn't be what it is today.'' He is right. And, of course, our Vice President famously rode Amtrak down to Washington every morning and home to Delaware every night that he served as a Senator, as I do now. I took the 6:25 down, and I hope, God willing, to be on the 7:00 home. We will see.

Amtrak, in this region in particular, isn't a luxury, it is a fundamental and critical part of the economy, not just in my home State of Delaware and at least a dozen States on the Atlantic seaboard but across the country for communities that rely on passenger rail to connect with the Nation's major economic centers.

Senator Lautenberg once said,

> If we shut down the Northeast Corridor rail service, you'd have to build seven new lanes on Interstate 95 just to carry all the travelers that use these trains every day.

In the last fiscal year, Amtrak achieved a new milestone of 31.2 million riders. In fact, they had record ridership 9 out of the last 10 years, and Amtrak continues to make steady progress in reliability, capacity, and on-time performance. How could we possibly afford to replace this vital service with, as Senator Lautenberg suggested, seven new lanes of interstate running up the entire length of the east coast?

Now is not the time, in my view, given all these standards of progress that they have met, to gut Amtrak, as our counterparts in the House seem determined to do. Now is the time to help Amtrak build on its steady gains and progress and continue to grow. Amtrak is a vital part of dozens, even hundreds, of communities across this country. So in my view, to invest in Amtrak is to invest in those communities and their future.

The other major portion of this bill that we consider today is housing, the transportation and housing appropriations bill. As our economy continues to recover, people in communities all across our country are looking to us to help them grow. Housing infrastructure is just as important a part of the foundation of our country and our communities as is transportation. In low-income neighborhoods, restoring community infrastructure is the foundation for future economic growth. That is why this bill's strong investment in the Community Development Block Grant Program, one of HUD's longest running and in many ways most successful programs, is so critical.

As the Presiding Officer knows, I served as a county executive before joining the Senate. In that role, our

local government made efficient, focused, targeted use of CDB grants to provide for housing assistance for low-income seniors, for the disabled, for communities across our country in New Castle County, DE.

CDB grants are high-yield investments that work all over this country, that are controlled in many ways at the local level, and that enable communities to rehabilitate buildings, streets, and sewer systems that literally lay the groundwork for new business growth and vibrant revitalized communities. As the hardest hit Americans work tirelessly to get back to work and back on their feet, housing programs, also included in this vital bill, ensure they can keep a roof over their heads or that they have the possibility of safe, clean, sanitary, affordable housing in their future.

In Delaware, nearly 4,000 people were homeless in our small State at least once last year, and more than 200 of them were veterans. All over this country, I know many of our colleagues are concerned about the number of our veterans who fought for us overseas and now face and endure homelessness here at home. For those who felt the despair and loss and loneliness of homelessness, those who lived with this fear that they will one day experience it as well, the housing programs funded in this bill are a lifeline. I want to particularly thank Senator MURRAY for her leadership on ensuring that we end the scourge of veteran homelessness in our country.

Homeless assistance grants, another key provision in this bill, help Delaware organizations, and organizations all over this country, to offer permanent and transitional housing to once-homeless persons, while providing services including job training, health care, mental health counseling, substance abuse treatment, and childcare.

And last, the HOME Investment Partnerships Program helps to expand the supply and affordability of housing to low-income families and individuals, many of whom are elderly or disabled. In my home State of Delaware, a recent grant from the Project Rental Assistance Demonstration Program will create and sustain 170 units of affordable housing over 5 years for persons with disabilities.

For millions of Americans and for thousands of Delaware families, the key to a better home lies in good counseling, in home ownership, and in these sorts of investments in a stable, affordable housing market.

Elisa, one of my constituents from Middletown, did not believe she would ever be able to purchase a home for herself and two children, but a federally funded class called Preparing for Home Ownership helped her navigate the housing market and find a home that she could afford. She is now spending less on her three-bedroom home than she had on her two-bedroom rental, and her children have a backyard of their own for the first time.

If we want families to succeed, if we want children to focus in school, if we want to create communities with safety and stability, moving toward sustainable home ownership is a vital investment by this country in creating and sustaining quality communities.

Dedicated organizations, such as NCALL and Interfaith Community Housing of Delaware, have leveraged Federal funding such as this to help with mortgages, loan modifications, and private capital to help put more than 1,000 families each year in Delaware into better housing. Their services include workshops, foreclosure prevention services, and counseling.

Another constituent who contacted me, Eva from Rehoboth, was in danger of losing her home when she met with a foreclosure prevention counselor to discuss her personal situation. A counselor helped her to develop a plan to stabilize her finances and to modify her mortgage into a more affordable interest rate. Because of a counseling program funded by this bill, Eva avoided foreclosure and was able to save her home.

The National Foreclosure Mitigation Counseling Program, administered through NeighborWorks, has helped hundreds of households in Delaware to avoid the pain, loss, and dislocation of foreclosure. Last year, counselors from NCALL, First State, and YWCA conducted more than 5,000 home ownership counseling and education activities, including one-on-one counseling appointments, workshops, and homebuyer fairs. Funding from this program will allow them to reach even more Delawareans in need in the year ahead.

We may have made some progress as a Chamber last week in getting through the executive branch nominations that had been the subject of a number of filibusters and quite a bit of contention, and I was pleased that this bill earned six Republican votes in the Appropriations Committee when taken up and considered. Surely it can earn enough votes in this full Senate to move forward to debate, to consideration, and, I hope, to final passage. It is the challenge of this Chamber to listen to each other, to work together, and to provide the vital investments in infrastructure and in housing that ensure a steady recovery and a brighter future.

Senator Lautenberg once said that his career in business taught him that if you want to be successful tomorrow, you have to lay the foundation today. That is exactly what this bill does. That is what we are voting on—the foundation of tomorrow's success for America's families and communities.

I earnestly hope we will come together to pass this bill, to create jobs, and to invest in our country's future.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

SMARTER SOLUTIONS FOR STUDENTS ACT

Mr. HARKIN. Madam President, I ask unanimous consent the Senate proceed to the consideration of H.R. 1911, as provided under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, the clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. HARKIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Madam President, we are now on the student loan bill, so to speak. There is going to be a few hours of debate on the bill itself—actually 3 hours. As I understand it, there will be three amendments in order under the rule on this bill. So we will probably be on this bill for some time this afternoon. But we do want to finish it. I know the leader wants to finish it. Both the majority leader and Republican leader want to get this finished today, so we will be working on this bill for probably the better part of this afternoon.

I would like to set the stage for it by talking about the situation with student loans and why we are where we are right now. First of all, I would like to say the bill before us basically is the House bill. There will be a Manchin-Burr amendment that will be offered as a substitute. I will be supporting that. That is the compromise bill. That is the compromise we reached through several weeks of negotiations between the Republicans on the Senate side and the Democrats on the Senate side and the White House. It was a three-party negotiation that went on, and this is the compromise that was reached. So the bill before us represents a number of compromises that were made on both sides to produce legislation that would give certainty to students who borrow money from the Federal Government to attend college this fall.

As we all know, we have debated several different measures related to student loan interest rates for several weeks. This is the closest we have gotten to an agreement that represents at least two core Democratic principles, our side's principles, related to student loan interest rates.

I think it is only right to point out that we have had a couple of votes on keeping the interest rates at 3.4 percent for subsidized student loans for next year. That did not receive the 60 votes needed to move. As a consequence, on July 1, the interest rates on subsidized loans snapped back from 3.4 to 6.8 percent. We have been working hard to try to keep students from paying that 6.8 percent interest and on how we could reach some agreement, and that is what this bill does that is before us.

The two core principles we fought for were that the front-end caps—they have front-end caps to ensure that undergraduate students taking out Stafford loans will not pay above 8.25 percent interest even if there are extreme fluctuations in the market. I point out that 8.25 percent is exactly the caps we had on student loans in the 1990s. This is not something new or out of line with what we have done before. We had 8.25 percent in the nineties, and I might add five times in the nineties we bumped up against that cap, so that cap protected students five times in the nineties from going above 8.25 percent.

Graduate students taking out these Stafford loans will have a cap of 9.5 percent in interest. Parents and graduate students taking out PLUS loans, these are the parent loans, will never pay above 10.5 percent. That is the first principle, to have these upfront caps.

Second, the principle we had is to get as close to budget neutral as possible. The composition of this bill places us about as close to budget neutrality as possible, meaning that billions of dollars will not be generated off the backs of students to reduce our budget deficit, something that was included in the version of this legislation that passed the House and which was a key feature on an earlier Republican bill that received a vote in the Senate—not a passing vote, it received a vote.

Again, these are the compromises made on the Republican side. They had several billions of dollars to raise on the student loans in the future. We did not. So we compromised down. Basically, it is $715 million over 10 years. Since there is going to be over $1 trillion over 10 years, $715 billion is not much compared to the $1 trillion in student loans that will be taken out over the next 10 years. That comes down to about $71 million a year. That is just about as close as we can get it to budget neutrality.

What does this mean for students? It means this fall all undergraduate students, subsidized or unsubsidized, will only have to pay 3.86 percent interest. That is down from 6.8, down to 3.86 percent. That means they will have that interest rate for the life of the loan. That is locked in. It will not vary.

Graduate students will see a 1.4-percent rate decrease from what it would be and parents will see a 1.5-percent rate decrease, so in all cases a decrease. That means real savings for borrowers. That means an average of $1,500 savings for undergraduates, $2,913 for graduate students, and $2,066 for parents, again over the life of the loan.

This bill also includes a provision that requires the GAO to submit a report to Congress within 4 months, detailing what the actual cost to the Federal Government of administering the Federal student loan program is and what the appropriate interest rate should be to avoid generating any unnecessary revenue. Again, I am sure people referred to it. There was an editorial in the New York Times this morning talking about the fact that the government should not be generating revenue off the backs of students. We all agree with that. That is why we tried to get this as close to budget neutrality as possible. As some will point out, under the system the way it is set up over the next 10 years, the CBO estimates the Federal Government will make more than $180 billion on Federal student loans.

I might just say, deriving savings was not the intended purpose of the Federal student loan program when it began in the 1960s, and it should not be a purpose of it now. The purpose should be to keep interest rates as low as possible for students and their families. So in 4 months, when the GAO submits its report to Congress, I plan to use that information to inform us on the reauthorization of the Higher Education Act—I will have more to say about that in a second—to get a loan system that does not generate money for the government. This debate on student loan interest rates will continue, and I hope my colleagues will join us in that discussion as we move to the Higher Education Act reauthorization next year. As I said, I will have more to say about that in a second.

I have cosponsored this bill that is before us. I will vote for its passage. I will oppose other amendments because we have an agreement to move ahead. I believe this was the best deal we could get for students at this time.

The bill before us is supported by a number of groups, including the United States Student Association, the American Council on Education, Rock the Vote, Center for American Progress and Generation Progress, Generational Alliance, the National Association of Student Financial Aid Administrators, and the Committee for a Responsible Federal Budget. Also, this morning we received a letter from the Leadership Conference on Civil and Human Rights that supports this with a ''yes'' vote on the bill before us.

I wish to make it clear that I plan to revisit the issue of student loan interest rates, along with other facets of the higher education system, in order to address the whole issue of college affordability. This fall the Senate HELP Committee, which I chair, will start consideration on the reauthorization of the Higher Education Act that expires this year.

The interest rates—what we are talking about here today—we attach to Federal student loans is an important issue. I don't deny that. It is one that deserves our attention, but I want to point out that it is just one piece among many that go into college affordability. We will be tackling the many pieces that go into the reauthorization of the Higher Education Act so we can address the whole issue of college affordability.

When I am in Iowa, I hear from students and parents about the financial squeeze they are facing from the spiraling costs of college and their anxiety about student loan debt.

I have charts here. The first chart shows the increase in the cost of a public 4-year education over time. It has tripled since the 1980s. If we look at that chart, we can see that from 1980 to today the cost of a college education has tripled. That is the red line. The blue line is the Consumer Price Index. As we can see, our current system is out of step with the marketplace.

The cost of that degree has skyrocketed for students across the country. The costs have risen far higher and faster than the rate of inflation. Why is this happening? Why has it gone up so rapidly? If we look at 1990 to 1991, it just shot up. From about 2000 to now, it has really skyrocketed. I think it is legitimate for us to ask this question: Why is that happening? It is not just student loan interest rates causing that. We have had low student loan interest rates, so that cannot be the sole cause. Something else is going on. Again, that is why we need to examine that in the Higher Education Act—so we can find out why that has happened.

The second chart I have shows what is happening to our students. The average loan debt for a bachelor's degree has doubled since the 1990s. In the 1990s the cumulative debt a student would have after going to college would be $9,350. Today it is $26,660. That is over a 20-year period. Why has that gone up so much? That is why we have to get into the whole panoply of issues that affect college affordability.

In light of this crisis, I have chaired a series of hearings in our committee focused on what is being done to curb the cost and how we can have strategies to help keep the dream of higher education alive for students without giving them a ton of debt when they graduate. To date, we have examined promising strategies employed by innovative colleges and universities to curb costs while improving student outcomes. We have looked at State policies for improving affordability and State barriers to innovation, efficiency, and effectiveness. There is much room for progress and improvement when it comes to our system of higher education. I believe a consensus is emerging on the need to break away from business as usual. We cannot keep going on the way we have been doing over the last 20 years in funding for higher education.

Among the many ideas we have heard in these hearings, three major themes

have emerged. First, States are cutting funding to public universities, shifting the costs to students, their families, and Federal financial aid programs. In all of our hearings—and we have looked at all that goes into these charts, such as the increase in costs to students and the cost of college—the single largest correlative factor has been the decrease in State support for higher education.

What has become clear—at least to this Senator—is that State legislators have figured it out. They can cut their budgets and cut their support for public universities, shift the burden back on students and their families, the students come to the Federal Government and borrow more money, we increase Pell grants, and the burden on the student grows because their debt grows. Yet the colleges themselves are not stepping in to do anything. There are some colleges doing innovative things, but they are not doing enough to control the costs. Something has to be done about the States backing off of their support.

The second theme that emerged was that many of our more than 7,000 degree-granting institutions are not making college affordability a priority. It is just not a priority. They are focused on chasing rankings, investing in efforts unrelated to academic success, and they are failing to respond to a rapidly changing higher education landscape.

The third theme that emerged was that students and families are not empowered with accurate, clear, and accessible information about the comparative costs, quality, and value when shopping for a college education. While college affordability is a complex issue with no easy answers, there is much that all stakeholders—the Federal Government, State governments, institutions, families, and students—can do to increase college access and success and keep the costs down regardless of a student or family background.

Again, we are going to have to look at this in the higher education bill. Interest rates are just one piece of it, and that is what we are addressing today, but there is a lot more going on than just interest rates. We have to look at our system of accreditation. We have to look at our campus-based aid programs, the financing of Pell grants, and the regulation of the for-profit colleges that my friend from Illinois is always consistently pointing out here. We need to look at the structure that supports our Federal loan system, from the loan origination process to the servicing done by private and nonprofit contractors after students have completed their course of study, and debt collection should they default. The system we have is complex. I will repeat that the interest rate on student loans is only one piece of this jigsaw puzzle. It is an important piece to be sure and one we are addressing today.

Throughout the discussions about the interest rates, both President Obama and my ranking member and good friend Senator ALEXANDER have personally committed to working with us as we take up the reauthorization of the Higher Education Act in the coming year so we can address all the issues affecting our entire higher education system and hopefully enact much needed reforms.

We all understand how serious and important the issue of affordability is for a higher education. I look forward to working with Senator ALEXANDER, members of our committee on both sides, and the White House in the months ahead to come up with a Higher Education Act reauthorization bill that is comprehensive and really gets to the bottom of college affordability so we can start to break away from the way we have been doing things in the past. As I said, we cannot continue on the way we have been doing this.

There are many who have been involved in negotiating the legislation before us today. Compromises are tough sometimes. I have said before—and I know my friend from Illinois said this at our press conference last week—if I were to write this bill and if I could have it my way, this would not be what I would write. I understand that. It wouldn't be what my friends on the other side would write either. And that is the art of compromise—to bring both sides together and get the best agreement we can. This is a good agreement. It is good for undergraduate students, it is good for graduate students, and it is good for their families.

I thank President Obama for his leadership in negotiating this bill. I would also like to thank my friends and colleagues. I thank Senator DURBIN, who was a great leader in bringing this about. I thank Senator MANCHIN, Senator KING, Senator CARPER, as well as Senator ALEXANDER, Senator COBURN, Senator BURR, and their staffs for all the hard work and diligence in putting this proposal together.

As I said, this might not have been the bill I would have written, and I think everybody who has been involved in this would say the same. But it is the best we could do. Quite frankly, it is going to lower interest rates this year. For undergraduate students, for the next 4 years it will be lower than 6.8 percent. In the fifth year it goes up just a little bit. As I said, as we look at the Higher Education Act and as we get this back from GAO in 4 months, we are all going to work together to see what exactly is the best path forward.

We can keep the interest rates low for students this year and into the future, and I support this bipartisan Student Loan Certainty Act. I encourage all of my colleagues to vote in favor of its passage.

I am glad to yield for my friend Senator DURBIN.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Madam President, through the Chair I would like to direct a question to the Senator from Iowa. I respect the leadership he has shown on this issue and so many issues, whether it is health, education, or disabilities. He has been the voice of leadership in the Senate for a long time. I know this is his last term as a Senator, but I also know he still has one big job ahead of him, and he has talked about it—the reauthorization of the Higher Education Act. We are going to hold the Senator to that because we need his voice and leadership in that room or it won't happen.

I saw his leadership on this particular issue. Senator HARKIN came to this negotiation with conservative Democrats and Republicans and sat down and said: There are some basics we are going to have to include in this before I will sign off.

I remember this—No. 1, keep the interest rates as low as possible for students so that students and their families don't have an increased burden.

As he said, in the next 2 years—whatever category of a student loan we are talking about—this bill is a break. For undergraduate students, it saves $2,000 in interest over the next 4 years that they otherwise would pay if this bill fails to pass.

The second thing he said: We want a cap on interest rates so that if something unforeseen happens, if all the economic predictors are wrong and the base interest rate on 10-year Treasurys goes up faster than we thought, there will be a cap to protect the students. He insisted on it, and we put it in there. For undergraduate students, it is 8.25 percent. That is a guarantee that it will not go to the high heavens. And 8.25 percent has been a traditional ceiling cap.

The third thing—and I want to make a point of this because it is likely to come up in debate. This is an interesting compromise. We would dream up scenarios. Well, what if we put the cap at this number? What would happen to the interest rates? When it is all over, if we calculate it over 10 years, do we break even? We don't want to make a penny off of students and their families on student loans. We don't. We tried to avoid it.

I think the best effort of the Senator from Iowa netted some $600 million to the Treasury over 10 years. This bill is in the range of $715 million.

Mr. SANDERS. Madam President, will my friend from Illinois yield?

Mr. DURBIN. I am asking a question of Senator HARKIN and then I will be happy to yield.

What I would like to put in perspective is $715 million to the Treasury over 10 years. Over a 10-year period of time, CBO estimates the government will make $1.4 trillion worth of student loans. This $715 million, when compared against that, comes out to .005 percent. So we cut it as close as we could.

What does it mean to the students? It means to the students, according to the way they factored it out, that for

each loan a student takes out—$2,000, $3,500, whatever it happens to be—there will be on average a surcharge of $2.76. That is what comes to $715 million. So the net result of it is—we would like to bring it to zero; that was our goal. The way this place works, that was hard to achieve. I thank the Senator from Iowa for dedicating himself to those things.

I wish to address him in the form of a question, to be complicit with the rules of the Senate: If we fail to pass the bipartisan approach we are bringing to the floor, what will be the immediate impact on students and families in the United States?

Mr. HARKIN. Again, I thank my friend from Illinois for his great leadership. Before I get right to the answer, I would point out the art of compromise, which we did. The Republican proposal we had before us a few weeks ago raised $15.6 billion over 10 years. So they have compromised a long way too. We have gotten it down to $715 million, over 10 years, from $15.6 billion. The Senator is absolutely right. We are looking at close to $1.5 trillion over the next 10 years, and that kind of puts that $715 million in perspective.

If we don't pass this today, there is one sure effect: Student loans will be almost twice what they would be under this bill—this year, almost twice—for them and their families.

Mr. DURBIN. Interest rates.

Mr. HARKIN. And that would be true for this year and next year and the year after, almost—not quite—this is 3.86, it would be 6.8. So they would be paying 6.8 percent on every loan they take out this year rather than 3.86 percent, which I might point out also covers both subsidized and unsubsidized loans. That is a good deal.

Again, I say to the Senator that by keeping the rates like that—and this is another good point to make and I think people should understand. A student borrowing this year at 3.86 percent locks that in for the lifetime of the loan—locks that in. It doesn't go to 8.25 percent. That 8.25 is a cap in case interest rates start going up.

I would point out to my friend from Illinois that 8.25 is what we had in the 1990s, and five times in the 1990s we hit that cap, so we protected students five times in the 1990s at that 8.25 percent.

I say to my friend we have to pass this bill to keep students from paying 6.8 percent on their loans this year.

AMENDMENT NO. 1773

On behalf of Senator MANCHIN, I call up his amendment which is at the desk.

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will report.

The bill clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for Mr. MANCHIN, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN, proposes an amendment numbered 1773.

Mr. HARKIN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish student loan interest rates, and for other purposes)

Strike all after the first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the ''Bipartisan Student Loan Certainty Act of 2013''.

SEC. 2. INTEREST RATES.

(a) INTEREST RATES.—Section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) is amended—

(1) in paragraph (7)—

(A) in the paragraph heading, by inserting ''AND BEFORE JULY 1, 2013'' after ''ON OR AFTER JULY 1, 2006'';

(B) in subparagraph (A), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,'';

(C) in subparagraph (B), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,''; and

(D) in subparagraph (C), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,'';

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(3) by inserting after paragraph (7) the following:

''(8) INTEREST RATE PROVISIONS FOR NEW LOANS ON OR AFTER JULY 1, 2013.—

''(A) RATES FOR UNDERGRADUATE FDSL AND FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans issued to undergraduate students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 2.05 percent; or

''(ii) 8.25 percent.

''(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

''(ii) 9.5 percent.

''(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

''(ii) 10.5 percent.

''(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

''(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

''(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 3. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay- As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 4. STUDY ON THE ACTUAL COST OF ADMINISTERING THE FEDERAL STUDENT LOAN PROGRAMS.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study that determines the actual cost to the Federal Government of carrying out the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), which shall—

(A) provide estimates relying on accurate information based on past, current, and projected data as to the appropriate index and mark-up rate for the Federal Government's cost of borrowing that would allow the Federal Government to effectively administer and cover the cost of the Federal student programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) under the scoring rules outlined in the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.);

(B) provide the information described in this section in a way that separates out administrative costs, interest rate, and other loan terms and conditions; and

(C) set forth clear recommendations to the relevant authorizing committees of Congress as to how future legislation can incorporate the results of the study described in this section to allow for the administration of the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) without generating any additional revenue to the Federal Government except revenue that is needed to carry out such programs; and

(2) prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives setting forth the conclusions of the study described in this section in such a manner that the recommendations included in the report can inform future reauthorizations of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

Mr. HARKIN. Madam President, I yield the floor.

AMENDMENT NO. 1774

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I call up my amendment which is at the desk.

The PRESIDING OFFICER. Without objection, the clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Mr. BLUMENTHAL, and Mr. WYDEN, proposes an amendment numbered 1774.

Mr. SANDERS. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide a sunset date)

At the end of the amendment, add the following:

SEC. 5. SUNSET.

(a) IN GENERAL.—The amendments made by this Act shall be effective for a 2-year period beginning on July 1, 2013.

(b) REPEAL.—The amendments made by this Act shall be repealed on July 1, 2015, and section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) shall be applied as if this Act the amendments made by this Act had never been enacted.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, I have a lot of affection for my friend from Iowa Senator HARKIN and Senator DURBIN from Illinois, but I must respectfully disagree with them and rise in opposition to the bill.

I ask for support for an amendment I am offering which is being cosponsored by a number of Senators. I wish to thank Senator LEAHY, Senator WYDEN, Senator WHITEHOUSE, Senator GILLIBRAND, Senator BLUMENTHAL, Senator SCHATZ, Senator MURPHY, and Senator HIRONO for their support for this amendment. I also wish to thank the largest educational organization in America, the National Educational Association, for their support of this amendment, and I thank the American Federation of Teachers for their support of this amendment.

The truth is that if the bill on the floor is passed without amendment, it would be a disaster for the young people of our country who are looking forward to going to college and for the parents who are helping them pay their bills. The job of the Congress, it seems to me, is to improve upon the dismal situation we face today in terms of student indebtedness and college affordability. These are major crises in this country. Millions of kids leaving school are deeply in debt and parents are borrowing at high interest rates to send their kids to college. We have a crisis. This bill makes a bad situation worse, not better.

I ask my colleagues to support the amendment I have offered which would provide a 2-year sunset to this bill—an approach which would prevent student interest rates from soaring and allow us the time, through the reauthorization of the Higher Education Act, to deal with the issue of student indebtedness in a constructive long-term manner. This issue is too important not to go through a hearing process, not to go through a committee process. I hope we will pass my amendment, supported by eight other Senators, which will sunset this bill in 2 years and allow us to take advantage of the relatively low interest rates now and prevent student interest rates from soaring into the future.

The very sad truth of the matter is that in a number of ways, our government—Congress, the White House—is failing young Americans today, at all ages. We have the highest rate of childhood poverty of any major country on Earth. Almost 22 percent of our kids live in poverty.

I think every working American understands that our childcare system is a disaster. If a person is a working-class mom or dad in Vermont, or I suspect any other place in this country, it is hard to get the quality childcare they need, so that many kids today, because of inadequate childcare from zero to 3 and 4, enter kindergarten or first grade already years behind where they should be intellectually and emotionally. We are failing our young children.

We are failing our teenage young people as well. Today, the unemployment rate for high school graduates is close to 20 percent. That is the official rate. For real unemployment, counting those who have given up looking for work and those who are working part time when they want to work full time, it is even higher than that. What does that mean for millions of kids who graduate high school, can't get a job their first year out of school, their second year out of school, and their third year out of school? What does this mean for their entire lives? We are not dealing with that issue.

I had passed an amendment as part of the immigration bill to provide 400,000 jobs over a 2-year period for young people. That is a start. We have to go a lot further than that. By and large, we are failing working-class, middle-class young people today who are desperately searching for jobs.

For minority youth—for African-American youth—if my colleagues can believe this, the official unemployment rate for ages 16 to 19 is over 43 percent—over 43 percent, African-American young people, unable to find jobs. That is unacceptable.

Our goal must be to make sure the youth of this country, if they graduate high school and they want to go out into the workforce, are able to get decent jobs or if they choose to go to college, to be able to afford to go to college, and to make sure our young people do not end up on street corners doing drugs—not in jail, not in self-destructive activity. That is our job, to make sure those who have the ability and capability are able to go to college and others are able to get meaningful work. Frankly, we are failing in both of those areas. When we do that, we fail not only the young people of this country but the future of this country because the future by definition is with our young people.

All of us know we live in a highly competitive global economy. If this country is going to succeed economically, we need the best educated workforce in the world. Unfortunately, compared to much of the industrialized world, we are doing very little to make that happen.

In June, the OECD—the Organization for Economic Cooperation and Development—released its annual snapshot on the state of education in developed nations. The report showed the United States is losing ground to other nations that have made sustained commitments to funding higher education opportunities. We are losing ground, and the legislation on the floor today, which will result over a period of years in a strong likelihood that interest rates for student loans will go up, making it harder for moderate and low-income kids to go to college, will only accelerate those losses.

The United States once led the world in college graduates. Thirty, forty years ago, we led the world in the percentage of our people who were college graduates. In fact, as a result, today those people between age 55 and 64 in the United States still lead their peers in other nations in the percentage with college degrees—about 41 percent. So if a person is between 55 and 64, compared to the rest of the world, that age group has the highest percentage of people who are college graduates.

Tragically, over the years, we have lost substantial ground. In 2008—and this is a very sad story indeed, something that should concern every Member of Congress and every American—the same percentage of Americans aged 25 to 34—the same percentage of that younger group—has a degree compared to the older group of 55 to 64. What does that mean? What it means is that for the last 30 years, every President, every Governor, every Member of Congress, virtually every parent in America has said to our young people: The world is changing. Technology is exploding. A high school degree no longer will do it if you are going to make it into the middle class.

That is what everybody has said for the last 30 years. But 30 years later, nothing has changed. The percentage of Americans who have a college degree today is no higher than it was 30 years ago. The result is that other countries have significantly surpassed us in terms of the percentage of their younger people who now have college degrees.

In terms of the percentage of college graduates, we lag behind Australia, Belgium, Canada, Denmark, France, Ireland, Israel, Japan, South Korea, Luxembourg, New Zealand, Norway, Sweden, and the United Kingdom. In other words, where we were once first in the world in terms of percentage of college graduates, we are now 15th in the world.

How do we compete in a global economy if we have descended from first to fifteenth in the world in terms of people with college degrees? That is why

on the immigration bill we have people coming to the floor and saying: Americans are not educated. They cannot do these high-tech jobs. We need people from all over the world to come in to do that work.

Well, I do not agree with that, but that is the argument out there: Our people do not have the education. Does anyone believe in any serious way the bill on the floor today is beginning—beginning—to address the issue of making it easier for kids in this country to go to college? The answer is nobody does because, according to CBO projections, interest rates are going to go up, and, in fact, it is going to be harder for families to send their kids to college. I will get into that in a moment.

The other very important point to be made—and I think a lot of people do not understand this—according to the Congressional Budget Office, the U.S. Government is making huge profits—huge profits—from college loans. In fact, according to the CBO, the estimate is that the U.S. Government will make about $184 billion in profits over the next 10 years.

So what do we have? We have a middle class which is disappearing. We have poverty at a level as high as it has been in the last 60 years. We have millions and millions of families struggling to be able to send their kids to college. My parents did not go to college. My brother and I were the first in our family to go to college. Millions of families are in the same boat.

What is the U.S. Government doing now? We are helping to balance the budget not by asking multinational corporations—that make billions of dollars a year in profit and pay nothing in Federal income taxes—to pay their fair share of taxes; no, that is not what we are doing. We are saying to working-class and middle-class families: Oh, you want to send your kids to college? You want to borrow money from the government? Well, over the next 10 years we are going to make $184 billion in profits off of you.

Let me go on record as saying I think that is a very counterproductive idea. It is a dumb idea. We have to get out of the business of making profits off of struggling families who want nothing more than to be able to send their kids to college.

Let's be very clear about what the legislation on the Senate floor would do. According to CBO—and I fully agree; I do not know what interest rates are going to be tomorrow, next year. You do not. Nobody does. And the CBO is by no means infallible. But the CBO and most economists believe we are leaving this period where interest rates have been historically low. Are they absolutely right? I do not know. Could they be wrong? Quite possibly. But that is what the CBO is estimating. This is what the CBO says.

The CBO says the 10-year Treasury note on which this entire legislation is based is now at 1.8 percent. In 2014 it will be at 2.57 percent; in 2015 it will be at 3.35 percent; in 2016 it will be at 4.24 percent; in 2017 it will be at 4.95 percent; in 2018 it will be at 5.2 percent.

Everybody has to understand that what this legislation is about is basing student loans on a variable interest rate. Interest rates go up; student loans go up.

So let's look at what will happen with student loans under this legislation. The good news is that because interest rates are low now, for the next few years the interest rate for the subsidized Stafford loans will be, in 2013, 3.8 percent; in 2014, 4.6 percent; in 2015, 5.4 percent; in 2016, 6.2 percent; in 2017, 7 percent, in 2018, 7.2 percent. That is for undergraduates.

For the graduate Stafford loans, under this proposal on the floor today, in 2015, 6.9 percent; in 2016, 7.8 percent; in 2017, 8.5 percent; in 2018, 8.8 percent.

For the PLUS loans—those are for parents who are helping their kids—in 2015, 7.9 percent; in 2016, 8.8 percent; in 2017, 9.5 percent; in 2018, 9.8 percent.

Now, does anybody really believe that at a time when families and young people are having an enormously difficult time paying for college that these interest rates make any sense whatsoever? They do not. They are going to put an increased burden on working families and young people.

Today, the average student graduating from a 4-year college leaves school $27,000 in debt. If you are paying interest rates of 7 percent or 8.5 percent for graduate school, there is no doubt in my mind that indebtedness will rise.

Furthermore, not only is it a question of families and young people struggling with enormous debt—on my Web site I asked Vermonters and people all over the country to tell me what the impact would be on their lives of student indebtedness. We heard just enormously painful stories from people who said: You know what. My husband and I wanted to have a baby. We cannot have a baby right now because we do not have the funds. We are paying off our student debt.

We heard from people who are going into professions they really did not want to go into because they just have to make a whole lot of money to pay off their debt rather than doing what was the love of their life, what they studied to do. So what we have is a bad situation which, if the CBO is correct, will only make that situation worse.

My amendment is not my preferred option. My preferred option would be to do what a majority of the Members in the Senate voted to do, which is to freeze interest rates for another year at 3.4 percent while we come up with a long-term solution. My Republican colleagues, as they do on virtually every piece of major legislation, chose to filibuster that bill, and we needed 60 votes. I think we only got 51. A majority spoke for the American people, for the young people, for working families, but we could not get the 60 votes. That was my preferred option.

But this approach, at least, and what my amendment would do is to say, OK, between 2013 and 2014 we will keep interest rates fairly low—not as low as I would want it—4.6 percent for undergraduate Stafford loans, 6.1 percent for graduate Stafford loans, and 7.1 percent for the PLUS program. It is not ideal by any means, but it is a lot better than what will likely take place in years to come. So we take the best of this bill and sunset it at the end of 2 years.

So if people say there is no option to going forward as opposed to 6.8 percent, I say: Sorry, you are wrong. There is an option. That is what we have done. We have a 2-year sunset on this bill that would be at least a reasonable compromise to give us the opportunity to take a hard look at the higher education bill and figure out two issues: how we create low-interest loans over a long period of time and, second of all, how we, in fact, make college more affordable than it currently is.

Let me be a little bit political, as I finish my remarks, and say this: I respect everybody's point of view, and there are different points of view here. But I think what a lot of Americans are asking themselves—they say: Well, let's see. We just had elections in November, and we were told elections matter. We had a candidate for President of the United States, Barack Obama, who won a very decisive victory, who ran on the platform of saying: Hey, I am going to stand up for the middle class. I am going to stand up for working families.

We had an election in which Democrats, Independents, retained control of the Senate. Now there are 54 votes in the Democratic caucus, and almost without exception Democratic candidates—I ran—Independents stand for working families, stand for the middle class.

So what I do not understand is, when we have a Democratic President, a Democratically-controlled Senate, why we are producing a bill which is basically a Republican bill—very close to what the House Republicans passed.

As most people know, the House Republicans are perhaps the most conservative majority in the House that we have seen maybe ever—the most conservative body. They say: This is a pretty good bill. We will accept it.

Well, if the most rightwing Congress in American history thinks this is a pretty good bill, I would hope that many Democrats would say maybe there is something wrong with this bill; maybe we can do something better than that.

The other point I would make, as I did a moment ago—and people have to understand this—a majority of the Members of the Senate voted to keep interest rates at 3.4 percent for another year. Fifty-one Members voted for that. Most people assume that 51 out of 100 is a majority. But we were unable to pass that legislation because of a Republican filibuster.

What we have seen on virtually every single important piece of legislation is that the majority does not rule in the Senate. We need to have a supermajority of 60 votes. The result is legislation like this, which could well end up raising interest rates for students and their families to an absolutely unacceptable level.

So let me conclude by saying we have a huge crisis in this country. The crisis is that today hundreds of thousands of bright young people who have graduated from high school are now saying—now saying—I would love to go to college. I can do it. I would like to be a professional. I would like to be a doctor. I would like to be a nurse. I would like to do one of many professions. I would love to do it. I am smart enough to do it. I have the drive to do it. I just come from a family that does not have the money to send me to college.

So for those hundreds of thousands of young people whose dream it was to go to college, this legislation only makes that situation worse because it will make college even more unaffordable. Let's be clear: This is a loss not only to those families and to those young people; it is a loss to our country.

A couple months ago I had the Ambassador from Denmark come to the State of Vermont to do some town meetings with me.

The Presiding Officer may or may not know the cost of college education in Denmark in terms of out-of-pocket costs. It is zero. It is zero. It is not just Denmark, there are a number of countries around the world that have the intelligence to understand that the most important thing they can do is invest in their young people. So they say to their young people: You do well in school, regardless of your income, and you are going to be able to go to the best colleges we have. Not only the best colleges but graduate school, medical school, law school, and your cost will be zero.

You know what. I think that is pretty smart. I think investing in our young people is investing in the future of our country. That is what some countries do. They make college education free in terms of out-of-pocket cost. Other countries do not go that far.

I live an hour away from the Canadian border. They heavily subsidize college. So we are seeing many American kids now going off to fine colleges and universities in Canada, where even for people from the United States college costs are less than they are in the United States.

In terms of what we are demanding of young people and parents in out-of-pocket expenses, there is no country in the industrialized world that asks more than we do. The result is that we have seen virtually no gain in the last 30 years in terms of the percentage of our people graduating from college.

We have a crisis. It is a crisis which impacts millions of young people: those who have given up on the dream of college and those who are graduating from college deeply in debt.

It impacts our entire Nation. It is insane to me that we are conceding to other countries around the world and saying: OK, you are graduating large numbers of people. You are allowing them to go to college. But we in this great country, we cannot do that. It makes no sense to me at all. It is bad for the future of this country, bad for our economy, bad for millions of families.

The legislation on the floor today only makes a bad situation worse. It is based on variable interest rates. It is, according to the CBO, likely that those interest rates will rise. In 2018, we are talking about subsidized Stafford loans at 7.25; graduate rates, 8.8; PLUS loans, 9.8. Can anybody really come to the floor and tell me this is where we want to go as a country? So we have a bad situation which we have to address, not make it worse.

Once again, I wish to thank all of the Senators who have cosponsored this legislation: Senators LEAHY, WYDEN, WHITEHOUSE, GILLIBRAND, BLUMENTHAL, SCHATZ, MURPHY, and HIRONO. I want to thank the NEA, the largest educational organization in the country, for their support, and the American Federation of Teachers for their support.

Let's stand tall today for the working families of this country who believe in the American dream, and that dream is significantly about the desire of our young people to do better than we have done. That was the dream my parents had. It is the dream that millions of families have had. An important part of that dream is to work hard as a parent to enable my kid to get a college degree.

We are failing millions of families right now. This legislation will make a bad situation worse. We can do better. We can do better. Let's stand with the working families of our country today. Let's reject the underlying amendment, and let's pass the Sanders amendment.

With that, I ask unanimous consent the time during quorum calls be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANDERS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Madam President, we all know that on July 1 interest rates for subsidized Stafford loans doubled from 3.4 percent to 6.8 percent. I have twice voted to extend the 3.4-percent rates to protect our Nation's students. Unfortunately, both times we had those votes the extensions were defeated. Without congressional action, the 6.8-percent interest rates will stand as current law.

I think today we are going to vote for a bipartisan compromise to keep student loan interest rates low this year. I plan to vote for that compromise, but I have some concerns about it. I do want to thank my colleagues who have spent many hours coming to an agreement that can pass this body. This is a bipartisan compromise, and I think it is very important we work together to address this issue. While the compromise isn't perfect, our undergrads and our graduate students will be able to go to college this fall with peace of mind knowing the interest rates are well below those they would otherwise face.

In fact, this compromise will save $30 billion in interest debt for students over the next 4 years. Undergraduates borrowing this year will save about $2,000 over the course of their studies, and graduates could save between $4,000 and $9,000.

Today, assuming it is offered, I also plan to vote for the Reed-Warren amendment to lower the cap on interest rates. I would have supported Senator MURRAY's effort to allocate any resulting savings to shore up Pell grants, which would help fund those students who need it the most, but I understand we are not going to be able to vote on that amendment.

While today's vote is important to keep student rates low for this year's students, I wish to be very clear I do not consider this compromise to be a permanent fix for our students. Included in the bill is a requirement for a study to be conducted by the nonpartisan and independent Government Accountability Office which will analyze the cost of running the student loan program. Once we have the results of the study, we should use the information to determine what course of action is best for our students.

One thing is very clear: Any solution should not come at the expense of our students. Affordable higher education is one of the best investments we can make in our country. It is essential to growing this Nation's economy, to creating jobs, and to protecting the middle class. Our businesses need educated workers to compete in the new global knowledge-based economy.

In an immigration bill the Senate recently passed, which I voted for, we increased the number of highly skilled workers businesses could bring in because there is currently a shortage in this country of those highly skilled workers. I supported that, but that is a crutch, a short-term fix. We should be educating American students for these high-skilled jobs.

In my home State of New Hampshire, the student loan debate is a very important one. Last year a survey found our State had the highest average student debt in the Nation, at $31,408 per student. Nearly three-quarters of New Hampshire students have some amount of student loan debt—the second highest percentage of students with debt in

the country. We must protect our students. We should not be trying to solve the fiscal challenges facing this country on the backs of our students. We can't afford to price middle-class families out of a college education.

Studies show adults with degrees from 2- and 4-year colleges have far higher family incomes than adults who have high school degrees. In fact, according to a recent study from Georgetown University, people with bachelor's degrees earn about $1 million more over their lifetimes than those who don't have a college degree. We need to get rid of any barrier that stops students who want to pursue degrees.

Recently, I met a woman named Anne, from Manchester, who had been a recipient of student loans. She was able to go to school and get a degree because of Pell grants. Anne will quickly tell you that without aid she would never have even thought about pursuing a college degree. She is now working in a professional capacity and she is contributing to her community in so many ways. Unfortunately, Anne is now worried about her daughter, a single mother who works part-time and who has limited options to pursue her own dream job because of the high cost of education. Anne told me:

> These kids are our future. We cannot limit them in this way; student loans should not be an obstacle that is insurmountable.

She is right. We need to make it easier and more affordable for Americans to go to college, not harder and more expensive.

I also heard from a woman named Patricia. She is 45, a single mother with three children under 18 years of age. She is currently a student at Granite State College who is relying on loans to get her degree. For the past 10 years, she and her family have been in and out of homeless shelters. She grew up as the youngest of nine children in a family where the option of college was never even considered or discussed. Patricia has an incredibly tight family budget. Student loans are critical to her getting a degree and ultimately being able to provide for her family. Sadly, any increase in student loan interest rates could limit Patricia's ability to continue her education.

The bottom line is clear. We all know it. We have to make college more affordable. It is essential for our students, it is essential for their futures, and it is essential for the future of this country. If we expect to compete in this global economy, we have to make sure we have the high-skilled workforce we need, and that means making sure those young people who want to go to college can afford to get that degree. It is just too important for our country's future to fail at this.

I thank the Chair, and I would just note that I will be voting for the bill, but as I said, I certainly hope we are all committed to making greater progress and making college education more affordable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 1778 TO AMENDMENT NO. 1773

Mr. REED. Madam President, I ask unanimous consent at this time that my amendment, which is at the desk, be called up.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for himself and Ms. WARREN, Mrs. MURRAY, Mr. LEAHY, Mrs. GILLIBRAND, Mrs. BOXER, Ms. STABENOW, Mr. WHITEHOUSE, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. SCHATZ, Mr. MERKLEY, Ms. HIRONO, Ms. BALDWIN, Mrs. SHAHEEN, Mr. BROWN, Ms. KLOBUCHAR, Mr. WYDEN, and Mr. MURPHY, proposes an amendment numbered 1778 to amendment No. 1773.

Mr. REED. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for interest rate caps for certain Federal student loans)

Beginning on page 3, strike line 9 and all that follows through line 13 on page 5 and insert the following:

''(ii) 6.8 percent.

''(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

''(ii) 6.8 percent.

''(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

''(ii) 7.9 percent.

''(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

''(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

''(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 2A. SURTAX ON MILLIONAIRES.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VIII—SURTAX ON MILLIONAIRES

''Sec. 59B. Surtax on millionaires.

''SEC. 59B. SURTAX ON MILLIONAIRES.

''(a) GENERAL RULE.—In the case of a taxpayer other than a corporation for any taxable year beginning after 2013, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to 0.55 percent of so much of the modified adjusted gross income of the taxpayer for such taxable year as exceeds $1,000,000 ($500,000, in the case of a married individual filing a separate return).

''(b) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2014, each dollar amount under subsection (a) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2012' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of $10,000, such amount shall be rounded to the next highest multiple of $10,000.

''(c) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this section, the term 'modified adjusted gross income' means adjusted gross income reduced by any deduction (not taken into account in determining adjusted gross income) allowed for investment interest (as defined in section 163(d)). In the case of an estate or trust, adjusted gross income shall be determined as provided in section 67(e).

''(d) SPECIAL RULES.—

''(1) NONRESIDENT ALIEN.—In the case of a nonresident alien individual, only amounts taken into account in connection with the tax imposed under section 871(b) shall be taken into account under this section.

''(2) CITIZENS AND RESIDENTS LIVING ABROAD.—The dollar amount in effect under subsection (a) shall be decreased by the excess of—

''(A) the amounts excluded from the taxpayer's gross income under section 911, over

''(B) the amounts of any deductions or exclusions disallowed under section 911(d)(6) with respect to the amounts described in subparagraph (A).

''(3) CHARITABLE TRUSTS.—Subsection (a) shall not apply to a trust all the unexpired interests in which are devoted to one or more of the purposes described in section 170(c)(2)(B).

''(4) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.''.

Mr. REED. Madam President, I am pleased to offer this amendment, along with Senator WARREN and 18 of our colleagues. Our amendment would provide the kind of certainty students deserve and that they will not receive under the proposed bipartisan Student Loan Certainty Act as it is currently drafted.

Simply put, our amendment will ensure that students and parents will not be any worse off than they would be under the current fixed rates of 6.8 percent or 7.9 percent. To illustrate this, let me present a chart.

Under the underlying legislation, Stafford loans for students are essentially subject to the same interest rates, and they are depicted here. These are the undergraduate loans in yellow and the graduate loans in white. We can see in the first year for the undergraduate loans it is just under 4 percent, and that is less than the 6.8-percent current statutory limit. For the graduate loans, they are up roughly about 5½ percent, which, again, is below that. But very quickly, by 2015, the graduate loans exceed this 6.8-percent threshold. That is the current law. Then it keeps going up and up and up.

Actually, this chart does not represent the entire impact because the last bar represents the estimates not just for 1 year but for 5 years. So we can see these increments—the white increments for the graduate loans—keep going up and up and up indefinitely. This is permanent legislation. This is not a 5-year fix or a 10-year fix. It is permanent legislation. A similar process is that the undergraduate Stafford loans go up and up and up and up.

Our legislation will simply say if you want to provide an incentive and a benefit for students who are today going to school, that is commendable, but at some point we are going to have a much worse deal for students than we have just with the current law. So we are proposing, very simply, to cap at 6.8 percent the Stafford loans and then at 7.9 percent for the parent PLUS loans.

This is a projection of the percentage interest rates for parent loans. Again, 2013, it is below the present 7.9-percent statutory limit, but quickly, by 2015, it is above, and then it is indefinite. From 2018 to 2023 and beyond, it goes up and up and up and up. Our amendment simply says if we want to give everybody a benefit in the next several years of lower rates, do it, but let us give real certainty that rates will not exceed the current statutory rates.

As I have indicated previously in my remarks, I wish to commend the authors at least for putting in caps on rates.

Some of the original proposals coming from the Senate Republicans and other places had no real caps in place. At least now we have caps.

I want to particularly thank Chairman HARKIN, because he committed himself to ensuring that all these loan programs have a cap. Our point, though, is the caps are so large that effectively students and parents in a very short period of time will be paying much more than they are today. These caps are too high. They could go as high as 8.25 percent for undergraduate Stafford loans, 9.5 percent for graduate Stafford loans, and 10.5 percent for PLUS loans. Those are significantly higher than our threshold. We can do better. We want to protect students from these high interest rates.

In Rhode Island, roughly 49,000 students will borrow for this coming academic year. They would benefit from this approach, but their brothers and sisters, who may be freshmen in high school, will be taking out loans when the interest rates will be exceeding the current rates.

Adopting the Reed-Warren amendment means students can benefit from these low rates initially, but then we will have the existing statutory cap in place for future generations. As it exists now, if you are a senior in high school and you are going to college next year, you are going to get the benefit of the rate, but your younger brother or sister, who may be a freshman or junior in high school, and your parents are paying for it in the future, and will be paying indefinitely.

As my colleague Senator WARREN has pointed out, they are doing it in a situation in which the government is making billions of dollars a year on these loans. This is not a question of putting subsidies in. Contrary to the history and purpose of the student loan programs, we are actually reversing the subsidy. We are saying, No, the students pay.

Education is so important to the future of America, yet we are no longer going to invest in it as a Nation. We are going to let students pay. That is the way this whole approach has been structured. They picked as their benchmark the 10-year Treasury bill. Typically, we use the 91-day Treasury bill. Just in the baseline, there is a higher interest rate. Then they picked a premium to put on top to compensate the government for potential risk of loss. As some of my colleagues suggested, we are not quite sure what the premium should be, and we feel very strongly that premium is much too high for the actual risks and costs of the program. So this proposal has baked in higher interest rates for some students after the first 2 years, and for all students and parents in the long run.

I believe what we are doing in the Reed-Warren amendment makes a great deal of sense. Many people are struggling in many different ways, and particularly students are struggling with student debt. We should ensure that the new rate structure does not leave students worse off—and not just for the first 2 years, but let's be realistic and serious. Let's look down the road. This road is taking us to higher and higher interest rates for students. I think we can do better. I think we must do better.

I would point out that we have paid for this amendment by putting a very small surcharge of 0.55 percent on incomes over $1 million, so this is fully paid for, and it will give students the real certainty that they will not see interest rates go beyond the present statutory limits.

I think what we should be doing as a Nation is not shifting the burden to students but investing through students in our future. We know if students are able to go on to college and to postgraduate education, they are going to make more money, they are going to contribute more to the economy, we are going to be more globally competitive, and we will be in a much better position.

Frankly, that was the wise judgment our parents and grandparents made when, in the 1950s, 1960s, and the 1970s, they decided to invest in the future of America by investing in higher education.

I daresay there are very few people in this Chamber who in one way or another did not directly benefit from that investment. But now we are saying today, No, it is on the students, they are going to pay market rate premiums, and, according to CBO numbers, we will be generating about $184 billion—the difference between our borrowing costs and what the students and families are paying. That is not the way to grow a strong, prosperous America.

Because there have been elaborate studies, we also understand that we have a jobs gap already between highly educated individuals and the jobs. By 2020, there will be about a 5-million-jobs gap between those jobs requiring higher education and the projected graduates in the next several years going forward.

So we have to do much more, and I think we also have to look at the issue in a comprehensive way. We have to build in incentives for lower costs at colleges and universities. That is not being done in this legislation, and I think once we pass it, the likelihood of getting on to that issue is diminished.

We also have to try to come up with ways in which students can refinance loans. A trillion dollars of student debt has surpassed credit card and automobile debt as the second biggest household debt in the country, and that is going to grow. It will particularly grow under the underlying proposal. We have to figure out a creative way to do that. And, by the way, that is going to cost money. So if one of the principles and premises of this whole legislation is we will spend no additional money for higher education support, how are we going to fix that issue of students and families who are deeply in debt—not just those who are carrying the debt today but those who are going to accumulate the debt going forward?

I urge my colleagues to vote yes on the Reed-Warren amendment. This will be the certainty that is proclaimed in the title of the underlying legislation.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Madam President, I want to start by saying to Senator REED how much I appreciate his leadership in putting forth this amendment

that takes a bad bill and turns it into something that will be helpful for our students and for our families struggling with student loan debt.

I also want to say how much I appreciate the leadership of Senator HARKIN, Senator DURBIN, Senator MANCHIN, Senator KING, Leader REID, all of whom have worked very hard and made best efforts under very difficult circumstances. We had a better bill that passed the Senate, but it was filibustered by Republicans and, as a result, we are where we are now.

Today the Senate will vote on a plan that would fundamentally change the way government sets interest rates on student loans. My colleagues who support this proposal say it will lower interest rates on loans for this year, and that is all that matters. That is the same thing credit card companies said when they sold zero-interest credit cards, and it is the same thing subprime mortgage lenders said when they sold teaser-rate mortgages. In all these cases, the bill comes due. Nobody disputes the fact that within a few years, according to our best estimates, all students will end up paying far higher interest rates on their loans than they do right now.

I want lower interest rates for students. With more than $1 trillion in existing student loans, our students are drowning in debt. We must find a way to address this crisis by lowering the interest rates, refinancing existing student loan debt, and bringing down the cost of college. But I cannot support a plan that asks tomorrow's students to pay more in order to finance lower rates today. And I cannot support a plan that raises interest rates on students in the long term while the government continues to make a profit off of them.

According to official government estimates, the Federal Government will make $184 billion in profits off student loans over the next 10 years under current law. This is obscene. Students should not be used to generate profits for the government. We should be doing everything we can to invest in students and to offer them the best deal we can on student loans, not find more ways to make money off them.

I am a realist about this. I know that eliminating those $184 billion in profits is going to be hard. The government and our Republican friends liked having that money to spend. I know that it will take time to wring the profits out of the system, and I know it will take compromise. But the plan before the Senate today is not a compromise, and it doesn't remove a single dime of profits from the student loan program. That is not an accident. It was designed that way, on purpose, with the high interest rates in the future, to preserve every penny of that $184 billion in profits. I want a compromise that actually saves some money for our students.

In fact, the plan we will vote on makes even more money off the backs of our students—an additional $715 million over the next 10 years. That is right; the total profits of the plan we will vote on are nearly $185 billion.

Some have sought to minimize these profits. They say this money is only a fraction of what students will borrow in the next decade. But I have spent months talking to families in Massachusetts, and it doesn't look small to them—families who are already squeezed by the economy and who are fighting to put kids through college, young graduates who are struggling to buy a home, buy a car, or to put away a little bit of savings in the future. That money should stay in their pockets, not go to the government. These students don't think that $184 billion in profits is small change. These students don't think adding another $715 million on top of these already huge profits can be ignored as rounding errors. These numbers are not abstractions, they are real dollars coming out of the pockets of hard-working Americans. Middle-class families work hard and pay their taxes, and now they have to pay an extra tax—an extra $184 billion tax to put their kids through college.

Meanwhile, this plan asks for nothing from our biggest corporations which take advantage of loopholes in the Tax Code to avoid paying their fair share. It asks for nothing from millionaires and billionaires who get away with paying less taxes than their secretaries. It asks for nothing from the enormously profitable companies that get billions of dollars in subsidies from the government every year. It is our kids—our kids who are trying to get an education—who will pay more.

Senator JACK REED has introduced an amendment that would change this. His amendment would substantially improve the plan before us today. His idea is a simple one: It would cap interest rates on all Federal loans at their current levels. These caps would allow students to get a good deal right now while the interest rates are low. But the caps would also ensure that when interest rates go up in a few years, as we all expect them to, our students will still be protected.

The Reed amendment is the only way to ensure that no students will be worse off under the new plan than if Congress did nothing at all. It makes sure we don't pit our students against each other, making tomorrow's students pay more so today's students can get a break.

Senator REED's amendment creates these protections for students by taking a chunk of profit out of the student loan system and replacing it with 55/100th of 1 percent—about one-half of 1 percent—surtax on people whose annual income is more than $1 million.

This amendment would turn this bill into a true compromise. It does not come close to taking all the profits out of the student loan system, as I would like to see, but it is a very good first step in that direction.

Like most of the things we do around here, this is a choice. Anyone who says we can't afford this amendment is in effect saying it is more important to keep making profits off the backs of our kids than to ask millionaires to pay a tiny bit more. These dollars have to come from somewhere—college kids or millionaires.

A vote against this amendment is a vote in favor of higher interest rates for our students. A vote against this amendment is a vote in favor of making profits off the backs of our students. I don't believe that is how we build a future. I believe we build it together.

I support Senator REED's amendment, and I urge my colleagues to do the same.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANCHIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia.

Mr. MANCHIN. Madam President, as we know, Congress has trouble with deadlines. That is why we always seem to be missing them. When we have trouble finding a permanent solution, we seem to kick the can down the road, hoping to find a solution later.

We are here today trying to fix the problem we have with the government student loan programs because we kicked the can down the road last year, and if we do not stop and start fixing things, we will continue to do it. That breeds a lot of uncertainty into the minds of the families and the children who are trying to go on and better themselves. The result was that on July 1 rates on government-subsidized undergraduate Stafford loans doubled to 6.8 percent. That is a fact. That is what we know we are dealing with, and we are trying to reverse that.

Not surprisingly, it set off alarms. My goodness, we all got excited about this. What are we going to do? We had a year to do it, but we didn't do anything; we just extended it—3.4 percent and only for the Stafford subsidized loans and nothing for other loans people were taking. When you consider that 11 million students who are trying to better themselves are borrowing money every year, we were only talking about 1 million. That was all we were trying to help. We forgot about everything else.

It is time to fix it today with a ''yes'' vote on the bipartisan compromise we worked out. It is really tripartisan—Democrat, Republican and Independent. That is pretty special around here, if you can get everybody agreeing and moving in the right direction.

Let me explain what the bill does and what this bipartisan compromise will do. We can lower the rate for all undergraduates—all of them—from 6.8 percent, which is where it is right now, to 3.8 percent. So we understand, that

means a savings of $2,000 in interest for the average freshman student who starts college this year. Remember, doing nothing and voting against the long-term fix means that the 11 million students who will be borrowing money for this school year will pay a higher rate than they have to.

Let's look at the amount of people we are talking about, and the money. This is what we are actually talking about.

The legislation, the bipartisan plan, has been scored and we know this first year saves $8.1 billion that students will not have to pay in interest. That we know. For the first 4 years of this plan, 2013 through 2016, it is $31.8 billion. By doing nothing, that is what we are leaving. We are making the students pay that much more by doing nothing. Anything else we do other than the bipartisan, this is the type of money they will be paying in higher interest rates and more obligations on the families.

All of us understand the importance of education. It is what has made America the land of opportunity. All of us want to help students go as far as they can with their talent, as far as their talent is going to take them. That is what brought so many of us together to come up with the tripartisan fix, if you will, for the student loan program.

We all understand that the student loan rates are only one piece to the issue of making college more accessible and more affordable for all Americans who want to further their education. We will get to the other pieces when we debate the reauthorization of the Higher Education Act, on which Senator HARKIN has been working so hard. I truly look forward to having those discussions, but today we have to know what we are dealing with. We are dealing today with something that has an immediate impact on the pocketbook of student borrowers and their families—people who need to borrow money to go to school. That is what is in front of us. We talked all over and around it. We are talking about accounting principles. We are talking about everything that needs to be looked at. But it is not going to change what we are dealing with today because this bipartisan agreement truly has savings that families need.

As I said, it is probably more accurate to call our proposal tripartisan, and I am proud to do that with all of us working together. If you think bipartisanship is hard work and hard to get around here, tripartisanship is like hitting the trifecta; that is the megabucks. We are doing something really right when we can get all three sides going in the same direction.

This legislation is a long-term fix that is fair, it is equitable, and it is fiscally responsible. We all agreed on a set of priorities when we began our negotiations—that is everybody: Democrats, Republicans, my colleagues on my side of the aisle, the Democratic side, who have other proposals. What we all agreed on is that the interest rate should be as low as humanly possible. We also agreed that there should be strong front-end caps on interest rates to protect student borrowers in high interest rate environments so that it does not just run wild with them. It has a cap of 8.25 percent, which has been historic for some time. We kept that cap.

We ensured that the government did not profit or lose money on the loans. I think that was a big thing, that we all came to agreement. Some of the bills we had, had anywhere up to $16 billion of profit built into them. That money was going to go to debt reduction. We said basically that every penny we can reduce in the interest, that money should go right back toward education for the student, and we have done that.

I admit there is no legislation that is perfect. I have been around this process for many years, and I have never voted on a perfect piece of legislation. But I tried to get the best we possibly could that made a difference and made sure we can get it passed, and we have that today. It is a good piece of legislation. Anything else that we think needs to be fixed that we have talked about, we can do that when we do the reauthorization of the Higher Education Act under Chairman HARKIN, which will be looking at everything.

Here is how good this bipartisan—tripartisan—compromise is. The undergraduate Stafford loans, both subsidized and unsubsidized, are based around the 10-year T-bill plus 2.05 percent, which would yield a 3.86-percent rate for this year. The current rate is 6.8 percent; now we are at 3.8 percent.

Let me show another chart. Nearly 8 out of 10 undergraduate borrowers will have both sub and un-sub loans, while only 1 out of 10 will have subsidized loans. That is how many students will have just the subsidized loans. That is what we thought we were fixing when we froze it at 3.4—that is all the people we helped. I don't think a lot of us understood. Some people thought it helped everybody, and it did not. Only subsidized is this, the Stafford subsidized. Those who borrow only unsubsidized is this. But if you look at those who needed both, this is what we are talking about—6.5 million more students we are helping and serving through this bipartisan—tripartisan—piece of legislation, the compromise.

This is what we worked to do. How could we help? You want to help the middle class? This is where the middle class is. This is where the people are who need to have the assistance, this is where they come in, and I think we have done a very good job at doing that.

We still have the PLUS loans. We have the graduate unsubsidized loans. Right now the graduate unsubsidized Stafford loans are paying 6.8 percent. Under our legislation they will be paying 5.4 percent. If you look at the PLUS loans today, the PLUS loan current rate is 7.9 percent. Under our bill it is 6.4.

One hundred percent—every student—11 million of them who are borrowing money—will be benefited by the bipartisan agreement. Everybody benefits. That is what we tried to do.

Our plan keeps in place the IBR, which is the income-based repayment plan.

Let's say you graduate after years and you borrowed a lot of money. You have a lot of debt. You get a job that pays $40,000, and you have two kids now. We put in a protection that basically says they can only charge you—you only have to pay 10 percent of your disposable income. With a $40,000 income, with two children, that can be as low as $142 a month. Now, $142 a month—let's say that with the economy, the job you have that is where your heart and desires are—after 20 years it is completely forgiven. After 20 years, you made a good effort and maybe 50 percent of your loan is still owed. The taxpayers are picking up that. When people are saying that we are not helping, that we should be subsidizing higher education, we are doing that and I think with tremendous help.

The Congressional Budget Office said our bipartisan proposal will save the government $715 billion over 10 years with $1.4 trillion of money that will be borrowed, and $700 million—that is over 10 years, and that is $70 million a year. That is about as close as they are able to come. What that really amounts to—let me give it to you this way. It might be better. Over the 10 years, $715 million means that the Federal Government—if someone says: Oh, but they are making a profit, over 10 years the Federal Government will make $2.76 on each loan. If we can get it to zero, we will take it to zero. We don't make a penny. That is about as close as we can get working with the numbers we have.

We should not deny students starting college this fall $2,000 in savings for the sake of a principle. You say we are making $2.76 over 10 years, so they should not have the $2,000 in savings? It doesn't make sense to me.

Chart No. 3. This indicates that the average freshman in 2013 who graduates in 4 years will save over $2,000 on our plan—$22,000 versus current law, $24,000. In the years ahead, the interest rates on newly issued Federal student loans will be tied to the U.S. Treasury 10-year borrowing rates plus add-ons to offset costs associated with defaults, collections, deferments, forgiveness, and delinquencies.

What we are talking about is—what they are saying is that rates are going to go up. CBO projects this. They projected it before. If everything that you are hearing—and they say that rates will go up; that is where the difference of about $500 comes in. That is the difference. That is in the worst-case scenario that the $500 would come in. Setting the rates to the market borrowing

costs is fair, and it is equitable and sustainable as long as we have strong borrower protections, and it is fiscally responsible.

This way, Washington doesn't wind up profiting from students or losing money on them. Depending on the methods of accounting that you use—you heard how much money we are making on this and that. Let me explain a little bit about the accounting procedure. The student loan program either generates $184 billion, if you used the Federal Credit Reform Act—and I will say the Federal Credit Reform Act has been the way the CBO has scored for the last 23 years. For 23 years that is the way it has been done. If you use fair value accounting, which some have basically supported and want us to change to—even CBO has pointed toward that—there would be a $95 billion loss. There is a $280 billion swing between what some people say we are making in excess profit; others say we will be losing money, it is not paying for itself, and we are still subsidizing at the $95 billion rate.

That is a tremendous swing. We are not going to fix that. Senator HARKIN will look at all of this, and we will be able to address all of this in the comprehensive bill. We should all agree it is simply not fair to make a profit on the backs of students, and we agree on that, and that is why no matter what happens in the market in the long-term, the Senate compromise—and we fought hard for this—on the front end, the Senate compromise includes an interest rate cap of 8.25 percent. Much of this is important because there will be approximately $140 billion in new loans issued every year, which means $1.4 trillion in loans will be issued over the next 10 years.

In just a few short weeks students will be returning to school, and they will have plenty to worry about: what books to buy, where their classes are, how to haul all their stuff to all the rooms, and much more.

There has been so much discussion and argument. We will be voting on amendments that are based on what will happen after 4 years.

This chart shows what the CBO said the interest rates would be. In 2003, we start at around 4 percent. They felt they would go up to 5.8, to 5.9 percent, and level off for the past decade, which is from 2003 to 2013. This is actually what happened. If we locked into some of the amendments some of my colleagues, whom I respect, are telling us to lock into, no one would ever be able to take advantage of these historic lows. We are able to adjust that based on the market rate rather than just a fixed rate.

These are the things we don't know, but we know we are going to score $31 billion in savings in the first 4 years. We do know that. This is how far they have been off before, so there is no science in this. If anyone thinks this is the gospel, it is not.

With a ''yes'' vote on our legislation today, there is one less thing students and their families will have to worry about: what the interest rate will be this year and how it will be calculated for years to come. We all came here to help our constituents do what we believe is right. We all agree that ensuring college remains affordable and accessible for this generation and future generations of Americans is the right thing to do. There simply is no better investment we can make than the education of our children and grandchildren.

We will count on today's students to be the driving force of American creativity and innovation in the years ahead. Some bedrock values define America, and one of them is pretty fundamental: We believe in opportunity. We believe everyone who wants to work hard and play by the rules should have a shot to succeed. To make good on that American promise—the promise of the American dream—we must do all we can to ensure that students can have an affordable education.

With a vote today on this bipartisan—more appropriately a tripartisan—agreement to lower the interest rates on all student loans, we will take a large step in the right direction. That is why I urge all of my colleagues to support this bipartisan, tripartisan, agreed-upon legislation that helps students in the future.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Missouri.

Mr. BLUNT. Mr. President, I rise in support of the effort that my friend Senator MANCHIN has done to reach a conclusion. I hope we reach that conclusion today.

I was a university president for 4 years before coming to the Congress. There are 11 million families—between now and the start of the school year—who will be making decisions on how these programs work, so they are very impacted by what we do. Working together to make this happen is important, and I will be supporting that.

I am glad to be a cosponsor of this bill that deals with scholarships, but I wish to talk quickly about one other topic and then I have another topic I came to the floor to talk about.

REMEMBERING OFFICERS CHESTNUT AND GIBSON

Mr. BLUNT. Fifteen years ago this week, we had two of our Capitol Police officers killed in this building. Officer Jacob Chestnut and Detective John Gibson were killed. An intruder came into the building, and these two people, trying to protect and defend others, were killed. Later today there will be a moment of silence in honor of them and at the same time remembering all of those who do this every day for us.

I happened to be working in this building on 9/11. I was one of the last people to leave the building that morning, and I remember the people who were still here when I left were the Capitol Police. I remember one of the policewomen I saw as I was going out the door—Isabelle said: You need to get out of the building as quick as you can. But she was still here.

Officer Gibson actually died in the doorway of an office that was my office for a couple of years in this building. I moved into that office shortly after he and his family both made the sacrifice that all of those who work here to protect us are willing to make.

The other thing I would like to say is that in light of all of that, this building was kept open for people who were not only from the United States but from all over the world to come and see. One of the things Congress appropriately never talked about after that tragedy was: What do we do to keep people out of this building? The discussion was: What do we do to let people continue to be in this building, and we will be remembering that day.

THE ECONOMY

Mr. BLUNT. Mr. President, I rise principally to talk about the fact that today President Obama is pivoting back to jobs and the economy in a series of speeches in Illinois, Florida, and in my State of Missouri.

He will be speaking at the University of Central Missouri at Warrensburg today, and I am glad he is. I was there recently. This campus always hosts Girls State and Boys State. It is one of our great schools. Warrensburg is a great community. I am glad he is there, and I am glad the President is going to get to see that.

These speeches the President is giving sound an awful lot like the 2012 campaign speeches. I think we need to move beyond that. We need to not just pivot to the economy, but we need to stick with the economy. Missourians and all Americans are concerned about the economy and for good reason.

In June, a Gallup poll found Americans continuing to say the economy is the biggest problem facing the country. Certainly, if we look at what we ought to be focused on in our domestic agenda of what we are going to do for America, private sector jobs have to be at the top.

The President has pivoted—and I think usually the press and maybe even the administration were pivoting to jobs and the economy—to the economy and has done that a lot over the last several years. It is sort of like he goes to this issue and then he goes away from it. I believe that when he is there, he is talking about the right thing, but he has to talk about the right thing all the time if he wants the right thing to happen.

There is an old saying that even a stopped clock is right twice a day. The President and the administration's focus seems to be like that. Occasionally, we come around to the right topic, but then we quickly get to other topics.

In May of this year, the President pivoted to jobs during his middle-class jobs and opportunity tour. In February, he pivoted to jobs during a State of the Union Message. In June of last year, he pivoted to jobs during a campaign speech in Cleveland, OH. Aides said he was framing the speech but didn't have

any new proposals. That was the way that speech was described that day.

In September of 2011, President Obama pivoted to jobs during a speech before a joint session of Congress that was held to bring attention to jobs, where he said he wanted to vote on a $447 billion jobs package.

In August of 2011, the President pivoted to jobs during a speech at the White House following a Senate debt ceiling vote, and then he had a Midwest bus tour.

In January of 2010, he pivoted to jobs amid news that unemployment reached 10 percent in the wake of what I think was clearly a failed stimulus plan. It was a stimulus plan that didn't work. During the speech, he announced there would be more tax credits for clean energy jobs.

The December before that, he pivoted to jobs during a White House forum for business leaders. I think I read somewhere this morning that we could count as many as 18 pivots to jobs. We need to pivot to jobs and stay with it.

When the President is talking about private sector jobs, he is talking about the right thing, but what he says after pivoting to jobs is what matters. Hopefully, tomorrow the President will still be talking about jobs. Hopefully, the President will talk about jobs every day in the next week and longer until we get this done. We need to stay on the economy until we get it done.

Action speaks louder than words, and unfortunately the record is not as good as we would like it to be. We have lagging job creation and devastating manufacturing loss. The economy is now adding jobs again but barely enough to keep up with the numbers of people going into the workforce. Manufacturing has been particularly hard hit, despite the President's goal of adding 1 million new manufacturing jobs by the end of the second term. I would like to see that happen. If the President stays focused on that as the premier domestic topic every day for the next 3½ years, it might, but it will not if he doesn't.

We have too much debt, and that doesn't help in adding jobs. We have added $6 trillion in debt and saw a stimulus plan that added a lot of that debt and didn't appear to create the jobs it was supposed to create.

As far as the health care law, the nonpartisan Congressional Budget Office estimates 7 million people will lose their coverage because of the health care law. The Chamber of Commerce said that more than 70 percent of small businesses say the health care law makes it harder and less likely for them to hire new employees. The Congressional Budget Office says the health care law will not reduce the number of uninsured below 30 million Americans, but it is going to cost a lot of money in holding back full-time jobs.

I read articles every day in different papers that people are looking at part-time jobs rather than full-time jobs because of the health care law. Surely that is not what we should be doing.

There are energy policies that don't make sense: the continued blockage of the Keystone Pipeline that would have added tens of thousands of jobs just to build it. After it is built, more American energy equals more American jobs. The President and administration need to embrace that concept of more American energy.

Republicans in the Senate and House are united in calling for progrowth policies such as replacing the President's health care plan with something that will work. Encouraging more American energy of all kinds—from renewables to solar to wind—is important. We need to also understand that traditional sources of energy will be the main source of energy for the foreseeable future and that will grow our economy—approving things such as the Keystone XL Pipeline, stop overregulating in ways that hold our national energy policy back.

Obviously, we need to rein in wasteful government spending, give Americans more economic certainty, and simplify. There is much we can do. We need to simplify the Tax Code. There is a lot we can do.

I say to the President, it is time to keep talking about jobs. I hope today is the first of lots of days in a row when we are talking about jobs but also doing the things that help create private sector jobs, doing the things that help create an environment where people want to take the chance to create an opportunity because our society needs to be about that.

By the way, it is the private sector jobs that do that. The public sector jobs are fine, and I am glad to have one right here, but public sector jobs don't pay the bill. They are the bill. Private sector jobs are where we need to go, and I encourage the President to stick with the pivot this time.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KING. Mr. President, I rise to speak on the student loan issue, and my time should be allocated to the time of Senator ALEXANDER.

The PRESIDING OFFICER. The Senator is recognized.

Mr. KING. Mr. President, we have been hearing really two debates around here the last few days—in fact, over the last few days and months—about student loans. Both are important, but they are separate, and I think they need to be separate and thought of as two separate debates as we consider the issue before us this afternoon.

The first and larger issue is the cost of college. It is too high. Everyone agrees to that. In fact, the cost of college—of higher education—has exploded in the last 30 years.

In a former life, I used to interview people for a living on television. In the 1980s I interviewed the financial aid officer at one of our Maine colleges. He made a very interesting point.

He said: Angus, if you look back over the last 40 or 50 years, the cost of a private college education in the United States has almost exactly tracked the cost of a new Ford automobile. In the 1950s, $1,500 bought a car and a college education. In the 1960s, about $3,000 bought a car and a college education. That relationship continued into the 1990s. Then something happened because today a new Ford is about $18,000 and a private college is approaching $60,000, something like $58,000.

That is a real problem for all of us. It is a problem for parents. It is a problem for students. It is a problem for the government that supplies the loans. It is a problem for Pell grants. It is a problem for all of us. It is one we need to discuss. But that is not the issue before us today.

There has been some discussion in this bigger debate about college costs and what the Federal role should be. Should it be to support and help students go to college? Indeed, we have had this discussion for the last 25 or 30 years, going back to the time of Pell grants, which were designed to help students—particularly low-income students—go to school. We have had various iterations of the student loan program. At first it was lodged in the banks, and it was a guaranteed student loan. Then some years ago it was made exclusively a Federal loan.

I can make the arguments—and we have heard some of them on the floor, including from the Senator from Vermont, who very eloquently made the argument that we need to make college accessible. We should do that, but not in the context of the discussion we are having today about student loans. It is a larger issue. I am sure Senator HARKIN and his committee are going to take that up in the reauthorization of the Higher Education Act later this year.

I can be very passionate and persuasive about the importance of the affordability of college. In fact, I would argue that the GI bill, back in the early 1950s and late 1940s, is one of the most important economic development investments this country ever made because it sent a whole generation of young Americans to college, and it was the mainspring of our great economic growth in the 1950s and 1960s.

The problem now, though, if we are talking about massive new Federal support for higher education—it runs into three problems, it seems to me, that we are going to have to examine and think about as we move forward in this debate. One is financial, another is political, and the final one is economic.

The financial problem is we are broke. Every dollar we spend—in addition to what is being spent now; in

fact, including about 30 percent of what we are spending now—is borrowed. So if we are going to significantly increase Federal grants or subsidies to students, they have to come from somewhere else. I heard Senator CARPER speak yesterday about this.

He said: Do we really want to say, OK, we are going to cut Head Start in order to give funds to students? Are we going to cut somewhere else? How are we going to make those kinds of allocations?

Every dollar must be borrowed, and that is just the financial reality we are in today.

The political reality is we are in a situation of divided government. The central reality of our political times is nothing happens in this city without votes from both parties. It is simple arithmetic. We have a President who is a Democrat. We have a House of Representatives that is controlled by Republicans, and we have a Senate with a majority of Democrats but with important powers to the minority party. So the bottom line from all that is nothing happens without bipartisan votes. So as much as we—or any group, whether it is the Democrats, the Republicans, or our two Independents—as much as we might want something, if it doesn't have bipartisan support, it is simply not going to happen. That is the reality.

That is indeed the reality that drove JOE MANCHIN and I to begin these discussions about 6 weeks ago when we were talking about student loans. There was a Democratic proposal which didn't get enough votes, there was a Republican proposal which didn't get enough votes, and everybody walked away. I was haunted by the experience of the sequester, where the same thing happened: Democratic proposal, Republican proposal, everybody hates the sequester, but it is happening.

So we believed we had to open some discussions because we have to find a way to get enough votes to get a proposal through the Congress so students aren't facing way higher interest rates this month than they should be. No action, make no mistake about it, means students will be paying dramatically higher interest rates than they should be, given the current cost of money. Why? Because Congress fixed an interest rate.

I would argue the last thing Congress should ever do is fix an interest rate. It will always be wrong—either wrong for the students as it is now, dramatically, or wrong for the taxpayers at some point in the future. We can't predict what interest rates can or should be, and fixing a rate, which is what we are facing now—6.8 percent—is always—at this point, as I said, is dramatically wrong for students.

In terms of the political realities around here, my dad was a lifelong poker player. One of the things I learned from him—one of the guiding principles of my life—is you have to play the hand that is dealt. The hand that is dealt us right now is that it takes both Republican and Democratic votes to get anything through the Congress. That is the reality, and that defines our ability to get things done. It doesn't mean we can't get things done, it just means we can't always get our way, and compromise has to be part of our lexicon.

The final issue about whether we want to create a massive new support program for college education is economics. I am not saying this is a dispositive argument, but I think it is something we have to think about. The explosion of college costs I talked about that started in the 1990s corresponded, to a large extent, to the availability of additional money for scholarships and loans and grants, and the colleges essentially ate it up. We can go through great effort to find money to increase Pell grants by $1,000, and we will all feel good that we have done something for the students. But if the colleges increase their costs by $1,000, nobody wins. The Federal Government and the taxpayers are out $1,000. The students are in exactly the same position they were in before. They still have to find the difference because the money has just been eaten up by the increases in costs.

I think that is why we have to be thinking about what the implications are of the actions we take. Just saying we want to give more money to students for college—if, indeed, that money immediately turns into higher costs and higher tuition, nobody has gained, least of all the students because they end up with this huge debt burden.

We can and should have this discussion. It is an important one. But it is not the discussion before us today. The discussion before us today is pretty simple: Do we want to continue a program that has fixed rates at 6.8 percent when currently rates are running more in the 3-percent range?

In other words, do we want to balance the Federal budget for the next 4 or 5 years on the backs of our students? I don't think we should do that. I think we have come up with a proposal that doesn't do that—that dramatically benefits students as long as interest rates are where they are, and it protects students on the upside.

I try to always think about problems as if we didn't have all of the history and we simply had a blank sheet of paper and said: How should we go about this? How should we structure a student loan program in the Federal Government if we didn't have all the back-and-forth and the history and the fixed rates and all of those things?

It would seem to me if we sat down in a room with a group of bright people, they would say: Well, No. 1, the government is going to have to borrow this money that it then lends to the students because we are broke. Therefore, in order to be fair to the taxpayers and the students, the students should pay what it costs the government to borrow the money, plus a little bit for the cost of administering the program and the risks of default. That is exactly where we landed in this proposal.

People talk about market rates. Yes, there are market rates, but it is the 10-year Treasury bill, which is one of the lowest rates in the country. This isn't the prime rate. This isn't LIBOR. This is one of the lowest borrowing rates we can ever have. It is the borrowing rate for the U.S. Government, which heretofore anyway has had a pretty good credit rating. Therefore, the students are guaranteed that they will always be below the outside market. If they went to a bank for a loan with no collateral, no cosigning, no job, the rates would be much higher than what we are talking about.

By the way, it is important to understand, because there has been so much discussion about this, that this is not an adjustable rate mortgage. If we can manage to pass this bill and get it through the House and get it to the President in the next week to 10 days, once a student signs up for a loan this fall their rate for that loan will be fixed at 3.86 percent for the term of the loan—for the term of the loan.

It is true that the following year, if they need another loan, that rate will be the T-bill plus 2.05 percent for the term of that loan. In other words, the loan rate doesn't change each year according to the rates. I think that is an important distinction. I think there has been some confusion about that. In addition, there are provisions in current law which this bill doesn't change that allow for forgiveness of student loans under certain circumstances, depending upon how long the loan has been in place and the employment a person has, as well as limits on how much a person has to pay as a percentage of their income.

As I said before, I don't believe Congress should be setting rates.

Let's talk about the effect of this proposal on students. The first effect is that it will cut almost in half the rates students are going to have to pay for their loans this year, from 6.8 percent to 3.86 percent, as this side of the chart shows. So a freshman going to college starting in 2013—this year—this is what they would pay for their total loans under this proposal.

It says ''bipartisan''; it should say ''nonpartisan.'' This is what they will pay under current law. That is a dramatic difference. That is money out of the pockets—billions of dollars out of the pockets of students over the next 2 or 3 years.

Everybody says, well, what if rates go up? Rates might go up. They might stay the same. They might go down. But even if they go up, under the projections of the Congressional Budget Office, here is a student starting college in 2017, and they would pay a little bit more under our proposal—it is the difference between $24,800 and 24,295—about $500. This difference is about

$2,000. This is money in hand. This is maybe, depending upon what happens with interest rates—what is worth more, $1 billion in hand or $1 billion in the bush? I think it is $1 billion in hand because these are the rates kids are going to have to face right now.

I think this is a great deal for students. No. 1, it dramatically lowers the rates in the early years. No. 2, thanks to the hard work of TOM HARKIN, who negotiated like a tiger, there is a cap on the upside. So students aren't subjected, if rates happen to go way up—as they have occasionally but not very often in our recent history—into double digits, there is a cap of 8.25 percent.

So the students enjoy the benefit of the low rates, but their exposure to the upper rates, to too-high rates, is capped. I think that is a sensible and prudent and beneficial proposal for students.

The savings to students next year will be something like $8 billion or $9 billion; otherwise, if we do nothing this week, that is the amount they are going to have to pay.

The future is uncertain, but I think it is important to talk about projections of interest rates because a lot of the discussion is that the students are going to have to pay so much more because the CBO projects interest rates to go up. By the way, even on the CBO's projections for undergraduates, the rates would never hit the cap. They would be in the low 7s—very close to where the present rate is.

But let's just talk about CBO interest rate projections because that is what is driving a lot of the anxiety around here. Here is the CBO. Let's pretend it is 2003—10 years ago—and we go to the CBO and say: What are you projecting for interest rates—just as we did a few weeks ago? Here is what they projected. They said: Well, interest rates are at about 4 percent, but we think they are going to go up around 5, 5.5, 6 percent. That is the projection CBO used in 2003. OK.

The good news is, we know what actually happened. Again, starting in 2003, here is the actual cost of interest rates. Look at the difference. If we were basing our decisions on projected interest rates, look at the huge difference that took place, and all of this represents money in the students' pockets as opposed to fixing the rate.

So, yes, the projections are that they will go up, but we do not know that. I would take money in hand anyday against a possibility that there might be a payment later on. And we do not know that. It could go either way.

If interest rates go way up, as I said, the cap kicks in. The cap of 8.25 percent is very close to the 6.8 percent we have now. It results in about—I do not know—$20 a month difference between the cap and the 6.8 percent, if, indeed, we go all the way to the cap.

I think this is a prudent and responsible proposal. It is the best of all worlds for the students because they get low rates now, and they get a cap if rates go up. I think it makes sense for the taxpayers. I am perfectly willing to have the debate, to have the discussion about, A, what do we do about college costs, and, B, should the Federal Government be playing a greater role in terms of support for students? I think that is a very honest discussion.

But this is called the student loan program. It is about loans. And the implication of a loan is that it is to be paid back with some reasonable rate of interest. Pell grants are grants, and we have tax credit programs that are, in effect, grants. This is one part of the student aid puzzle, and what we have before us today is a prudent, sensible, beneficial program for the students.

I will conclude by saying the choice is very clear because if we do not act on this bipartisan proposal that we believe will have a receptive ear in the House of Representatives—we know the President supports it and is ready to sign it tomorrow—if we do not move this bill, nothing happens, nothing happens during August, students are signing up for loans at almost double the rate they should be. I think that is unfair to students, and I think they sent us here to solve problems. This is one I believe we can tackle. We can and have solved it.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I would like to be recognized on the student loan bill. The time can come out of the Manchin-Burr amendment. I am not sure exactly how we are allocating time.

Let me take this opportunity to thank the cosponsors of the bill: Senator ALEXANDER, Senator COBURN, Senator CARPER, Senator KING, and Senator MANCHIN. Without this bipartisan approach, we would not be here today. It has not been lost on me that four of the six cosponsors are former Governors. They recognize the importance of education. They recognize the importance of students having access to that education. I think all of them are stalwarts as it relates to good education, and I think they recognize, as do Senator COBURN and I, that this is a good bill. It is good policy, the Manchin-Burr-King-Alexander-Coburn-Carper bill.

Let me take a minute to share with my colleagues or remind my colleagues where we are today. Senator KING just did it. Under current law we are at 6.8 percent for all undergraduate students. It is higher for graduate students. It is higher for PLUS loans. A month ago, we had a bifurcated system where some undergraduates paid 6.8 percent and other undergraduates, who were considered subsidized, paid 3.4 percent. I would suggest that is morally wrong. I think collectively what we did was we said: How can we come up with a system that shows the equity we believe in and that provides a financial benefit to all students who participate?

So I say to my colleagues, I want to point out the single most important part of this bipartisan bill or nonpartisan bill is the fact that for two students seated side by side—one whose parents have a different income level than the other one's parents—we treat them both the same.

For the one who has a lower income level, as Senator KING said, they qualify for Pell grants, for education tax credits, for loan forgiveness, for a lot of different things. But from the standpoint of the rate the Federal Government charges them to borrow money to go to school, we treat them the same. I think that is what we are supposed to do.

If we did not treat them the same—let me back up for a second—and we were treating this one at 3.4 percent and this one at 6.8 percent, understand that this one can only borrow $3,500 at a subsidized rate. Well, you are not going to enter any college today for $3,500. It is not going to happen. So you are going to have to borrow a little more. If you borrowed the maximum you can get, it is $5,500 in your freshman year. So you are going to get $3,500 over here, and you are going to get $2,000 over here but you are going to pay 6.8 percent.

What the bipartisan or nonpartisan bill does is it provides every undergraduate with, this year, 3.86 percent. In the case of the subsidized student, they are not, as before, borrowing at a lower rate for some money and a higher rate for other money, actually subsidizing themselves. And for the undergraduate who is not subsidized, they are not paying way more than they should for their college loan.

So what did we do? We used the 10-year bond, with market forces. I am not sure there is a fairer way to do it—fairer for the student, fairer for the institution, fairer for the American taxpayer. We tied it to the 10-year bond, and we got an add-on which is reflective of the cost to run the program and the risk of the loan. We hope every student pays it back, but that does not always happen. What we tried to be is good fiduciaries for the American taxpayer.

Within that, as Senator KING said, they are capped. If you are an undergraduate, it is capped at 8.25 percent. It came out a little higher than that. But the tradeoff for doing that, in comparison to what my colleagues in the House have done, is that when you take out a loan this year at 3.86 percent, that is your interest rate for the life of the loan. We do not readjust it on an annual basis. This is like getting a 15- or 30-year amortized loan for a home mortgage. We are not going to come in and change the rules on you and say: Well, the United States wants more interest in the future. But it does mean, just like in a home mortgage purchase, if you buy one this year, the likelihood is, the one you buy next year might have a different interest rate because the market has changed.

I think the American people can deal with that because it is predictable. It

brings with it some certainty. You can calculate it on your own. As my colleague said, the last to set rates is the Congress of the United States. We should not be in that business. It should be market forces. With this legislation, it will be.

I sat over here trying to think of just the one phrase I would say to my colleagues is the primary reason they should support this bill and provide this benefit for the American people. I wrote down two words: financially sustainable. You see, in 2007, Congress created the current student loan program rate. A year ago—after we had extended the program because it ran out for 2 years—we said: Well, we are going to fix it. We are going to have a long-term solution. Then, all of a sudden, we did a 1-year extension. The Senator from West Virginia was the most vocal person. He said: What happened? We were going to fix it. We did not fix it. Thank goodness that is why, when it came up this year, there was such outcry over the fact that now is the time to fix it if we are going to do it. Let's go ahead and fix it.

Well, what is the test of: Did we fix it? I would suggest to my colleagues, it is financial sustainability. Can this withstand the test of time? Today we need that certainty from the standpoint of Federal spending, from the standpoint of the American taxpayer. But we also need it from the standpoint of America's children.

We are speaking as much to the 10-year-old as we are to the 18-year-old. The 18-year-old may be a freshman next year. The 10-year-old has aspirations, down the road 8 more years, that they are going to have the ability to go to college. We want to provide them with the certainty that there is going to be a student loan program out there that is equitable and fair that they can participate in and not question whether, in fact, it will exist. I think with the option we have on the table, we will be able to say that from one generation to the next.

I know we will consider this afternoon a couple of different options. I want to urge my colleagues. I think there will be two options from the standpoint of plans you can choose. If you believe equitable treatment is right, then the bipartisan bill is the one you need to support. If you believe financial sustainability is important, then the bipartisan bill is the one you need to support.

I think if you tick down all the things you probably ought to look at—what makes it most affordable; what is best for the students—I think what you will find is it is the bipartisan bill.

There has been a lot of work put into making it a long-term solution. I want to urge my colleagues. Congress changes every 2 years. That is the length of ''long term.'' But let's not put into law a sunset on this in 2 years. That is the other amendment. Why would we say we have come up with a great plan, one that sort of passes the test of equitability and sustainability, and then turn around and say: But we are going to sunset it in 2 years? Congress has the ability, with every new Congress, to look at any piece of legislation and change it. Let's make that the function of what we learn from this and not prejudge it and say: Let's cut it off in 2 years.

I am going to conclude because my colleagues are here to speak on the program as well. I thank the cosponsors—the four Governors and Senator COBURN. Without their help we would not be to this point. I thank the leadership on both sides of the institution—the majority leader and the minority leader and those who have brokered the ability for us to be here today. Without them, we would not be considering what I think is the best piece of legislation to address the challenges we have for students in need of loans for college this year and future years.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I come to the floor today to speak again in support of the permanent solution to the student loan program. Like my colleague from the great State of North Carolina, I think that is exactly what we have with the bipartisan Student Loan Certainty Act.

I want to acknowledge all of those who worked so hard to come together and support this legislation. It is actually not bipartisan, it is tripartisan. Former Governor King is an Independent, so you have Republicans, Democrats, and Independents all in support of this legislation. That is what it takes. It takes people coming together across the aisle doing good work. That is what they have done here to put this legislation together. I am pleased to be supporting it.

I come today to call on all of our colleagues to support it as well. The plan provides students with dependable low-cost financing on a long-term basis. That is the key. This is a long-term fix. It is called the Student Loan Certainty Act because it provides just that, it provides certainty for students and for families.

Again, let's take a minute to review how the plan works. The plan would tie all student loan rates to the 10-year Treasury note rate to reflect both current market and employment conditions. For this year that rate index would be 1.81 percent. Then both subsidized and unsubsidized Stafford loans would be 2.05 percent over that rate. Graduate student rates would be 3.6 percent over the 10-year Treasury rate, PLUS loans would be 4.6 percent over the Treasury rate.

It is important to note that the rate on those loans is then fixed, so you have that certainty when you take out the loan. You know what the rate on that loan is going to be for the life of the loan. It is important for our borrowers.

Let's take a minute to compare this program with the existing student loan program. Subsidized Stafford loans right now are charged at 6.8 percent. It was 3.4 percent, but now it is 6.8 percent, because as my colleague identified the program had expired.

We are in this situation where we are going with short-term extensions. So we faced these periods like right now where the program has expired, so the rate for Stafford loans is 6.8 percent. Under this program, that goes to 3.86 percent this year—3.86 percent compared to 6.8 percent.

The same thing for unsubsidized Stafford loans. Now 60 percent of the borrowers, the undergraduate borrowers, borrow unsubsidized Stafford loans. A lot of the lower income students who borrow subsidized loans also borrow unsubsidized loans. They were paying that 6.8 percent even before the program expired. For all of those undergraduate students, the rate goes down to 3.68 percent. That is a big-time savings for undergraduate students. Furthermore, the program is capped at 8.25 percent, so they have the certainty of a cap as well. They save money now. As was pointed out by my colleagues, they save money now and they have the certainty of a cap as well.

There are caps for both the graduate students and for the PLUS loans that parents take out as well. In addition to the caps, there is another safety net in the program. The other safety net in the bill is the income-based repayment level. Under the income-based repayment level provisions, student loan payments are limited to 15 percent of income. Any balance remaining on the loan after 25 years is forgiven. So you have both safety nets. You have the caps and you have the repayment limit provision to protect borrowers.

This program is designed solely for students and their families. Let me repeat that. This program is designed solely for students and their families. Unlike the existing student loan program, it does not subsidize Federal health care or any other program. It is for the students and their families alone, period. Again, as my colleagues noted, a year ago we extended the student loan program. I was actually a member of the conference committee for MAP–21, the Department of Transportation reauthorization legislation. In that legislation we not only reauthorized the DOT budget, we also reauthorized Federal flood insurance as well.

In addition, we extended for 1 year the reauthorization of the student loan program. The reason we extended the student loan program for 1 year was so we could come up with a permanent solution, not so we could come up with another short-term extension but specifically so we could come up with a permanent solution. That is exactly what this is.

The bipartisan Student Loan Certainty Act provides that certainty for students, for families. It is a long-term permanent fix for our students. So I join with my colleagues and I call on

both sides of the aisle, all of us, to come together. Let's fix this for our students. Let's get it in place. Let's get it over to the House. I believe they will pass it as well. Let's have this ready for our students as they are preparing to enter college this fall.

With that, again, I thank everyone who has worked so hard on this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I ask unanimous consent that after I speak for about 10 minutes, the Senator from California be recognized for up to 30 minutes, and following her, the Senator from Oregon be recognized, Mr. MERKLEY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I think the Senator from Maine, the Independent Senator from Maine, probably said it best when he observed on the floor and in private conversation that if you took four or five of us and said forget that you are elected to public office, here is a problem to be solved, we would have come up with something similar to the solution that the President, the House of Representatives, and the bipartisan proposal on the floor today. This is a very good solution on a very big problem that affects millions of families and about 9 million undergraduate students who are headed to college this year.

The bipartisan proposal makes it cheaper, simpler, and fairer for students going to college. It makes their loans more certain, because it locks in a rate for the life of the loan. It ends the political football game which we play every other year, it seems, on student interest rates and solves the problem permanently.

It is based upon an idea recommended by President Obama, passed by the House of Representatives, and endorsed by the bipartisan group that has been working on it. I wish all of the major problems that came before us could be solved in this way. As far as cost goes, it is a big difference. Two-thirds of all federal loans are undergraduate loans. There are about 11 million borrowers who will take out about 18 million loans, because students take out more than one loan.

For all of the undergraduate loans, about two-thirds of the loans, the rate of the loan will be cut about in half, which means if you get a loan this year at a 3.86-percent rate, that is the rate that is locked in for the entire life of the loan. It is simpler and fairer because there is a single rate for all undergraduates. Before, we had one rate for a subsidized loan and another rate for the unsubsidized loan. That is confusing. It was unfair, because 80 percent of the lower income students who had the subsidized loan also had an unsubsidized loan. So now everybody who shows up at the University of Tennessee and borrows money, if they are undergraduates, all of their loans will have the same rate.

It is fair to taxpayers because we asked the Congressional Budget Office to comment on what it costs the government to borrow the money and administer the loan, take into account the cost, and try to come as close to zero as possible to the cost of issuing loans for the taxpayers. They have done that.

It is fair to students because we also asked the Congressional Budget Office to do the same thing for students. They said, we are loaning more than $100 billion a year over $1 trillion over 10 years, so help us find a formula that comes as close to zero as practical so we do not overcharge students and make money on the backs of students. They came within seven-tenths of 1 percent in their estimates, which is only an estimate, and for all practical purposes that is a rounding error. That is a good-faith effort to get to zero in terms of fairness to the taxpayers and students.

But I would want to say to those who suggest it is not fair to students, let's keep in mind a few things. First, thanks to Senator HARKIN and many of the Democratic Members of the Senate, there are caps on the loans. So if rates go up too high, there is a limit on how high they can go.

Second, there is, as has been mentioned, the income repayment plan which means that under the existing law today, if you take out a student loan and then you get a job, you only have to pay back about 10 percent of your disposable income. That is not all of your income, that is after you subtract your living expenses and your taxes, about 10 percent of what is left. If that is not enough, after paying it back over 10 or 20 years, depending on whether you have a public or private sector job, the government forgives it. So there is that cap on there as well.

Then there is the interest subsidy. About 40 percent of the loans are subsidized for lower income students, which means the government, the taxpayer, pays the interest while you are in college. So if you are a low-income student at the University of Tennessee, you take out a loan, the government will pay your interest the whole time you are in college.

Then there is the Pell grant. We spend about $35 billion a year of taxpayer money on Pell grants which go to low-income students. So a student at the University of Tennessee may have a Pell grant of up to about $5,500 or so. They might have a Hope scholarship in the State another $3,000. The tuition at the University of Tennessee is about $8,000 or $9,000. At the community college it is about $3,000 or $4,000. So you can see there is relatively a lot of financial aid out there before students borrow these low-rate student loans that taxpayers are making available to 9 million students at a rate of 3.86 percent for undergraduates.

Then there is one other aspect in which this is favorable to students; that is, the accounting system that we use. I have heard some say the government is making money on the backs of students. Let me try to put that in the simplest form I can. All we are doing with the proposal today is resetting the rates, a very simple bill with a few pages. It is on top of a student loan system with a lot of cash going in and out of it, $100 billion going out this year in new loans, maybe about as much coming back in, being repaid from old loans. There are two ways of accounting for that cash back and forth to determine whether it benefits the taxpayers or whether it benefits the students.

Under the law, we have something called the Federal Credit Reform Act, which says the taxpayers are benefiting to the tune of about $185 billion over 10 years. That is correct. That is exactly what it says. Not from what we are voting on today but for the underlying system that already exists.

But the Congressional Budget Office has said that is not the way they recommend measuring how we count the cost to the government of loaning money. To be specific, the Congressional Budget Office says the Federal Credit Reform Act estimates do not provide a comprehensive measure of what Federal programs actually cost the government, because they do not take into consideration the market risk.

CBO says that adopting a fair value approach would provide a more comprehensive way to measure the cost to the Federal credit programs and would permit more level comparisons between those costs and the costs of other forms of Federal assistance. The Congressional Budget Office says: We already use that fair value approach, which includes taking into account the market risk with such things as the International Monetary Fund, the IMF, the Troubled Asset Relief Program, the bailouts, as we called them in 2008. CBO uses those with Fannie Mae and Freddie Mac.

In other words, the nonpartisan group we rely on to advise us about money says that if we actually use the right accounting tools, the current student loan system benefits students to the tune of about $95 billion over the next 10 years, not taxpayers. So there is another benefit to students. It is not true that under the recommended form of evaluating the cost to the government that taxpayers come out better than students.

One other thing I would like to say—or two other things. One is, I would like to compliment those who have worked on this. My colleague Senator HARKIN, who is chairman of the Education Committee here in the Senate, argued forcefully for caps. I congratulate the President for including this idea in the budget and forcefully supporting it.

I congratulate the House of Representatives. I suppose it is not lost on anyone the Senate is run by Democrats and the House is run by Republicans.

This is a bipartisan proposal. I like the sound of that. I think that shows we can get results done when we keep our eye on the ball.

I especially compliment Senator BURR, Senator COBURN, Senator MANCHIN, Senator KING, and Senator CARPER for working carefully on this, and Senator DURBIN for his leadership in putting this together.

As most speakers have said, it is true that we have a larger question before us. Do we need to make some changes in student loans? It is a lot of money—$100 billion a year. That is a lot of money. We need to make sure that it is available in the right way and that students aren't borrowing too much.

Right now, if you are 20-year-old and you show up at the University of Tennessee in Knoxville and you want $5,500, you get it. The university can't say to you: I am sorry, Lamar, we don't think given your circumstances you are going to be able to pay that back in 10 years. I can say: Give me my money.

This is what the law says. Maybe we need to take a look at that and we need to be careful about our facts.

The Federal Reserve, for example, says that 70 percent of borrowers with student loans today—we are in the year 2012, in the fourth quarter—have a balance of less than $25,000. Seventy percent of all student loans at the end of last year had a balance of less than $25,000. Forty percent had a balance of less than $10,000.

The trend is going in the wrong direction. Some students are borrowing too much money. But the average undergraduate loan debt is about $25,000—that is the average debt—and the undergraduate student can't really borrow more than $31,000, and that is two-thirds of the loans.

So while there may be some problems with the student loan program—and I, for one, think some students borrow more than they should—we have 6,000 institutions out there, from the Nashville Diesel College, to Harvard, to Notre Dame, to the University of Tennessee, and we need to be careful that we understand exactly what the problem is, that we focus in on it, we don't apply a lot of mandates from Washington, and that we work with the colleges and universities. We need to find those universities, such as Tennessee Tech University, where they have a very low level of student loans and others where they may have loan rates that are too high. We need to make sure students don't saddle themselves with too much debt.

But when we have a 20-year-old in Knoxville showing up who is entitled to $5,500 in loans for a community college tuition that only costs $3,000 and he or she can put the other $2,500 in his or her pocket and the community college can't say no, well, that is one of the reasons many community colleges have gotten out of the loan business—because they think that is wrong for the student. If this is the case, then we in the Senate ought to look at that. Senator HARKIN and I are committed to looking at student loans in the reauthorization of the Higher Education Act.

For today, if the Senate does what I hope it does, this will be a victory for students. It makes loans cheaper, simpler, fairer, and more certain. It stops this annual business of political football with the student interest rates. It gives students a low interest rate that they can lock in over time and a cap at the top so that if rates spiral through the roof, student loans won't spiral through the roof. It is done in the context of a larger system that includes Pell grants and interest subsidies for low-income students. If it were based upon an accounting system that is recommended by the Congressional Budget Office, it would tilt the whole program to the advantage of students to the tune of an additional $95 billion over the next 10 years.

I congratulate all those who have worked on it, from the bipartisan sponsors, to the Republican leadership in the House, to the Democratic President of the United States.

I hope that we adopt it by a big vote and that the 9 million students going to college this fall will have the advantage of planning their long-term futures with the lowest possible interest rate on 18 million student loans.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I rise in opposition to the so-called bipartisan deal. I have very strong reasons for opposing it and supporting the alternative, which is the Reed-Warren alternative.

The Senator from Tennessee said he likes the sound of bipartisan deals. So do I. It feels good to get things done around here in a bipartisan way. But that doesn't mean, because it is called bipartisan, it is the right thing to do. Sometimes Democrats will have the right idea, sometimes Republicans will have the right idea, and we debate it.

I think it was interesting to hear Senator ALEXANDER's comments. It was a very interesting speech because it was part of—you know, saying that it is wonderful and we are going to help students on the one hand; on the other hand, he talks about changing the way we are doing our accounting to crack down on students; and then he says that in his State a student can get a $5,500 loan even though it only costs $3,000. What about the books they have to buy? What about transportation? What about all the other out-of-pocket expenses?

So I listened to my friend from Tennessee, and I know he is a leader on education, but I think he had kind of a dual message: On the one hand, it is wonderful to help our students. Well, maybe it is just too much of a risk.

I have to say that according to the information I have from my experts, it is pretty tough when you take out a student loan. The Federal Government, if you don't pay it back, can garnish your wages and it can do lots of other things.

I am opposed to this bipartisan deal and strongly support the Reed-Warren measure.

I am pleased that a lot of people are listening to this debate because it is very important. I am going to read some of the criticisms of this bipartisan deal that come from outside groups.

The first is the National Association of Graduate-Professional Students. This is what they said:

> This bill falls short in preventing higher student loan interest rates, especially for graduate and professional students. A cap of 9.5 percent for graduate and professional students offers no guarantees that our rates won't significantly increase in the future. We should be encouraging students to enter higher education to help keep our economy growing, not deterring them with higher interest rates.

The Young Invincibles also oppose this bill, writing:

> Even as the Federal Government makes $184 billion off the Federal loan program, students and families will be forced to pay more under this bill than current law.

If you let the current law exist, at the end of the day, because of the difference in caps, students will be better off in the outyears and into the future. For anyone who says this is temporary, make no mistake about it—Republicans have said this is permanent. We may revisit other things, and I hope we do because there is a lot we should look at, such as the ability of students to refinance their loans. There are many other things I hope we can work on. But this particular deal, if you look at the Republicans' own words, is a permanent deal.

U.S. Public Interest Group says:

> We oppose S. 1334, the Bipartisan Student Loan Certainty Act, because it is worse than current student loan policy. Current law includes an unjustifiable 10-year revenue stream of $184 billion flowing directly from student borrowers to the Federal Government. [This bill] does not address this problem. Instead, it exacerbates it, generating an additional $715 million in new revenue off the backs of student loan borrowers to pay down the deficit.

They close their comments by saying, ''Enough is enough.''

I am sure people listening to this debate could be a bit confused about exactly what we are talking about. I am going to try to go through some of the facts surrounding this debate. I think it is important that we understand what students are feeling out there. I am going to read a few.

In California, Amy and Christian Diede owe over $82,000 in student loans. Amy, who has a master's degree in psychology, and Christian, a cardiovascular nurse, say:

> It's like carrying a big backpack filled with bricks all over the place, and I can't ever let it go. It's always there. I may get rid of a few bricks, but there's always going to be more. I don't see the student loans going away.

I have met people who are still paying off their student loans and they are on Social Security.

Last year, Tammy Brown of Redding, CA, said the government has been taking $179 out of her Social Security disability check each month for the past 5 years. Brown, 52, became disabled in 1986 after being involved in a car accident. Unable to work, she fell behind on her student loan payments. She said the Social Security check is too small to cover her food and medical bills, so she quit taking prescription pain pills. She said, ''It's kind of hard to live on this amount of money.'' This is a woman on Social Security disability, and what are we doing in the bipartisan deal? We are laying on top of what we already make from student loans an additional $715 million.

Joseph Luka of Portland, ME, started college as a pre-med student, but he switched to mechanical engineering because the thought of graduating with more than $100,000 in student loans after medical school was too daunting.

I will return to some of the comments at the close of my time.

We have to ask a few questions. Why are we piling another $715 million of debt on the backs of our students—so we could stand here and say we did a bipartisan deal? And I know how hard it was. Yes, there are great improvements from where it started. I appreciate that, but we have a better deal. It is called Reed-Warren. It matches those low rates you see in the bipartisan deal for the first 3 years. It matches them, and then it keeps the rates down. I am going to show just how much money we save students in the Reed-Warren legislation because it keeps the rates down.

Did students put two wars on a credit card? Is that why they have to be punished? Were students running the banks that placed huge bets on Wall Street, leading up to the crash? Did students create a drug benefit in the Medicare Program without paying for it? Did students create and sell toxic mortgages, swaps, and securities? Oh, no, they didn't do any of that, but apparently we are forcing students to pay for that by tacking another $715 million on their backs.

I have to say, when it comes to the banks, oh, hundreds of billions of dollars, no problem; too big to fail. It is very hard to explain to people and to students. We say we love our children and we want them to succeed. And yes, we do, but we don't follow our words with actions because if we followed our words with actions, we would embrace the Reed-Warren solution. But the handwriting is clearly on the wall, and we are not going to have the votes to do that, so we are going to ask our students to continue to pay more and more.

We ought to look at what past Presidents have said about the importance of education.

I feel I must point out that Americans have always said that our values include valuing our students. So let's go back.

George H.W. Bush:

> Think about every problem, every challenge, we face. The solution to each starts with education.

How right he was when he said that.

Bill Clinton:

> When we make college more affordable, we make the American Dream more achievable.

How right he was to say that.

George W. Bush:

> Our country must focus our education system on helping workers learn the new skills of the 21st century so we can increase the job base of this country.

And Barack Obama:

> The jobs of the future are increasingly going to be those with more than a high school degree. We all want Americans getting those jobs in the future. So we are going to have to make sure that they're getting the education they need.

OK. So how about charging our students $715 million more? That really helps us do what these Presidents have called us to do, which is to value our children, to value education. Two Democrats, two Republicans. A clear message. And, believe me, that is hard to find on a lot of issues. Education is key. Our students are important. They need the education to get the jobs.

I am going to show exactly what this bipartisan bill is going to cost. I already said it is $715 million over the course of time to the government. Let's look at how much more each family will have to pay under this so-called ''deal'' compared with the Reed-Warren substitute.

First, let's take a look at the 10-year loan. Now, what we do on all these charts is we go out to the cap because we know the caps will all be reached. All one has to do is look to the experts. They have told us the caps will be reached. Take the 30-year average rate of the 10-year note, add on the surcharge, and, bingo, the caps will be reached in a few years.

Let's look at the Reed amendment versus the deal. If you have a $15,000 loan for 10 years, under the deal you pay $1,363 more than you would under the Reed amendment. If you have a $25,000 loan, over 10 years you pay $2,271 more under the bipartisan deal. If you have a $50,000 loan—and you can get those, by the way—for 10 years, you pay $4,500 more.

So let's say you decided you wanted to take 25 years to pay back that undergraduate loan. Let's say you have decided you want to take 25 years. You will pay, for a $30,000 loan amount, $8,400 more under this so-called bipartisan deal than you would under the Reed-Warren amendment. You will pay $14,000 more over the course of a 25-year loan if you have a $50,000 loan amount.

So I am saying to the American people who might be watching this, the bad deal is the bipartisan deal and the good deal is the Reed deal. Look at how much more money an individual has to pay for a $50,000 loan over 25 years—$14,000 more. Some people don't even make $14,000 in half a year.

Let's look at what happens to graduate students, and this is why the graduate students are speaking out against this. Look at this: If you pay back your graduate loan in 10 years—and we all know the caps are going to be reached—you pay $2,500 more for a $15,000 loan, $4,200 more for a $25,000 loan, $8,500 more with a $50,000 loan, and for a $100,000 loan you pay $17,000 more under the so-called bipartisan deal compared to the Reed amendment.

So what we are seeing now is a breakdown of why we say it is going to mean $715 million more in debt on the backs of our students. I am showing how it breaks down for a family.

This is worth looking at. If you are a graduate student—and I know the Presiding Officer probably has a doctorate—and you had to go borrow money under this bipartisan deal, if your loan amount was $30,000, you would pay $16,000 more than you would under the Reed-Warren amendment. If you had a $50,000 loan, you would pay $26,000.

Look at this: If you have a $100,000 loan, which many people have—you hear about what the cost is, and many people who go to graduate school have this—you will pay $53,000 more under the so-called bipartisan deal.

Let's take a look at the parents—the parents who will have the misfortune of having to live under this. Look at the cap. Under the Reed-Warren cap it is a 7.9-percent cap for the parent loan. Under the so-called bipartisan deal it is a 10.5-percent cap. So what does this mean? The additional money for a 10-year loan would be $2,500 for a $15,000 loan, $4,200 for a $25,000 loan, $8,400 for a $50,000 loan, and $16,000 for a $100,000 loan. That is how much more the parents of the students would pay.

The last chart, to bring it home to everyone, is the parents who are going to live with this bipartisan deal unless we pass Reed-Warren are going to have to pay, over 25 years—because their cap is 10.5 percent under this great bipartisan deal—$16,000 more on a $30,000 loan, $26,000 more on a $50,000 loan, and—hold on to your pocketbook—$53,000 more on a $100,000 loan.

Why would we not support the Reed-Warren bill? Did it cost us a few bucks? Yes. So we paid for the few bucks it cost us by putting in a millionaire's surtax of ½ percent. OK? But because the bipartisan deal expects students to pay, and is putting the deficit burden on the students, their cap ranges up to over 10 percent for the parent loans.

So you might hear: Oh, Senator BOXER, it will never reach the cap. We will not get to the cap. Well, I will use a—well, I will not go there. That is simply not true. We will get to the cap. Why? I said before, the average for the 10-year Treasury bond over the past 30 years is 6.22 percent. That is what it is. The bipartisan deal plugs us into the 10-year Treasury bond and adds a few dollars, a few percentage points for

handling fees, and we will get all the way up to the cap in every case. It is just going to happen.

If you don't learn from past interest rates, you can't predict the future. CBO predicts the future. They are using the past. We have to use the past. The cap will be hit. The cap will be hit.

So where does this leave us? We have a stark choice to make. We can go with a bipartisan deal that people worked very hard on—and I compliment them for all the work they put into it, believe me. We can go with that deal that puts debt on the backs of our students—an additional $715 million worth of debt—or we can go with the Reed-Warren alternative that says to students: You are already paying enough. We are not going to lay this on you. We figured out a way to do it so that you are capped at a much lower rate.

This is what we are talking about. This is what we are talking about. The deal will take $715 million out of our students' pockets over the next 10 years, and anyone who thinks that is fair should vote for the deal. Anyone who can look into the eyes of a student who is already struggling, who is already working, who is already asking their parents for help and trying to put it all together in a package, anyone who thinks that is fair, then vote for the deal. But don't kid yourself. This $715 million is going right onto the backs of our families. I have shown the charts. This is a permanent deal.

Senator COBURN: I am pleased Senators agreed on a permanent principled solution. On Friday, the Republican leader called this bill a permanent reform that ties interest rates to market rates. From the Republican HELP Committee, Senator ALEXANDER called this a long-term market-based solution. They are not going to revisit this issue.

I have to compliment Senators REED and WARREN. They deserve praise because they have come up with a plan that works, that is fair, and that will give solace to our students. For the undergraduate and graduate loans, we will see them capped out at 6.8, and for the parent loans the cap is 7.9 compared to over 10 percent in the so-called bipartisan deal.

Now, I promised I was going to revisit some of the stories, and I am going to close with those stories.

Sandy Barnett, 58 years old, of Illinois took out a $21,000 loan to pay for graduate school in the late 1980s. But even after earning her master's degree, Barnett struggled to find a job that paid more than $25,000 a year. She fell behind on her payments. She suffered through a layoff, a stretch of unemployment, and the death of her husband while her student loan ballooned to $54,000.

So what are we saying to Sandy Barnett? Oh, great news, we had a bipartisan breakthrough and now we are going to add $715 million to student debt.

When Michelle Bisutti, a 41-year-old family practitioner in Columbus, OH, finished medical school in 2003, her student loan debt amounted to $250,000. By 2010 it had ballooned to $555,000. The entire balance of her Federal loans—over $200,000—will be paid off over 351 months, when she will be 70 years old.

What are we doing? Who are we fighting for? How can we make one more speech on the floor of the Senate saying our students are our future? We have an immigration bill that is letting in high-tech workers because we don't have enough trained American workers to fill the jobs. Yet we are going to make it easier on students by piling on another $715 million of debt on their backs and on the backs of their families?

Emmanuel Tellez's mother is a laid-off factory worker, and $120 from her $300 unemployment check is garnished to pay the Federal PLUS student loan she took out for her son.

Aren't we proud, Federal Government? This is great. We are garnishing Emanuel Tellez's mother, her unemployment check, because she took out a Federal PLUS student loan for her son. Why don't we talk about refinancing these loans? Why don't we talk about making it easier for people to pay back these loans instead of having a so-called bipartisan deal that adds $715 million to students; that puts it on their backs?

Deanne Loonin, a staff attorney at the National Consumer Law Center in Boston, said she has been working with an 83-year-old veteran—Mr. President, an 83-year-old veteran—whose Social Security benefits have been reduced for the past 5 years.

The client fell behind on a Federal loan that he signed up for in the 1990s to help his son with tuition costs. Loonin said the government's cuts have left the client without enough cash to pay for medicine for his heart problems.

This is a national problem, and part of it is a national disgrace. So what is the solution? A so-called deal that makes it worse.

Last year, the Federal Reserve Bank of New York reported that Americans 60 and older still owe $36 billion in student loans. Social Security checks are being garnished and debt collectors are harassing borrowers in their eighties over decades-old student loans. We can't do this.

There was a recession, the worst one since the Great Depression. Yes, people lost their jobs. Yes, people had problems. So why aren't we dealing with the underlying issues and making it easier for our families, instead of having a deal that is cut—I wasn't part of it, that is for sure—that hurts our students and their families.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Oregon.

REMEMBERING OFFICERS CHESTNUT AND GIBSON

Mr. MERKLEY. Mr. President, in approximately 8 minutes from now we are going to have a moment of silence for Officer Jacob Chestnut and Detective John Gibson in recognition of the sacrifice they made in defending the Capitol against an armed intruder.

I want to say how much we appreciate the forces deployed to protect us in our ability to share our thoughts on a host of issues that we speak to on the floor. If somewhere across America someone violently disagrees with us, if they decide they want to not engage in democracy but engage in violence, they might come to the Capitol, and our wonderful force protects us and gives us the ability to speak our hearts and minds on this floor on behalf of our constituents every single day.

So not only are we paying respect today to the officer and detective, but we are also paying respect to the entire delegation of security forces who work at the Capitol.

I am going to be brief in order to pause appropriately for that moment of silence and tell you that the conversation we are having today is part of a broader conversation about how to build the middle class in America.

There are some core pathways to the middle class, and one of those is fair mortgages. Indeed, when we were having a debate on Dodd-Frank in 2009 and 2010, we decided to put an end to payments in which mortgage originators were steering people from fair loans into predatory loans and getting big bonuses for doing so.

Today, the Director of the Consumer Financial Protection Bureau announced that they are bringing a case against a company that was doing exactly this, paying $6,000 to $8,000 per mortgage to an originator so they would betray their customer and not put them in the best mortgage they qualified for but into a much higher interest mortgage.

I am delighted that in this Chamber we decided to end such practices. I am delighted we proceeded to confirm the first Senate-confirmed Director just last week so that this agency can do its job. Its announcement today shows it is hard at work in this critical area of fair home mortgages.

Another key pathway to the middle class is living-wage jobs. We are going to have a lot of debate about what creates and destroys those jobs in America because there is no program that substitutes in terms of a foundation for a family more than a living-wage job.

Another key pathway is education. Now, this is very personal to me. I grew up in a working-class community. My dad was a mechanic. I still live in that same community today, and I am surrounded by families that are struggling with near minimum wage jobs with often no benefits, hoping and praying that their children will be able to get the education necessary to have one of those remaining living-wage jobs. They are hoping we will do our job in Congress to help steer the economics of this Nation so there will be more of those living-wage jobs. But the viewpoint from the street is it doesn't look as though there are going to be a

lot of jobs for those folks graduating from college.

They are also concerned if they send their child to college and their son or daughter ends up with a school loan the size of a mortgage, that is going to hang like a millstone around their neck and haunt them the rest of their life.

My colleague from California has just spoken eloquently to this issue. She has just been sharing stories of people on the ground and what they are facing in the context of how these big massive loans for school are weighting down the opportunities for our children.

In addition, it is discouraging our children from believing that they can even get that education. If they don't believe that, then they don't put in the work in high school to prepare themselves to get that higher education to fulfill their potential.

I grew up from a small child with President Kennedy speaking of a vision in which we could aspire to great things, of fulfilling the maximum opportunity for ourselves and for our families and for our Nation. But right now, on the ground there is an undercurrent of deep discouragement, almost desperation, not seeing a broad boulevard into the middle class but seeing a cooked, broken path complete with tricks and traps. That is what this conversation is about: How do we create that broad path into the middle class?

I am going to stop here, and I will come back later and talk specifically about the loan program.

Mr. President, I yield the floor.

MOMENT OF SILENCE

The PRESIDING OFFICER. Under the previous order, the Senate will now observe a moment of silence in memory of Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police.

(Moment of silence.)

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, on behalf of so many of my colleagues, I want to thank the security forces at the Capitol for the incredible job they do in protecting these rooms where debates and democracy take place.

The debate that we are engaged in right now is about how to create a broad path to access education, as education is one of the key factors in developing and realizing the dream of middle-class jobs in America.

I was starting to share that this is very personal to me because I come from a working-class family. My parents and my grandparents had not gone to college. I didn't know people on my street who had gone to college. I didn't have siblings who had gone to college. I didn't know anything about college. But it was a scholarship, a loan, and jobs that enabled me to attend a university and pursue an education that took me into this realm of public policy, the realm that we are still in right now.

My first deep interest was Third World economic development, and I was blessed with a chance to work in Central America and India and to live as an exchange student in West Africa. Then that same education gave me a chance to go to graduate school, and there I was able to prepare for working here on strategic nuclear policy.

Education took me into realms that matter to our Nation, to our world, and matter in terms of creating the foundation to be able to have a living wage. So this is critically important to our children.

The proposal we have before us is that we are going to set up a loan program, and the loan program is going to take the cost of funds that are lent out and put on an additional 2.05-percent cap or add-on in interest for those who are getting undergraduate loans. For those who are getting graduate loans, it is going to add a 3.6-percent spread, as it is called. And for parents who are getting loans to help finance their kids' education, it is going to add on a 4.6-percent spread.

This 2-percent spread on undergraduates, 3.6-percent spread on graduates, and 4.6-percent spread on parents produces a lot of profits. I had my team consult with CBO to make sure the net profits of this program over the next 10 years are going to be $185 billion, and make sure we understand that they are taking the profits that come from those spreads, the higher interest charged over the cost of money, and they are subtracting out the fact that some loans will be defaulted on. They are subtracting out the cost of administering the program, and they end up with a net profit. How much is that net profit? It is $185 billion.

That means we are providing a service to our students, not at cost, but we are building in an equivalent of a massive $185 billion fee on the children of working families who are aspiring to get an education. That is not a great deal. In fact, it is a terrible framework.

My colleagues who have worked to put this together point out that right now this may be the only option compared to locking in the 6.8 percent for the next 10 years. In the first few years it produces a lower interest for our undergraduates than they would otherwise get. That is an important point to observe, that for a couple of years the loans our students will be getting will be at a significantly lower rate under the deal that is being proposed today. But over the course of the 10 years, the best estimate from CBO of the profits generated is still $185 billion, in fact $1 billion more, rounding off, than it is under the existing program.

To those who believe this is a great long-term solution, I disagree. Is it better in the next couple of years? Yes, it is. But I ask you, exactly why do we believe that adding on $185 billion in fees as a profit center for the U.S. Government is a great idea if our goal is to create an affordable pathway to higher education? I have yet to have anyone explain that. In fact, I often hear: Well, you know, built into the existing law, which doubles to 6.8 from the 3.4 percent right now—that has profits built into that too.

That is a fair point. But let's step back and ask ourselves, sustaining the situation when we are charging extravagant fees to generate extravagant profits and lock them in for 10 years, is that a good idea?

There are a couple of proposals that would make this a much better program. One is to say, no, we are not going to have this big spread with a high cap of 8.25 percent on undergraduate loans and 9.5 percent on graduate loans and 10.5 on parent loans. But we are going to cap it at 6.8 percent. That makes a lot of sense. I applaud my colleague from Rhode Island who has come to the floor to speak for that proposal, and certainly I will be supporting that proposal.

Senator SANDERS has said: You know what. This is a pretty good solution for a 2-year period, so let's sunset this after 2 years so we can have this debate again. Because if we lock this in for 10 years and if we maintain the pay-for rules of the Senate in which if you eliminate the profit margin in one area you have to increase the profit margin in another, we might never be able to unlock this and we will continue treating college loans as a profit center for the U.S. Government, so let's terminate this after 2 years. Let's sunset this and rethink this.

That is a pretty good idea too. I encourage my colleagues to consider doing that. I certainly will be supporting that.

Nick writes to me from Oregon. He says:

> After receiving paperwork the other day from DoE servicer "Direct Loans," I dove into my student loan [application] to see what I was filling out an application for.
>
> I took out $5,500 my Freshman year of college, $6,500 my second year, $7,500 in my third, and $7,500 to finish my senior year. So in total I borrowed $27,000.
>
> In January I deferred payment on my loan because I had not found full time employment.
>
> With a stroke of luck, in February I landed two part-time jobs making a whopping $12 per hour doing manual labor to supplement my $10 per hour part time gig in the health care field.
>
> Since March I've been full-time with the healthcare company, and earned a $1 raise. I've gained a lot of experience on the job, but from a monetary perspective, I wish I could be earning more so I could pay off my loans.
>
> My loans are currently at 6.8 percent with a total owed as of today: $32,266.

That is up from the $27,000 he had owed before. He continues, saying:

> At 6.8 percent my loans are accruing over $1,800 in interest each year. That's about $150 per month.

That is just the interest. Then when he is able to stop deferring and start making payments and include the capital being paid off it will be much more, and on a near minimum wage job that is extraordinarily difficult.

Here is a letter from a mother in Oregon, Melissa.

I graduated with a Master's degree in 1993. My loans have been paid off for over 10 years.

My husband enrolled in college when he was 36, 3 year ago. He will graduate next year with over $60,000 in debt for a Bachelor's degree.

At this rate of increase in what it costs to get a college degree, I don't see how it is possible for our son, who is now 2, to ever have a college experience.

Please do the right thing and help make education accessible to everyone.

That is the plea of Melissa, to do the right thing. The right thing would be to cap the interest in this program so it doesn't go over 6.8 percent. The right thing to do would be to sunset this program after 2 years. Both of those amendments will be available to all of us here on the floor. I encourage my colleagues to support those amendments.

Our students already face $1 trillion in debt. It is weighing them down. It means they are postponing getting married, they are postponing having children, they are perhaps postponing moving out on their own because they cannot afford an apartment with this debt. It is hurting the economy and it is hurting our future because children are discouraged about the possibility of going to college.

That is not the vision we want to have for America, where our children do not believe there is a path to the American dream for them. Today, if these amendments fail, it will be a very difficult choice, a very difficult choice between a couple of years of interest that is better than the status quo but a program that locks in a profit center for college loans, and we will have a very uncertain prospect about whether we can unlock that program a couple of years from now. I hope we pass those amendments.

I am not sure, frankly, which side I will come out on if we fail in that effort. But I will tell you this. If this deal becomes law we must return to this floor time and time again because adding $185 billion in fees so we can have a profit off working-class students trying to find a pathway to the middle class is wrong and deeply damaging to the American dream.

I yield the floor.

• Mrs. MCCASKILL. Mr. President, on Wednesday, the Senate will take votes in relation to the Manchin amendment in the nature of a substitute to H.R. 1911, the Smarter Solutions for Students Act. I was unable to be present for this vote, due to a pre-scheduled commitment in my home State for which my attendance was confirmed before the timing of these votes was set. Because my presence would not have changed the outcome of either vote, I honored my previous commitment. Had I been present I would have voted in support of Senator MANCHIN's amendment.

We are facing a crisis. On July 1, interest rates on new subsidized Stafford student loans doubled, from 3.4 to 6.8 percent. Already, officials at the Federal Reserve, the Department of the Treasury, and the Consumer Financial Protection Bureau have all warned that student borrowing threatens to dampen consumption, depress the economy, limit credit creation, and pose a threat to our Nation's financial stability. Students and graduates in my State are already heavily in student loan debt. Two out of every three Missouri students will leave college with student loan debt. At a time when a higher education is vital to expanded opportunity for so many young people and with a 21st Century economy that increasingly demands workers with the skills earned as part of a college education, we cannot make it even more difficult for young people to financially achieve a college education. We need to act.

While not perfect, the Manchin amendment is the product of bipartisan compromise, forged and supported by Members from both sides of the aisle. I am proud to be a cosponsor of this legislation because it will provide relief to our Nation's students by lowering interest rates for America's student loan borrowers. This relief will not only apply to subsidized Stafford loans; it will apply to loans to undergraduates, graduate students, and the parents of students seeking to pay for their education. Importantly, this legislation also includes interest rate caps; without this feature, I would not have been able to support this bill.

I would have also supported the second-degree amendment put forth by Senators REED and WARREN because it is consistent with my commitment to keeping rates low. The Reed-Warren amendment would provide certainty to students and families by ensuring that interest rates will go no higher than they would under the fixed rates in current law without adding to our deficit. I believe this is a responsible measure that deserves bipartisan support.

To be clear, addressing the issue of student loan interest rates is only one piece of the puzzle of ensuring that higher education is affordable and attainable to those who seek it. We must also examine the issues of the rising costs of college attendance and the rapid growth of the proprietary college sector, where the share of Federal student aid payments and loan defaults is disproportionately and alarmingly high.

I will continue to work with my colleagues on all of these issues. Congress has an important role in helping American students attain the higher education opportunities they seek, to ensure that our Nation remain a global leader in the 21st century economy.•

Ms. HIRONO. Mr. President, I appreciate the hard work of my colleagues who reached today's compromise student loan plan. However, I will oppose this bill, and I want to explain my reasoning.

The bill before us may be a good deal for current students in the short term, but it hurts their younger brothers and sisters in just a few years.

We must find a way to make college affordable for students and families—not just for those who are attending college in the fall or over the next few years, but also for those who will attend college in the future.

In Hawaii in the 2013–2014 academic year, the U.S. Department of Education predicts that over 20,000 undergraduate students, over 3,300 graduate students, and over 2,300 parent borrowers will take out Federal student loans.

Today's bill changes Federal student loans to variable interest rates, and raises caps above current law. While this bill will keep student loan interest rates low in 2013, the Congressional Budget Office—CBO—projects that by 2017, the rates for undergraduate student loans will rise above current law.

The American Association of State Colleges and Universities—AASCU—American Association of University Women—AAUW; Education Trust, The Institute for College Access and Success—TICAS; United States Public Interest Research Group, Young Invincibles, and other groups oppose this bill.

Under today's bill, undergraduates would see their student loan interest rate caps increase from 6.8 percent today to the higher cap of 7.25 percent by 2018. Graduate students would see their rate caps increase from 6.8 percent in 2013 to a new, higher cap of 9.5 percent. Parents using Federal PLUS loans would see their rates increase from 7.9 percent in 2012 to a new, higher cap of 10.5 percent. At these levels, future students will pay thousands of dollars more over the life of their loans.

I am a cosponsor of two of my colleagues' amendments that would improve this bill. To avoid hurting future students, I support an amendment by Senators JACK REED and ELIZABETH WARREN that would allow students to take advantage of the benefits of today's short-term low interest rates, but would keep the same cap as current law. This amendment is fully offset by a surcharge on millionaires. I also support Senator SANDERS' amendment to sunset today's bill in 2 years to prevent interest rates from exceeding current law and to foster a better long-term solution to college affordability.

Government should not be making money on the backs of students. Under current law, the Federal government already overcharges students for their student loans, to the tune of over $180 billion over the next 10 years. This bill locks in that profit, plus it brings an extra $715 million to the Treasury. It is encouraging that today's bill requires the Government Accountability Office to study the actual cost of the Federal Student Loan Program. However, only after getting this information can Congress make an informed decision to set student loan interest rates with just enough markup to make the program self sufficient. Without knowing the true costs of the student loan program,

it is premature to lock in the arbitrary rates in today's bill for 19 years.

Instead, a few weeks ago I voted for both S. 953, the Student Loan Affordability Act, and S. 1238, the Keep Student Loans Affordable Act. Each of these would provide a temporary extension of a 3.4 percent interest rate on subsidized Stafford loans, completely paid for by closing tax loopholes. Such an extension would give Congress time to work toward a broader reauthorization of the Higher Education Act that can address many other important aspects of college affordability and completion all at once, beyond just this interest rate debate.

In sum, I do not support today's bill because it makes future students worse off than current law. Instead, I look forward to working on other initiatives to improve college accessibility and affordability for our young people.

BIPARTISAN STUDENT LOAN CERTAINTY ACT

Mr. LEAHY. Mr. President, more than 3 weeks have passed since interest rates on subsidized Stafford loans have doubled for students next year. Unfortunately, this rate increase has taken effect despite numerous attempts by the Senate to extend the lower rates while we debate a comprehensive solution to the high cost of college, including student loan interest rates. Few if any bills that make their arduous way through the legislative process are perfect, but the legislation we are considering today is, in too many ways, too imperfect. Even after our attempts to win approval of better options, this legislation, in its final form, does not offer enough to protect our future students from needlessly paying higher interest rates.

Education is a path out of poverty, a road to personal growth, and an access ramp to professional accomplishment and economic security. No student should be denied the benefits of a college education because of the cost, but unfortunately that is happening all too often. In recent years, average college tuition rates have been increasing faster than inflation and outpacing student financial aid. Tuition rates today are going beyond the ability of most families to pay. As a result, students and their parents take on significant student loan debt in order to have the opportunity at a college education.

I believe that the Federal Government has an obligation to support these students by subsidizing loans for the lowest income students and offering programs like Pell Grants to help students who never thought they could afford college. While the bill lowers interest rates for 11 million students in the near term, students and their parents by as soon as 2015 will likely pay higher interest than they pay under current law. Debt from student loans is climbing to new heights and outstanding student loan debt in the United States has reached nearly $1 trillion.

This debate has included consideration of two amendments that I am pleased to cosponsor that would greatly improve the underlying legislation. Senators REED and WARREN filed an amendment to reduce the caps on interest rates to current levels, ensuring that students are no worse off under this legislation than they are today. We also have considered an amendment by Senator SANDERS, which will sunset this agreement after 2 years, ensuring that Congress continues the important conversation at how best to reduce college costs for students and their families. I very much hoped that these amendments could have been adopted.

This legislation is a mere patch on a much larger problem. We must have a comprehensive debate at lowering college costs through the Higher Education Act reauthorization this fall. As part of that debate I dearly hope we address the abuses of for-profit colleges and the raw deal they are giving to far too many students. While these schools are turning a profit and filling the airwaves with paid advertising, many of their students are defaulting on their federal loans because these schools by and large do not offer an adequate education that prepares students for the working world. Some of these schools are swindling our students, and we cannot adequately address college affordability without better regulating for-profit schools.

This legislation is not what I would have drafted. Under the new student loan bill, the Federal Government will make an additional $715 million in profits over the next decade, and all of the profit is coming from the pocketbooks of students and their families. While I am pleased the legislation includes a GAO study within 4 months to help us better understand the costs to the government of running the student loan program, so that we can better set appropriate student loan interest rates that do not generate revenue for the Federal Government, it does not go far enough to protect our students.

This conversation is not completed. The challenge and the obligation of making college affordable certainly remains. We have a responsibility to families across America to not only keep student loan interest rates low in the years ahead, as they plan their finances and manage their households, but to make fundamental reforms to help students and their families manage college costs. I am counting on that debate, and I know America's students are, too.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I ask unanimous consent at the conclusion of Senator CARPER's remarks I be recognized to use the time allotted to me under the motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Delaware.

Mr. CARPER. Mr. President, I think what I would like to do is try to set this discussion this afternoon in context if I can. One of the things I focus on a lot—I know the Presiding Officer does as well back in Delaware—is how do we create a nurturing environment for job creation and job preservation. I think that is one of the most important aspects of government. That is not the only one. One of the best things you can do to help people is make sure they have a job.

One of the ways to strengthen our economy is to make sure we are making smart investments with Federal, State, and local moneys as well as public funds. One of the ways we create that nurturing environment is to make sure we have a world-class workforce; that folks coming out of our high schools can read, write, think, do math, have science skills, technology skills, a good work ethic.

Other parts of the nurturing environment include access to capital; that is, to money, commonsense regulations, some certainty with respect to the Tax Code—a Tax Code that makes sense, is not burdensome—access to elected officials, modern infrastructure, broadly defined. Those are some of the elements.

But if we are going to be successful as a country in this century, we need to invest, among other places, in a world-class workforce, those kinds of skill sets. That is not just college, not just in postsecondary, it is almost from the cradle well into their lives.

A second area where it is important for us to invest is infrastructure, broadly defined: roads, highways, bridges, rail, ports, airports, water, wastewater, broadband deployed all across the country—those are the kinds of investments that will pay great dividends in the form of a stronger economy.

A third area we need to invest in is research and development. We were reminded by Dr. Francis Collins, head of the National Institutes of Health, of the kind of impact sequestration is having on our abilities to invest in all kinds of health-related areas and pharmaceutical areas, medical areas. They are finding it difficult to make the kind of investments needed to be made. Part of what we need to do is invest in the kind of research that can be commercialized and turned into goods and products we can sell not just in America but all over the world.

That is sort of the context. In my view, in the end this is how we strengthen our economy, how do we grow the economic pie for our country and citizens.

Going back to the first item I mentioned is a world-class workforce. It doesn't start when people graduate from high school and go off to college, whether junior college or whether it is a certificate program. It is what we do before they ever go the to first grade, the kinds of investments that are made before kids ever go into kindergarten, at the age of 5 in most States.

But today's debate is on college loans. I will focus on that. Let me remind us, the investments we do not make in the lives of children when they

are young, before they ever go to kindergarten, can be demonstrated in Head Start. We only fund about half the kids in this country who are eligible for Head Start, only half. We fund roughly half the kids who are eligible for what is called title I, special education programs in our schools to make sure that, if they are way behind, they have a chance to at least catch up a little bit. We fund half the kids eligible.

Some of my colleagues said we should provide free college education for people; that should be our policy. We are not even meeting our obligation to fund Head Start for half the kids in the country, fund special education title I for half the kids in the country who are eligible. We have a $750 billion budget deficit this year. It is down from $1.4 trillion a couple of years ago, but it is large. It is going to come down for a while and then jump back up a number of years down the line.

I think for us the question is how do we get a better result for less money in almost everything we do. In a way college loans are the symptom of the problem but not the underlying problem. The underlying problem is less the Federal student loan program, it is more the cost of education, what we are spending. My wife and I put two boys through college in the last half dozen or so years and we have a pretty good idea of what it costs to go to school these days. They got a good education but, boy, it costs a whole lot. One of the things we need to be focused on when we have this debate is what can we do to make sure our young people get a good education but how do we make sure it is done in a cost-effective way.

There is some interesting work going on in places such as MIT, Harvard, Stanford, that I think is informing us all in that discussion.

Let's talk about the program before us today, the student loan program. For a number of years we set the rate cap at 6.8 percent and then during the great recession we lowered that cap so the top rate students would pay on their student loans, Federal student loans, was 3.4 percent. That period of time expired more than a year ago, June 30 of last year, and so the rate was supposed to pop back up to 6.8 percent where it had been previously as a cap on what could be charged to students.

June 30 a year ago we were not sure what to do and we said let's kick the can down the road and put it off a year, the date of decision, and we will decide by June 30, 2013, what the new policy should be. We got here on June 30, 2013, and some were willing to kick the can down the road for another year and deal with it then.

The President said we cannot do that. We can't keep doing that. The President said we need to put in place a policy, a commonsense policy that is fiscally responsible but also that is morally responsible to the least of these in our society. I think we have both a fiscal imperative here, given the large deficits we face, and we have a moral imperative here to make sure the least of those in our society have a chance to have the ability to go to college and get a college education—be more productive in our society.

A lot is being said about the different rates.

There are two numbers we ought to keep in mind. People have said that in years to come interest rates will go up. I suspect they probably will go up since they are pretty low at this time, but we don't know. We have had Senators come to the floor and say the interest rates will be this amount or that amount. Who knows. We don't know.

What we do know is that under the current law right now and unless we pass something and get bipartisan support as well as the support of the President, the interest rate is going to be 6.8 percent for some time. If we adopt the bipartisan proposal that a number of us are offering—it is a tripartisan proposal, actually, with the support of the President—the rate for the student loans this year will not be 6.8 percent, it will be 3.86 percent.

If the student takes a loan this year, that rate doesn't go up. Even if interest rates go up, they will owe 3.86 percent on the loan that students take out this year. If they take out another loan in the following school year and the rate is 4.1 percent, or whatever that rate is, that is what they will pay on that second loan for the balance of the loan, whether it is 5 years, 10 years, 15 years, or 20 years.

As interest accrues on these student loans over the next 2, 3, and 4 years while someone is in school, a reasonable question to ask is: Who pays for the accrued interest? If the student is in school, as most of us have been, the interest accrues. In the past, we have had subsidized loans for low-income students and unsubsidized loans for those who have a higher income. For a number of years, the student who had the subsidized loan—the lower income student—would accrue interest on their loan for year 1, year 2, year 3, year 4, and year 5.

As for the subsidized student, the Federal Government has paid the accrued interest. Then when they graduate from school and walk away, they don't owe that interest. It has been paid for—forgiven, if you will.

For the unsubsidized higher income student, the Federal Government defers the interest, but eventually interest—eventually it has to be paid by the higher income student. We don't change that. We leave that in effect.

Who pays the accrued interest for the lower income students? The Federal Government. When they graduate school, then they have an obligation to pay that interest and the principal on their own.

As I have talked to my colleagues, I find that not everybody knows what I just mentioned about the lower rate. As far as the example I just gave, if the rate for the student loan taken out this fall is 3.86 percent and the next year the rate is 5 percent or 6 percent, the House let's the rate go up each year. A permanent, assigned rate would not be in effect when the loan is taken out.

Somebody graduates and they go to work. In this example, they find a job that pays $25,000. That is one person who has no spouse or kids. Let's say that person has $45,000 worth of debt. How much can they be compelled to pay in interest starting the year after they graduate? The answer is not $1,000 a month or $500 a month. The answer is $97 a month, and that is it. There is a mathematical formula where we take their income, less what the poverty level is for that person, multiplied by 0.15 percent. In this case it is $97 a month.

Then we have this example. Let's say Sally gets married, has a child, and has a family of three. Let's say the family of three is making $40,000 a year and they have $45,000 worth of loans. How much can they be compelled to pay in interest? Again, there are three people in the family with $45,000 in loans. How much can they be compelled to pay? It turns out to be about $120 a month. Not many people realize this is the law, and it is going to stay the law under the tripartisan proposal.

How about if somebody goes to work for the Federal Government or State government or local government or they go to work for a nonprofit and they do so at some sacrifice. Maybe they could make more money in the private sector, but they have this urge or compulsion for public service. After 10 years, their loan will be forgiven. If they are current on their loan, their loan will be forgiven after 10 years of public service. That has been the law and that would remain the law.

How about if they don't work in public service? What if they don't work for the State, local or Federal Government? What if they don't work for a nonprofit with a 501(c) designation? Let's say they are current on their loan. After 25 years, their loan is forgiven as well.

We can argue about the rate we use to determine what graduates, undergraduates or families would pay on their loan after the student graduates and whether it makes sense to peg or key that rate off the 10-year Treasury note. I think the 10-year Treasury the President has recommended is a reasonable place to begin.

Some have said we should use the Fed funds rate. What is the Fed funds rate? That is the rate that is charged overnight when one bank loans money to another bank overnight. Some people say that should be the rate. This is not an overnight loan from one financial institution to another, so I don't think the Fed funds rate is appropriate.

Some people said we should use a 90-day T-bill rate. This is not a 9-day loan. A 90-day T-bill rate may make

sense for credit card interest rates, but a 5-year, 10-year, 15-year, 25-year student loan, I don't know that a 90-day T-bill rate makes a lot of sense as the interest rate for us to use.

Some people have said: Why don't we use a rate that might be charged for a 3- or 4-year car loan? This is not a car loan that is collateralized with a car. This is not a 20-, 25-, or 30-year mortgage that is collateralized with a house. This is a long-term loan that is not collateralized.

What the President has said—and I and our bipartisan group agree—is that it makes sense to use a 10-year Treasury note and peg the rate off of that and add to that a modest fee—in this case close to 1.5 points—to make sure the program is soundly run and doesn't make the deficit larger.

We have heard about some large numbers assigned as to what this amounts to in terms of a transfer from students to the Federal Government. The President's original proposal had a very large amount, under his initial proposal, going from students to the Treasury, and he was going to use that money to pay for Pell grants. We would actually cover the cost of the Pell grant increases. We don't do that in our program.

What we tried to do is to take the very large transfer of money in the President's proposal to the Treasury and to change that and scale that down and come as close as we could to eliminating it. This is about a $1.2 trillion college loan program, and that is about as close as we could come to eliminating the transfer, if you will, from students to the government to about $600 million to $700 million. That is a lot of money, but out of $1.2 trillion, somebody told me it works out to $2.50 per student who is getting a loan. If we can bring it down to zero from $600 million or $700 million, that would be great.

Let me conclude with these thoughts: Should we have a Federal student loan program? I am sure some people think we shouldn't, but I think we should. Should it be one where we use the Government's purchasing power to make it possible for people to access credit so they can go to school? I think we should. Should we allow people to use the Federal money the Government borrows—should we let them have that money at below Government cost? When we do that, it makes the deficit go up and it makes us squeeze programs such as Head Start and the Title I Program. It is like robbing Peter to pay Paul.

I think this is a good proposal. This proposal will use the Government's borrowing power and will be able to provide a lower-than-market rate for a lot of students. Students will be able to lock in the lower rate. It will then provide some help—with the Federal Government paying for the accrued interest—for the lower income students who have the subsidized loans. During the time they are in school, the Government picks it up, and they don't have to pay it back. It is covered by the Government.

This will make sure that when students graduate and get a job that doesn't pay a lot of money, there are significant limits on how much interest they can be compelled to pay in a year.

If somebody goes to work for the Federal Government, State government, local government, nonprofit or public service, after 10 years—if they are current on their loan—it is forgiven. For a person who doesn't go into public service but is current on their loan and still owes a ton of money after 25 years, their loan is forgiven. That is not heartless or unfair. I think it is pragmatic and reasonable. I think it makes sure we meet our fiscal obligation for the taxpayers. At the same time, we are meeting our moral obligation for those who need to borrow money to go to college.

I think there was a UC request—as I was beginning to speak—from a Senator from a State smaller than Delaware. I believe he had a unanimous consent request to speak immediately following my remarks.

I yield with great pleasure for my Army buddy, the Senator from Rhode Island, JACK REED.

The PRESIDING OFFICER (Mr. BROWN). The senior Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I recognize it is a much larger State. The nice thing about the Senate is that we all have two Senators.

There has been a great deal of work put together by so many people here: Senator CARPER, Senator MANCHIN, Senator ALEXANDER, Senator HARKIN, Senator KING, and Senator BURR. I could go on. They have been trying—in a principled way—to help students. They provided short-term help, but the major criticism I have of the legislation is that it locks us into the long-run, predictable rate increases and will add further to the burden that students and families are bearing to send their children, and themselves, to college and beyond.

Despite these great efforts, I just do not believe this approach, if unamended, is going to be the way we want to move forward.

Mark Kantrowitz is a well-known expert on student aid. His comments are particularly telling.

> It's still going to be, effectively, an interest rate increase masquerading as a decrease. Students currently enrolled will benefit from the low interest rates, but as the economy recovers and rates rise, today's high school students could end up paying more than 6.8 percent. It's far from a permanent solution.

I think he is right. I wish to emphasize the fact that as the economy recovers and rates rise, one of the fallacies of the CBO projections is that back in early 2000s they suggested that interest rates would stay very high. They did not anticipate the collapse in 2008 and 2009 of our economy.

Honestly, I don't think we want to premise our student lending on an economic collapse. I think what we want to do is assume and hope that the economy recovers, which will invariably increase interest rates. We are starting at the low point of interest rates, and then inevitably we are moving up. We are moving up as the economy recovers. We will also move up as the Federal Reserve limits their very aggressive quantitative easing program, where they have been buying securities to depress the rates.

If we look at the CBO projections, parents and graduate students will begin paying more than the current fixed rate of 6.8 percent and 7.9 percent by 2015. That is not a long time. That means the young freshman who is going into college next year might benefit from this proposal, but the younger brother or sister who is a freshman in high school will be paying much more. I think collectively, over time, since this is a permanent proposal, the debts that will accumulate to American families and American students will be significant.

We are essentially adopting a new approach to Federal policy on higher education. We are not subsidizing it; we are not making it below market rates. We are shifting the costs on to students. That is because one of the premises in this proposal, quite obviously, is that there will be no cost to the government, and we are starting with the principle of a rate of 6.8 percent over time. So as we decrease rates for the first few years, just simple arithmetic tells us we have to raise rates going forward.

Also, I think the way this is structured has to be considered. We have chosen not a short-term T-bill rate—a 91-day rate—which is low; we have chosen a 10-year rate which, in itself, is higher. So we have begun our reconstruction of the rate structure by picking a much higher baseline than has been consistent in the past, even with variable rates, and we have had variable rates in the past. Then we have added a premium to that to cover our costs—the cost of default, the cost of the administration of the program.

Interestingly enough, in this proposal, there is a study the GAO is ordered to do to tell us if our cost estimates are in any way close to the real cost to the Federal Government. I think the factor is significantly sufficient that the premium—the delta, if you will—we are charging students is much higher than the real cost, even including default rates, to the Federal Government.

I think this is a proposal that, again, was generated with great sincerity and great diligence, but over time it does not meet the test of consistency with our previous support for higher education. We actually subsidized higher education, and we did it at below-market rates. We did it because we believed we had to give students a chance to educate themselves not only for

their benefit but, just as importantly, for the benefit of this Nation.

I would suggest—and around this Chamber I have said this before—directly or indirectly, every one of my colleagues who is of a certain age has benefited from subsidized student loans. If they didn't, then a brother or a sister or someone did. Yet we are saying that was good for us, but it is not good for this generation of students. They should bear the risk of interest rate increases.

They should bear the full cost. This is at a time when we have to be much more cognizant of the centrality of higher education in terms of the lifetime wages and earnings of individuals and in terms of our economic competitiveness across the globe.

We all have reached a point that unless we adopt the amendment I propose, we are locking ourselves into increasing rates that go way beyond the current statutory rate of 6.8 percent for Stafford loans and 7.9 percent for PLUS loans. Even with these rates—the current rates—6.8 and 7.9 percent—CBO has estimated that the government will generate about $184 million in revenues. That is the difference between the cost of funding and the return. It is just what it costs the government to borrow and what they are getting in revenue from students, accounting for defaults and borrower benefits. So instead of investing in students, we are basically profiting from them, and that point has been made by my colleagues, particularly Senator WARREN, over time.

As we move to this new form of rate structure—10-year Treasury bills plus a premium; they are capped, but they are capped at high rates—the government will, in fact, be making even more money.

What I would like to do and what we have tried to do is to propose that we initially freeze rates at 3.4 percent and then spend the time to fix this problem as best we can completely. We need to develop a rate structure that does not provide a huge profit, as defined between the cost of funding and the revenue to the Federal Government, incentivize colleges to lower tuition—and that will be a very difficult and challenging endeavor—and think seriously about refinancing because right now we have students and families facing $1 trillion in debt, and they are suffering under this situation.

We want to take a comprehensive approach, but this is not the approach. This is simply fixing rates. The one certainty in this legislation is that the rates will go up—not right away, but they will go up—and they could go up very quickly, and they could reach the limits very quickly, and that is an additional burden on students. As a result, it will begin to make college more expensive, less affordable, less of an option for many families and youngsters, and it will hurt us in the long run in terms of our economic competitiveness and our ability to grow our economy.

We have had experience with market-based rates in the student loan program before. This is not new. Most recently, the market-based rates for student loans from July 1, 1998, and June 30, 2006, was yield on a 91-day Treasury bill plus 1.7 percent while the student was in school and plus 2.3 percent while the student was in repayment. This rate was capped at 8.25 percent, and it applied to all Stafford loans—subsidized, unsubsidized, and graduate. For parent PLUS loans, the rate was the yield on the 91-day Treasury bill plus 3.1 percent, capped at 9 percent.

Those rates were a good deal for borrowers. Students who are repaying their loans under this system have a rate of 2.35 percent this year and parents are paying 3.15 percent. That is because interest rates have come down dramatically. One of the reasons for that—perhaps the primary reason—is because we faced an economic potential catastrophe in 2008 and 2009. Economic activity shrunk, rates fell, and the Federal Reserve took a very aggressive program of quantitative easing to deliberately lower interest rates.

Instead of using the 91-day Treasury bill, what this underlying proposal uses is the 10-year Treasury bill. This decision results in a rate that in and of itself is 1.76 percentage points higher for this year alone. If we use the 91-day T-bill rate, we could lower rates even further, but we are using the 10-year rate, so we are already building in almost 2 percentage points of interest for students who will be subject to this legislation.

Since May 1 we have already seen the rates on the 10-year Treasury bill climb nearly 1 percent. Those rates are headed upward, and the CBO has projected them to rise. That is consistent, by the way, with an economic recovery. So the good news is if the economy recovers, interest rates will rise except it is not good news for students because their interest payments will rise. If CBO is wrong, that means we will probably have an economic shock ahead of us which will be bad news for everyone.

So I think we have to be very cognizant of the fact that there is a much better way to do this, and there should be a comprehensive approach.

What we are suggesting, and in the amendment Senator WARREN and I are proposing, is that we at least cap the interest rates for the Stafford loans—for the undergraduate loans—at 6.8 percent, which is the current rate, and for the PLUS loans at 7.9 percent so no one, regardless of whether one starts college next fall or 4 years from now, will be worse off than the current situation with the fixed interest rate. I think that would be an improvement. I think, if we don't adopt such an approach, then we are locking students and families into a very costly and predictably increasingly costly structure. We are not making any reforms with respect to the cost of college. We are not dealing with the issue of refinancing.

Honestly, I also think to say, well, if it gets really bad, if we really start hitting those caps—to say we will go back and fix it fundamentally ignores one of the principles that underlies this proposed legislation—that there be no further costs to the government. To fix the interest rate several years from now, when it is 8 percent, again, will cost a lot more than staying with the current 6.8 percent fixed rate and 7.9 percent fixed rate.

So for that reason, I will be opposing the underlying legislation unless we can make significant progress with respect to at least capping the rates at 6.8 percent and 7.9 percent.

With that, I reserve the remainder of my time, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I wish to speak for a few minutes about the loan program and concerns I have about it, particularly the scoring conventions used by the Congressional Budget Office in its cost analysis of these student loans. It is something I have looked at for some time as the ranking member of the Budget Committee. We have asked CBO to analyze these issues and have offered the honest Budget Act, which deals with all kinds of loans, and the improper way CBO scores them—not that they do it on their own, but because we require them to score it that way.

In sum, I would say the loans that have been referred to today do not make money for the government. They just do not. They are going to cost money. It is simply—and that would be a subsidy to the borrower. We are talking about 2.05 percent above the 10-year Treasury note, and that is a good way to figure what the interest rates are. When they rise, the cost of money rises. It rises for the U.S. Treasury as well as for the people who borrow from the U.S. Treasury.

But the Federal Credit Reform Act, or FCRA, requires CBO to score these loans in a way that gives the impression that they do, in fact, make money. In a recent report on student loans, the CBO wrote to us that FCRA—this is the law that tells them how they analyze the cost:

> FCRA accounting does not consider some costs borne by the government. In particular, it omits risks taxpayers face because federal receipts from interest and principal payments on student loans tend to be low when economic and financial conditions are poor and resources therefore are more valuable. Fair-value accounting methods account for such risk. . . .

Fair value accounting methods aren't being used with these loans. In fact, CBO utilized a fair value accounting system—please get this, colleagues: They used that system to analyze these loans in addition to the system required by law, and that would show that student loans actually lose money for the American taxpayer. So often around here we have scores that indicate one thing, and Senators advocate that they say one thing, when the truth is it costs us money.

As the Senate moves forward in this debate, it is important that it consider the real costs associated with the Federal student loan program.

The budgetary costs of the Federal Direct Student Loan Program are determined based on accounting rules specified by the Federal Credit Reform Act. Under the guidelines set forth there, the cost of Federal loans are recorded in the year in which the loans are made. The net cost of a student loan includes the estimated future repayment of principal and interest—the estimate of what would be repaid. The value of these future repayments are adjusted to reflect certain risks—the risk of default and the risk of inflation. CBO cannot, however, include an adjustment for market risk, such as if the country has a bad financial crisis, which periodically happens.

Examples of market risk include the current fiscal situation: Our Nation's current unemployment rate is 7.6 percent with 11.8 million people unemployed. Some want to continue to bring in millions of people to take those jobs from abroad while we have 11 million people unemployed, and it is time for us to reevaluate that policy, in my opinion.

According to the Bureau of Labor Statistics, June 2013 figures, the unemployment rate among college students shows about 1.9 million unemployed college students. All of these factors lead to lower loan repayment rates and higher collection costs for the government. With an interest rate well over 7 percent and college students struggling to find work, default rates are going to increase.

Because the FCRA method of accounting for student loans does not take into account all of the risks that are associated with making a loan, the government should require that CBO adopt the fair-value accounting method. As I said, unrelated specifically to this legislation, I offered legislation 2 years ago to do just that because the American people need to know what the cost to the Treasury will be when we make loans, and we know, and CBO acknowledges, that this method they are using required by law is not accurate.

According to a June 2013 CBO report made for the Senate Budget Committee entitled ''Options to Change Interest Rates and Other Terms on Student Loans'' that I requested in my capacity as ranking member of the Budget Committee, CBO admitted and acknowledged that its current scoring rules failed to adequately account for the cost of these loans.

That is just a fact. I wish it were not so. I wish we could cut these rates even lower than they are. But I have to say, it is not accurate to say the Federal Government is going to make a bunch of money off of it.

It goes on to say:

[U]sing fair-value methodology represents a broader measure of cost that includes the cost of market risk.

So CBO has explicitly stated it would be better to use the fair-value methodology and not the other.

Well, does that make a difference? Does it change what the score and the analysis would be? They have their official analysis based on the requirements that Congress gave them, but they acknowledge the market risk is a better analysis. What did they say that would do?

The methodological difference between FCRA—the current system—and the fair-value accounting system produces alarmingly different results—alarmingly different. Under the FCRA, CBO estimates that the student loan program will reduce the deficit by $37 billion in fiscal year 2013 and save $184 billion over 10 years. With those results, of course, the program looks good.

But under the fair-value accounting procedure that CBO says is preferable, CBO estimates that direct student loans issued between 2013 and 2023 would cost the government $95 billion—cost the government $95 billion. Suddenly, the student loan program, when adjusted more accurately for market risk, is a deficit creator rather than an income producer.

As I say, I wish that were not so. I hate to report that. But we have been looking at these numbers for some time. I urge my colleagues. I know we need to do something about student loans. We need to get it done now. I am not here to try to say we should not pass anything. But what I am saying is, colleagues, we have to end this fooling ourselves system. We have to go to an honest system that the private markets utilize and the Federal Government should be utilizing. I am going to continue to push for that.

We will continue to work on this issue. I know we have a situation that is very painful for students, many of whom have overborrowed. They did not understand the significance of what they were doing and they ran up more debt than they should have. As a result, they are in a painful circumstance, for sure. But when we do our policy for the future, and we analyze what it costs to make a loan program—what it costs the taxpayers—we need to have accurate accounting.

If the matter is accurately accounted, using best accounting procedures, this bill, as now presented, would actually cost the taxpayers money rather than make them money.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, we are debating student loans. We are here having this debate because of Russia. How did that happen? It was October of 1957. The Russians launched a satellite called Sputnik. We did not have any satellites. We knew they had the bomb, and then they had the satellite. It scared us. It frightened Congress enough that they created the first student loan program. Oh, there were loans given to GIs coming back from the war, but this was a program available to those who were not veterans. They called it the National Defense Education Act. It was all about Americas defense. What they said was: We will loan money to students across America to go to college. I think their rationale was sound. If more Americans went to college and got educated, we would have the engineers and scientists we need to make this a strong nation from a defense point of view and from our economy point of view.

So I thank the Russians for launching Sputnik, and I thank the Congress for creating the National Defense Education Act because a kid from East St. Louis, IL, whose parents had eighth grade educations, got a chance to go to college, and he is standing here today in the Senate.

It was a pretty good deal too. The National Defense Education Act said: You can borrow money to go to school, and you do not have to pay it back until a year after you graduate—10 equal payments at 3-percent interest. I remember these because I was frightened to death in 1969, when I finished law school and added up all my student loans, and they said to me: You owe $8,500. I went home to my wife, and I said: We are doomed. We can't pay that back—$850 a year. It is impossible. It was not impossible. We did it. And many others did too.

What happened as a result of that satellite and that student loan program was a dramatic change in higher education in America in the 1960s and ever since. We democratized higher education. It used to be the only folks who went to college were the sons and daughters of alumni and those who were supersmart and rich. Well, kids like myself got a chance all across America.

So now here we are today, many years later—some 50 years later—and we are talking about student loans for this generation of students. We have many choices before us. I happen to like the National Defense Education Act. I like holding interest rates at 3 percent. I like the payback terms. But the number of students taking out loans and the cost of higher education have reached a point where we cannot do that without some serious commitment of resources at the Federal level at a time when our budget problems do not give us much latitude and much opportunity.

So I sat down with a number of my colleagues—ANGUS KING, a new Senator from Maine, an Independent who sits on the Democratic side; JOE MANCHIN, a Democrat from West Virginia; TOM CARPER, a Democrat from Delaware; and TOM HARKIN, who is the chairman of the Health, Education, Labor, and

Pensions Committee, and is in charge of this subject matter. That was the Democratic side. On the Republican side: LAMAR ALEXANDER of Tennessee, RICHARD BURR of North Carolina, TOM COBURN of Oklahoma. It is a pretty diverse group.

We hammered out a bipartisan answer to dealing with student loans that will be the last vote today. We will have a series of votes. That, I think, is the right answer because I think we have struck the right balance. There are many of my colleagues in the Democratic caucus who are still opposed to this bipartisan approach. Some of them believe—and I do not quarrel with it—we should go back to the old days of the National Defense Education Act. We should be subsidizing the interest rates. We ought to be putting a substantial amount of money into keeping the cost of higher education low in terms of interest rates.

I do not quarrel with that. I am a beneficiary of that type of approach and philosophy. But we have tried to pass that in the Senate several times with the leadership of JACK REED of Rhode Island, and we cannot come up with 60 votes. We cannot come up with the supermajority we need to make this a viable alternative.

So now we have to ask ourselves a very basic question: What will we do if we cannot have a subsidized Federal program? Well, I think what we have come up with is a good approach. What we have come up with says basically we are capping the interest rate any student will ever have to pay in undergraduate loans at 8.25 percent—8.25 percent—capped, no matter what happens to interest rates. And we are saying we are going to start at an interest rate that is even dramatically lower than the interest rate paid by students as of this moment. So if you vote against the bipartisan alternative on student loans, you are voting against an effort to bring student loan interest rates down from 6.8 percent to 3.8 percent and you are voting against the cap on interest rates at 8.25 percent. I do not see how that is going to benefit students. If you were offered a new home mortgage, reducing your interest rate by 3 percent, you could not wait to go to closing—right?—because the interest you are going to pay on your home goes down dramatically.

Our bipartisan approach is going to reduce the interest rates paid by 11 million students and for about two-thirds of them by 3 percent. And those who vote no, those who vote no to that approach, are saying: Keep it at 6.8 percent. How can that be good for students or their families? A cap of 8.25 percent on student loans for 10 years is a protection that says to students in the future: The highest interest rate you face is 8.25 percent.

What does it mean in terms of savings? Our approach in the bipartisan bill means if you are an undergraduate student in America, over the next 4 years of your education, you will save between $2,189 and $3,191 in interest not paid—interest not paid.

So those who are going to vote against the bipartisan bill are saying to students: Keep the rate at 6.8 percent. Do not lower it. And pay between $2,000 and $3,000 more in interest over the next 4 years. With friends like that, students and their families—I will not finish the sentence. But people ought to think twice about this. We are giving students a lower interest rate and a guaranteed cap.

It is not just for undergraduates. In the next 4 years, those who are in the graduate loan programs will save over $4,000 in interest with the bipartisan approach; and those in the parent loans will save over $2,000 in interest paid. So for 4 years this is a solid winner.

In the effort of full disclosure and honesty, after 4 years, in the second 4 years, interest rates, we project, will be going up, and the cost of these loans go up.

My position is, let's vote for this now, roll up our sleeves and make sure that 4 years from now we can replace it with something that is as good or better. But why stick people with 6.8 percent, when we can bring the loan rate down to 3.8 percent?

At the end of the day, the groups that are supporting this bill are substantial: the American Council on Education, the American Association of Community Colleges, the National Association of Independent Colleges and Universities, Rock the Vote, the United States Student Association, and the Committee for a Responsible Federal Budget, because, you see, we are not adding to our budgetary woes here.

We found out this program actually generates about $715 million more than the actual cost of loans, as we project them. I wish it were zero. But put it in perspective: $715 million over 10 years against the student loan program that will cost us $1.4 trillion.

My colleague Senator KING did an analysis, and I think he calculated it at .005 percent or somewhere in that range.

Mr. KING. Three zeroes.

Mr. DURBIN. So .0005 percent. Do you know what it means to the cost of a student loan—that $715 million I am talking about? Mr. President, on average $2.76 for each loan over the ten year period. So if you borrow $2,000 or $3,000, over the life of the loan you will pay $2.76 more, but you will save $2,000 to $3,000 in interest.

For those who argue that $715 million is a deal killer, it is not. I wish it were zero, but it should not stop us. If you are frustrated with the current situation, if you think there ought to be a different student loan program, work to change it. But do not be supporting a position which raises interest rates on the students who are struggling to get by. Do not be voting against the bipartisan bill that puts a cap on these student loan interest rates.

Let's roll up our sleeves in the next 4 years. Let's make sure we continue affordable interest rates for students.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I spoke on the floor earlier today about the proposal that is before us. I wish to reiterate what I said then: I cannot stress enough that this bill represents a number of compromises made on both sides to come to a solution on how to keep interest rates low for students in the coming years. The compromise we will be voting on shortly is the closest we have gotten to a deal that represents two core Democratic principles related to student loan interest rates: No. 1, the inclusion of hard, upfront caps for students, so should we experience high interest rates in the future, they will be protected from those high rates.

Let me repeat. Under this plan, undergraduates in this country will never pay more than 8.25 percent. That is what we had in the 1990s, and five times we bumped up against that in the 1990s. History could well repeat itself in that regard.

We have a hard cap. Graduate students will pay no more than 9.5 percent; parents and graduate students taking out PLUS loans, no more than 10.5 percent—hard cap.

Secondly, we wanted this to come as close to deficit neutral as possible, and this is what we have done.

To show how we made compromises around here, I will say that the Republicans' initial proposal that we had voted on here—and it went down, as well as the initial Democratic Senate proposal went down—the Senate Republicans' initial proposal raised $15.6 billion in deficit reduction over 10 years. We negotiated down to $715 million over 10 years. Put that in context. Over the next 10 years the student loan program will probably loan out somewhere in the neighborhood of $1.4 to $1.5 trillion. What we are talking about is only $715 million over the next 10 years. That is the closest we could come to zero and at the same time have hard caps and keep interest rates low.

I can't stress enough that this is a true compromise. If I were to write it, I would write it differently, and I have expressed myself in votes on the Senate floor in the past. But we have to deal with the art of the possible and reach compromises that answers both what the Republicans sought to do and what we sought to do.

I would also reiterate that this is not the end of the conversation. It is the beginning.

As important as student loans are—Stafford loans so students are able to get an education and their parents being able to afford it—as important as that is, it is only one part of the jigsaw puzzle that is college affordability.

In 4 months, when the GAO report comes back—and I will again repeat that one of the elements we got in this compromise was a requirement that the GAO do a study on student loans, what the real cost is to the government, what the real cost is to administer that, and get that back to us in 4 months. When we are in our committee reauthorizing the Higher Education Act, we can take that into account.

My good friend from Maine, who has been so instrumental in working out this agreement, has said many times that the rule book we have to go on is CBO estimates. I have been here long enough to see how many mistakes CBO has made in the past. We don't know if they are right. We have no way of knowing that. We also don't know what those interest rates are going to be in the future, and we don't know if a 2.05 add-on or 3.6 add-on is the right thing. We don't know. That is why we have required the GAO to give us an in-depth study so we can have a better handle on the cost to the government, what it costs to administer the program and all of its elements. We will take that into account.

I was pleased to hear, again, Senator ALEXANDER, my good friend and ranking member on our committee, earlier today on the floor. He expressed the same commitment he has expressed to me personally that I mentioned today; that is, working together to get a reauthorization of the Higher Education Act done in this Congress. Senator ALEXANDER is committed to that, and so am I.

I might also add that I am pleased that President Obama has also said he is personally committed to working with us to get a Higher Education Act through and working with us to look at all of the college affordability issues. This was displayed in his speech today.

This is just one element—an important element but only one element.

I look forward to working with Senator ALEXANDER, the White House, Secretary Duncan, the Department of Education, and members of my committee on the Democratic side to really look at all aspects of college affordability and how we are going to address this issue comprehensively.

I again want to point out for the Record—because soon we will be voting—that there are two amendments that will be voted on. I think one is by Senator REED of Rhode Island and the other is by Senator SANDERS of Vermont, and then we will have our final passage, if I am not mistaken. I know the two amendments that have been offered—one by Senator SANDERS and one by Senator REID—look very nice, and I know many on my side will be tempted to vote for them, but I will not be voting for them. They look nice, they sound nice, they would be nice in a perfect world, but we have to deal with CBO estimates. Quite frankly, the cost of those amendments, as judged by CBO, is something we can't do. Again, they sound nice, they look nice, they might feel nice, but we can't do it. So I will be opposing those amendments. I will be opposing them because we can't do that at this time.

What we can do is do the compromise we have reached. That is what we can do. And don't let anyone tell you this is a bad deal for students. This is not a bad deal for students. If we don't pass this, undergraduate students this year will pay 6.8 percent on their loans. With this bill, they will pay 3.86 percent. Tell me which is the best deal. Next year it is 4.26 percent, the year after that it is 5.4 percent, and the year after that it is 6.29 percent. It doesn't get up to 7 percent for 4 years, if CBO is right. In any case, for the next 4 years it is going to be lower than 6.8 percent for every undergraduate student in college.

Don't let anybody tell you this isn't a good deal for students. It is a good deal for students. This is why today we received an endorsement by the United States Student Association endorsing this bill, endorsing the compromise. They are not walking away from it. The Leadership Conference on Civil and Human Rights has endorsed this bill. Any way you look at it, this is a good deal for students, and it is a good deal for their families. Don't let anybody tell you otherwise.

Could there be a better deal? Well, I suppose. How about free money? That is always a good deal, free money. There is always something better out there. I say to my friends on the Democratic side, don't let the perfect be the enemy of the good. Yes, there is probably a more perfect thing we could do. We can't afford it. We don't have the CBO scoring that would allow us to do that. Plus, we need the votes of our colleagues on the Republican side, so that is why we have to have a compromise. That is the way this place should run—on compromises. Legitimate, yes, hard-fought-out, but good compromises.

What Senator MANCHIN and Senator BURR have offered is that compromise—a good bill, a good, solid compromise, one that will make sure interest rates for undergraduate students will be lower for the next 4 years and under 6.8 percent. As Senator ALEXANDER worked so hard to make sure we got into this compromise, when students get these loans at 3.68 percent this year, that is it for the life of the loan—that is a good deal—or next year at 4.26 percent or the next year at 5.24 percent. That is a good deal. So don't let what you might think would be more perfect take you away from voting for this bill. This is a good bill.

Again, I thank so many who are responsible for putting this together. I thank Senator DURBIN, Senator MANCHIN, Senator KING, and Senator CARPER, who worked so hard through so many days and weeks to get this pulled together. Of course, I thank my ranking member and good friend Senator ALEXANDER, who has been here from day one trying to find that sweet spot that we could all agree on and vote on. I thank Senator COBURN, Senator BURR, and all their staffs for all of their hard work and diligence in putting this proposal together. I thank President Obama and his team and Secretary Duncan and his team for working together, and all of our staffs.

This is the best we could do on a compromise for students given all the various priorities of this side, that side, the White House, and everybody else. This is a good deal. We shouldn't turn it down.

I will vote against the amendments offered by Senator REED and Senator SANDERS, well meaning though they are. As I said, they sound nice and they look pretty, but don't be lured into thinking that somehow that is going to happen. It is not. We have to stick with this compromise and get a good deal for the students, even though you may not think it is perfect. It is a good deal.

I support the Bipartisan Student Loan Certainty Act. I encourage all of my colleagues to vote in favor of its passing and against amendments that would detract from it.

Mr. President, I ask unanimous consent that all time be yielded back with the exception of 2 minutes equally divided prior to each vote.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

AMENDMENT NO. 1778

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote in relation to amendment No. 1778, offered by the Senator from Rhode Island, Mr. REED.

The Senator from Rhode Island.

Mr. REED. The Reed-Warren amendment would provide students and families with certainty by ensuring that interest rates will go no higher than they would under the current fixed rates in present law—6.8 percent for student loans and 7.9 percent for PLUS loans. The amendment is fully paid for by a very small—about one-half of 1 percent—surcharge on income over $1 million.

We should do this for students all across the country, and we should do it not only for the students who might be going to college next year but for those who are in high school today and will face, as we know, predictably higher rates.

A young man from Rhode Island wrote a letter to me. He said:

> My brother, who is in college, will be paying a lot of money for college and he's worried he will have a hard time paying the loan. I'm afraid that by the time I go to college, loans will be so expensive that I will not be able to pay it off. My parents help with paying for college but they might not be able to help with a loan that big. I really want to be able to go to college.

For those young men and women who are in high school today or who are going to high school, we have to at least vote for this Reed-Warren amendment to make sure interest rates stay at least within the present bounds.

With that, I urge a ''yes'' vote.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. The Senator from Rhode Island knows I have the highest respect and affection for him. I might say that he makes excellent points.

As I said earlier, this amendment looks good, looks pretty, sounds pretty, and might be nice in a perfect world, but that is not where we are. Like my colleagues, like Senator REED, I want to make sure we are only asking students and families to pay as much interest as needed in order to properly administer the program and no more. Student loans should not be a profit center for the Federal Government. As I said earlier, that is why we put into our underlying bill, the Manchin-Burr bill, a requirement that GAO report back to us in 4 months as to what it actually costs. My good friend from Rhode Island doesn't know what it costs. I don't know what it costs. No one really knows what the cost of this is.

As Senator ALEXANDER said earlier, we are going to be looking at all of this in the Higher Education Act, what college affordability is.

Let me repeat. Under the bill before us, students pay less interest rates than 6.8 percent until 2017.

While the Reed bill may sound good, we are not there. We are not there to move on the Reed bill yet or anything like it. Plus, the offset he has for that, even though he has fully paid for it, is not acceptable to a lot of people here in the Senate Chamber.

Stick with the underlying bill and defeat the Reed amendment.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Reed-Warren amendment.

Mr. REED. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 183 Leg.]

YEAS—46

Baldwin	Cantwell	Gillibrand
Baucus	Cardin	Hagan
Begich	Casey	Heinrich
Bennet	Coons	Heitkamp
Blumenthal	Durbin	Hirono
Boxer	Feinstein	Johnson (SD)
Brown	Franken	Klobuchar
Landrieu	Nelson	Tester
Leahy	Reed	Udall (CO)
Levin	Reid	Udall (NM)
Markey	Rockefeller	Warner
Menendez	Sanders	Warren
Merkley	Schatz	Whitehouse
Mikulski	Schumer	Wyden
Murphy	Shaheen	
Murray	Stabenow	

NAYS—53

Alexander	Enzi	McCain
Ayotte	Fischer	McConnell
Barrasso	Flake	Moran
Blunt	Graham	Murkowski
Boozman	Grassley	Paul
Burr	Harkin	Portman
Carper	Hatch	Pryor
Chambliss	Heller	Risch
Chiesa	Hoeven	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Scott
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Shelby
Corker	Kaine	Thune
Cornyn	King	Toomey
Crapo	Kirk	Vitter
Cruz	Lee	Wicker
Donnelly	Manchin	

NOT VOTING—1

McCaskill

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 1774

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 1774, offered by the Senator from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. President, I want to thank Senators LEAHY, WYDEN, BROWN, WHITEHOUSE, GILLIBRAND, MERKLEY, BLUMENTHAL, SCHATZ, MURPHY, and HIRONO for supporting this amendment. I also wish to thank the NEA and the AFT, the two largest teachers organizations in the country, for supporting this amendment.

This amendment is very simple. It sunsets this legislation after 2 years, takes advantage of current, relatively low interest rates, and gives us the time to reauthorize the Higher Education Act and come up with sensible long-term solutions to the crisis of student indebtedness and college affordability.

According to the CBO, by the year 2018, under this legislation undergraduate Stafford loans will be 7.25 percent, graduate Stafford loans will be 8.8 percent, and parent loans will be 9.7 percent. We have a crisis right now in student indebtedness. We need to solve that crisis, not make it worse.

I ask for support of this amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I can't support this amendment. By sunsetting this effort 2 years because CBO uses a 10-year window, the amendment would cost an estimated above $20 billion, and there is no offset to pay for it. So, again, the lack of that offset would violate the agreement we made under our bipartisan agreement of trying to get as close to deficit neutrality as possible.

Like Senator SANDERS, I also want to make sure we make any needed changes to student loan interest rates before they become too high. Let me remind everyone, in the 1990s we had an 8.25-percent cap. We hit it five times. We got back in this agreement an 8.25-percent absolute cap.

Beyond that, for the next 4 years every student—subsidized and unsubsidized—in college will have a lower interest rate than 6.8 percent. In the outyears, who knows what the interest rates are going to be. We don't know that, and neither does CBO. But we do know what they are going to be this year and probably next year, and the students get a much better deal under the compromise.

So I say, don't support the Sanders amendment. Let's vote and let's keep the compromise in place and give our students a good deal, this year and next year and the year after and keep that 8.25-percent cap that we negotiated.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SANDERS. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 34, nays 65, as follows:

[Rollcall Vote No. 184 Leg.]

YEAS—34

Baldwin	Johnson (SD)	Rockefeller
Baucus	Klobuchar	Sanders
Begich	Leahy	Schatz
Blumenthal	Levin	Schumer
Boxer	Markey	Shaheen
Brown	Menendez	Stabenow
Cantwell	Merkley	Udall (NM)
Cardin	Mikulski	Warren
Coons	Murphy	Whitehouse
Franken	Nelson	Wyden
Gillibrand	Reed	
Hirono	Reid	

NAYS—65

Alexander	Feinstein	McCain
Ayotte	Fischer	McConnell
Barrasso	Flake	Moran
Bennet	Graham	Murkowski
Blunt	Grassley	Murray
Boozman	Hagan	Paul
Burr	Harkin	Portman
Carper	Hatch	Pryor
Casey	Heinrich	Risch
Chambliss	Heitkamp	Roberts
Chiesa	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Tester
Corker	Johnson (WI)	Thune
Cornyn	Kaine	Toomey
Crapo	King	Udall (CO)
Cruz	Kirk	Vitter
Donnelly	Landrieu	Warner
Durbin	Lee	Wicker
Enzi	Manchin	

NOT VOTING—1

McCaskill

The PRESIDING OFFICER. Under the previous order requiring 60 votes

for the adoption of this amendment, the amendment is rejected.

The majority leader.

Mr. REID. We will likely have one more vote tonight, and then Senator MURRAY and Senator COLLINS will determine what is going to happen on the appropriations bill that is before us.

ORRIN HATCH'S 13,000TH VOTE

Mr. President, I rise now to honor our colleague ORRIN HATCH. The next vote cast will be ORRIN HATCH's 13,000th vote. This is a tremendous accomplishment. It speaks to his dedication to the State of Utah, his constituents, the Senate, and our country. He is the Republicans' most senior Member. He is now serving in his seventh term in the Senate. Before running for the Senate, Senator HATCH received a bachelor's degree from Brigham Young University, a law degree from the University of Pittsburgh, and was in private practice for a number of years.

He is the ranking member on the Finance Committee today. As we know, he made a reputation for himself when he was chair of the Judiciary Committee. We worked together with him for those many years. He serves on the HELP Committee and the Joint Committee on Taxation. He has truly had a significant impact on the Senate.

He is a dedicated member of the board of directors of the Holocaust Memorial Museum. He has done amazing work throughout his career.

His No. 1 accomplishment for me is not how many terms he has served in the Senate but his accomplishment for his wonderful family. His wife Elaine has been a great helpmate for him for these many decades. He has 23 grandchildren, 6 children, and now 10 great-grandchildren.

Although ORRIN and I occasionally disagree on substantive issues, I have great respect for him. I am so grateful to him over the years for always expressing concern about me personally and his kindness and concern to my family, especially to Landra.

Congratulations.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. The senior Senator from Utah will not be known for the quantity of his votes but for the quality of his work. He is a man of extraordinary character. We are happy to have this intermission to congratulate him on yet another accomplishment in a long and outstanding career in the Senate.

ORRIN HATCH'S 13,000TH VOTE IN THE SENATE

Mr. HATCH. Mr. President, I have just cast 13,000th vote here in the Senate. I have to admit that I never thought I would cast so many votes, but I'm grateful that I have had the opportunity to serve the good people of Utah long enough to reach this milestone.

That said, I am not really one to dwell on the past. I have a lot more work here to do and a lot more votes to cast before I am done.

But, I do want to thank both the distinguished majority and minority leaders for their kind words this evening and for being gracious enough to take the time to mark this occasion. I have known these good Senators a long time and I am proud to call both of them my friends.

I am grateful for all of the friends and colleague I have made here in the Senate. They make it a great place to work.

AMENDMENT NO. 1773

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote in relation to amendment No. 1773, offered by the Senator from Iowa, Mr. HARKIN.

The Senator from Rhode Island.

Mr. REED. Mr. President, a point of order. I believe we are prepared to voice vote this, and at the proper time I ask that such a motion be made.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, we can fix our student loan program with a ''yes'' vote on the bipartisan legislation to lower interest rates for all student borrowers. The bipartisan Student Loan Certainty Act is a long-term fix that is fair, equitable, financially sustainable, and fiscally responsible.

This compromise will save students $8 billion in interest this school year which translates to $31 billion in savings over the next 4 years. That means a savings of $2,000 in interest for the average freshman student who starts college this year. A ''no'' vote will prevent our students from realizing this savings.

There is simply no better investment we can make than the education of our children and grandchildren. I urge my colleagues to make that investment and vote to support this long-term bipartisan fix.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I oppose the proposed amendment. It is short-term rate relief, but it is long-term rate pain for thousands of students and families across the country. We can do much better than that. In a few moments, we will have an opportunity after the voice vote to have another small discussion prior to final passage.

Again, I believe this amendment is not—despite the best work and best intentions and great effort by my colleagues—the best work we can do with respect to students and families.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. First of all, I respect my colleague, and we just have a difference of opinion, but we are still going to work together on everything we possibly can to make it better.

It is my understanding that we will be able to adopt the amendment by a voice vote since we will be having a rollcall vote on passage of the bill as amended with this language.

I ask unanimous consent to extinguish the previous order requiring a 60-vote threshold for this amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 1773) was agreed to.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on passage of H.R. 1911, as amended.

Who yields time?

The Senator from Iowa.

Mr. HARKIN. Mr. President, the vote comes on what we are going to do and that is—as my good friend Senator MANCHIN said—to keep interest rates low for students.

What this means for our students is that the student loans for all undergraduate students will be reduced from 6.8 percent to 3.86 percent this year. It will be lower than 6.8 percent for the next 4½—almost 5—years.

Do our students and our families a favor. Vote for final passage. Keep the interest rates low and make sure our students are not paying a 6.8-percent interest rate this year, next year, and the year beyond.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, as I indicated previously with respect to the amendment proposed by Senator MANCHIN, this proposal will provide short-term rate relief but lock in long-term rate pain for thousands of families and students across the country. It also represents the fundamental shift in our approach to student lending. It goes from investing in students and in our future economy to making those students be profit centers for the Federal Government. There is an estimated $184 billion over 10 years of profit in the current baseline. It is the difference between the cost of funding and the revenue paid by the students to the Federal Government. This proposal adds $715 million to that.

Also, we have done nothing to address the $1 trillion of outstanding debt that students face today. This measure will add to that debt.

Education has always been the engine of opportunity in this country. With this legislation, that engine will leave the station with many fewer students aboard.

I urge a ''no'' vote.

The PRESIDING OFFICER. Under the previous order, the clerk will read the title of the bill for a third time.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, under the previous order the question is, Shall the bill pass?

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 81, nays 18, as follows:

[Rollcall Vote No. 185 Leg.]

YEAS—81

Alexander	Fischer	Mikulski
Ayotte	Flake	Moran
Barrasso	Franken	Murkowski
Baucus	Graham	Murray
Begich	Grassley	Nelson
Bennet	Hagan	Paul
Blunt	Harkin	Portman
Boozman	Hatch	Pryor
Burr	Heinrich	Reid
Cantwell	Heitkamp	Risch
Carper	Heller	Roberts
Casey	Hoeven	Rockefeller
Chambliss	Inhofe	Rubio
Chiesa	Isakson	Schatz
Coats	Johanns	Schumer
Coburn	Johnson (SD)	Scott
Cochran	Johnson (WI)	Sessions
Collins	Kaine	Shaheen
Coons	King	Shelby
Corker	Kirk	Tester
Cornyn	Klobuchar	Thune
Crapo	Landrieu	Toomey
Cruz	Levin	Udall (CO)
Donnelly	Manchin	Vitter
Durbin	McCain	Warner
Enzi	McConnell	Wicker
Feinstein	Merkley	Wyden

NAYS—18

Baldwin	Hirono	Reed
Blumenthal	Leahy	Sanders
Boxer	Lee	Stabenow
Brown	Markey	Udall (NM)
Cardin	Menendez	Warren
Gillibrand	Murphy	Whitehouse

NOT VOTING—1

McCaskill

The PRESIDING OFFICER. The 60-vote threshold having been achieved on this bill, the bill, as amended, is passed.

The bill (H.R. 1911), as amended, is as follows:

H.R. 1911

Resolved, That the bill from the House of Representatives (H.R. 1911) entitled ''An Act to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.'', do pass with the following amendment:

Strike all after the first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the ''Bipartisan Student Loan Certainty Act of 2013''.

SEC. 2. INTEREST RATES.

(a) INTEREST RATES.—Section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) is amended—

(1) in paragraph (7)—

(A) in the paragraph heading, by inserting ''AND BEFORE JULY 1, 2013'' after ''ON OR AFTER JULY 1, 2006'';

(B) in subparagraph (A), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,'';

(C) in subparagraph (B), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,''; and

(D) in subparagraph (C), by inserting ''and before July 1, 2013,'' after ''on or after July 1, 2006,'';

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(3) by inserting after paragraph (7) the following:

''(8) INTEREST RATE PROVISIONS FOR NEW LOANS ON OR AFTER JULY 1, 2013.—

''(A) RATES FOR UNDERGRADUATE FDSL AND FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans issued to undergraduate students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 2.05 percent; or

''(ii) 8.25 percent.

''(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

''(ii) 9.5 percent.

''(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

''(ii) 10.5 percent.

''(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

''(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

''(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 3. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay- As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 4. STUDY ON THE ACTUAL COST OF ADMINISTERING THE FEDERAL STUDENT LOAN PROGRAMS.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study that determines the actual cost to the Federal Government of carrying out the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), which shall—

(A) provide estimates relying on accurate information based on past, current, and projected data as to the appropriate index and mark-up rate for the Federal Government's cost of borrowing that would allow the Federal Government to effectively administer and cover the cost of the Federal student programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) under the scoring rules outlined in the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.);

(B) provide the information described in this section in a way that separates out administrative costs, interest rate, and other loan terms and conditions; and

(C) set forth clear recommendations to the relevant authorizing committees of Congress as to how future legislation can incorporate the results of the study described in this section to allow for the administration of the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) without generating any additional revenue to the Federal Government except revenue that is needed to carry out such programs; and

(2) prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives setting forth the conclusions of the study described in this section in such a manner that the recommendations included in the report can inform future reauthorizations of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

The PRESIDING OFFICER. The Senator from Arkansas.

MORNING BUSINESS

Mr. PRYOR. Mr. President, if it is in order, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arkansas.

THUD APPROPRIATIONS

Mr. PRYOR. Mr. President, I rise today to speak in favor of the THUD appropriations bill that is on the floor this week. I know all of us have listened to the speeches and the commentators, and we hear a lot of people around Washington say: Cut, cut, cut.

Well, I am for cutting our spending, and I think we need to tighten our belt, but we need to do it in a smart way, and we need to do things such as cut programs that do not work. We need to also make smart and targeted investments in our future. The question is, how do we do that?

Well, one of the ways we do that is by supporting this legislation today. By

working together and investing in our future, we can do great things for this country, and that is what the THUD bill is about.

Yesterday, the FAA announced seven airports in our State would receive a total of $4.8 million from the FAA for infrastructure upgrades. That is part of what the bill is about. Some of these are runway rehabilitations, some are new lighting systems, some may be drainage improvements. These not only promote safety—and certainly they make air travel safer in this country, and that is extremely important—but also they are a way to spur economic activity. It is a great way to reinvest Federal tax dollars into my State and into the other 49 States to create jobs. Let me give Arkansas as an example of this.

In Arkansas—and I know we are only about 1 percent of the population, so you can kind of do the math here—commercial and general aviation airports actually support 29,000 jobs and contribute $2.5 billion every year in economic activity.

Our airports are important, but it is only actually a piece of the puzzle. We need to remember that we have other great infrastructure we need to invest in, such as waterways and ports and highways, and rural communities—we have to make sure they are not left behind—such as rural housing, but also rural broadband.

So there are a lot of ways we can invest to make this country stronger. That is why I believe it is very important to support this THUD appropriations bill.

The bill passed in committee on a bipartisan vote 22 to 8. I was proud to vote for it. I was glad to see it get such a large bipartisan vote in the Senate subcommittee. I certainly hope my colleagues will do this again on the floor in a very bipartisan way.

This bill includes things such as the Federal-Aid Highway Program. This is a program that helps support interstate maintenance, bridge repairs, highway safety. After all, how many reports do we have to read that talk about the distressed infrastructure of our highways? So if we want to replace these bridges that are beyond their lifespan, this is the way to do it.

Every $1 billion in Federal highway and transit investment supports 13,000 American jobs.

This bill also includes popular programs that have been put to good use, such as TIGER. I could go through several of the TIGER grants my State has received, but one of those I am proud of is the TIGER grant for West Memphis, AR, to develop their port. It is an intermodal facility on the Mississippi River, right across from Memphis, which is crowded. West Memphis has all the same attributes that Memphis has, it just happens to be on the Arkansas side of the river, and that investment there is going to explode development and do great things up and down the Mississippi River.

The Airport Improvement Program is also part of this, the Contract Tower Program, the Community Development Block Grants. Every mayor, every elected official in the counties, the Governors—they all know how important the CDBG money is.

The other great thing about supporting this legislation is that it is one step in the right direction headed back to what we call regular order, trying to get things done in the Senate the way they ought to be done, with us working together, going through the committee process, coming to the floor with a bill, having amendments, having debate, sometimes fussing and fighting with one another, but nonetheless getting it done, and this is a great way to do that.

I believe moving our country forward with new jobs and a stronger economy is something we all should be able to agree on. All of us should be able to agree on this, maybe with a little difference here and there. But I hope a big number of Senators will support this legislation.

Lastly, let me say a few words about Chairwoman MIKULSKI and her ranking member Senator SHELBY. Senator MIKULSKI has been amazing in her leadership of the Appropriations Committee. Everybody on the committee knows she is a breath of fresh air. She is so energetic and so knowledgeable and so good at what she does. We are so excited to have her there as chair of that committee. She is going to go down in history as one of the all-time greats. We are so proud she is pushing so hard to get these bills out of the committee and get them to the Senate floor and, hopefully, get them done on the Senate floor, so we can send them over to the House and get them conferenced.

Also, I have to say thank you to Senator MURRAY, who is the chair of this subcommittee, and also Senator COLLINS. I think Senator COLLINS is a great legislator. She knows how to get it done. She knows how all the bits and pieces work around here. She knows the process. She has great relations on both sides of the aisle. One thing I like about SUSAN COLLINS is a lot of times she will take on the hard items. She gets the hard work done. We need more Senators like her around here.

Certainly Senator MURRAY is incredible. She does so much good in the Senate and for the country and for her State.

With that, I encourage my colleagues to look at this bill. I know we are going to have some amendments, we are going to have some more debate. That is part of it. That is great. But let's get up-or-down votes and let's get this through the system.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here once again, actually now for the 40th time, to urge my colleagues to wake up to the threat of climate change.

I am very pleased to be joined today by our colleague Senator BRIAN SCHATZ of Hawaii, who is a champion of renewable energy and energy efficiency. As Hawaii's Lieutenant Governor, he coauthored his State's net metering rule, which encourages renewable energy, and he led the design of the State's Renewable Energy Portfolio, which is on track to be No. 1 in the Nation. He has pushed commonsense ways to boost energy security and battle climate change, and it is no wonder he has been called Hawaii's ''Ambassador of Energy.''

We are here today in the wake of a hearing last week in the Committee on Environment and Public Works. The premise of that hearing was simple—''Climate Change: It's Happening Now.'' Disappointingly, again, allies of the fossil fuel industry attempted to discount or downplay that straightforward call to action.

Of the climate scientists on hand, everyone—even the minority witnesses—agreed that carbon dioxide causes climate change. That is physics 101. And all but one agreed that climate change is a real problem. The only academic who did not, Dr. Roy Spencer, is affiliated with the industry-backed George C. Marshall Institute and the Heartland Institute.

Regrettably, Dr. Spencer played a tried-and-true trick of the climate deniers: deselecting data that does not support your conclusions. Scientists around the world have been collecting high-quality surface temperature data for more than 100 years. To Dr. Spencer, however, the only data that matters are satellite and balloon readings of atmospheric temperatures in the tropics. Why ignore data outside the tropics? Why ignore surface temperature data? Why ignore ocean data, when the oceans cover two-thirds of the globe? Well, when you look at all the data, it shows the Earth warming at a much faster rate than his data in isolation.

Other minority witnesses played similar games.

Ms. Furchtgott-Roth, who is not a climate scientist, testified. She appears to be a sort of all-purpose witness-of-all-trades for the Republicans on topics that range from job training to health insurance to constitutional law, even to Samoan fisheries. She claimed that climate change has stopped.

Well, if you look at the past decade, you can convince yourself that climate change has stopped. Actually, on this chart I have in the Chamber, you can convince yourself that climate change has stopped five different times. But when you look at the whole picture, the only conclusion is that the Earth is getting warmer. The past 10 years were warmer than the 10 years before that. In fact, the past 10 years were warmer than any other 10 years in recorded history.

The continued, now-near-fraudulent denial of climate change is pernicious. Dr. Jennifer Francis of Rutgers called out in her testimony what she calls ''climate misleaders.'' She explained—and I will quote her—

> These are people who [are] deliberately ignoring and misconstruing the science in an attempt to convince [lawmakers] and the public that either human-caused climate change isn't happening, or that it's nothing to worry about.

Well, I am sure Senator SCHATZ is aware that observations around the world, including in his home State, show climate change is indeed real and already happening.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Thank you, Mr. President.

I want to thank the Senator from Rhode Island for his kind words. He is a real expert and a leader on climate change, and I look forward to continuing to work together with him and our colleagues on this important issue. He has just discussed the overwhelming evidence that global temperatures are rising. I would like to build on his remarks and add that temperature is not the only indicator that climate change is real and it is happening now.

We see the changes in Hawaii and all over the world. One only need to look to the top of the world, where Arctic Sea ice is melting faster than scientists had predicted originally. Just last summer, the ice covering the Arctic Ocean retreated to its smallest size in recorded history, shrinking by 350,000 square miles—an area about the size of Venezuela.

Glaciers continue to retreat. The Greenland ice sheet provides a stark example of the rapid recession of the world's ice. For several days in July of 2012, Greenland's surface ice cover melted more than at any time in 30 years of satellite observation. During that month an estimated 97 percent of the ice sheet thawed.

Some types of severe weather are also on the rise. While climate scientists are extremely careful not to attribute any single weather event to climate change, there is no doubt that increased climate change has ''loaded the dice,'' which means extreme weather events are increasingly likely.

Extreme weather events cost us in lives and in money. Of course, the sea level continues to rise. As water warms, its volume expands. Scientists have observed that the top layer of the world's oceans has stored an enormous amount of heat, raising sea levels in many parts of the world. This ocean warming has contributed to an estimated one-third to one-half of the increase in sea level rise to date.

Sea level rise is a serious challenge for my home State of Hawaii in particular. Just a 3-foot rise in sea level, which scientists project for this century, will flood many parts of Honolulu, including the iconic hotels and businesses along Waikiki Beach, leaving beaches eroded and hotels, businesses, and homes possibly inundated by the ocean.

My colleague from Rhode Island, an ocean State, is especially aware of these changes.

Mr. WHITEHOUSE. Mr. President, tide gauges in Newport, RI, show an increase in average sea level of nearly 10 inches since 1930. That is a big deal for Rhode Islanders when we think about how devastating our great hurricane of 1938 was and what worse would now befall us with 10 more inches of sea for storms to hammer against our shores.

Those measurements show that the rate of sea level rise is also increasing. This matches reports that since 1990, sea level has been rising faster than the rate predicted by the Intergovernmental Panel on Climate Change. Part of what has caused sea level rise is ocean warming, as described by Senator SCHATZ.

When fluids get warm, including ocean water, they expand and therefore rise. During last week's EPW hearing, we heard about the heat, significant amounts of heat, that oceans are now absorbing. Even if atmospheric warming had hit another temporary level, the ocean is still warming, and ocean warming hits ocean ecosystems.

Dr. Margaret Leinin testified at the hearing last week about a study that showed economically important species such as cod, haddock, yellowtail, and winter flounder shifting northward over the last four decades. The study suggests that the fish are moving to locations within their preferred temperature range.

Scientists have begun to tease out how what seem like small changes in average temperature are important to fish and other animals in the ocean. In Narragansett Bay, we have a continuous temperature record going back to 1959, along with data on what is living in the water. We know water temperature is rising. One study found on average winter temperatures are up almost 4 degrees since the 1960s in Narragansett Bay, and that is not good for the winter flounder.

NOAA scientists working in Rhode Island found that winter flounder incubated in warmer water are smaller when they hatch than those incubated in colder water. Juvenile winter flounder need time to settle to the bottom of the bay and to grow larger before abundant bottom feeders such as the sand shrimp arrive. It looks like warmer water brings the shrimp in earlier while the flounder are still small enough to eat, making them easier prey.

So the evidence is that warmer waters load the dice against winter flounder in Narragansett Bay, and the fisherman who relied upon this fishery paid the price. Catches are down to less than one-tenth of what they once were. Fishermen in Hawaii are paying the price as well.

Mr. SCHATZ. As Senator WHITEHOUSE has described, our oceans show the effect of climate change by absorbing much of the heat from our warming planet. But they do more than that; our oceans absorb almost 25 percent of the carbon that humans release into the atmosphere. If they did not, even more greenhouse gasses would warm our planet at an even faster pace. Our oceans and the life in them pay a price for all of this carbon.

Increasing carbon dioxide creates a chemical reaction that raises the acidity of the sea water. This is called ocean acidification. So that is a technical term, but what does it mean as a practical matter? In plain terms, ocean acidification makes it difficult for shellfish, corals, sea urchins, and other creatures to form the shells that they need in order to live. As a result, fewer survive, which means entire populations are put at risk. Acidification negatively affects crucial parts of the ocean food chain from shellfish and coral reefs to fisheries.

So what does this mean for human beings? Ocean acidification has real economic consequences for communities that depend on the ocean for food, for jobs, and for tourism, such as my home State of Hawaii. Further acidification and warming will hurt our local fishing and tourism industries, industries that make up the backbone of our economy. All the fish and the seafood we depend upon may become scarcer and likely more expensive.

If we continue to burn fossil fuels at our current rate, our oceans may become 150 percent more acidic by the end of this century. That is a higher level of acidity than has been seen in the last 20 million years.

Today, more than 1 billion people worldwide rely on food from the ocean as their primary source of protein. So without solving the problem of ocean acidification, we will leave people, industries and entire economies, vulnerable, especially in developing countries. Climate change is threatening the basic foundation of many of our economies and especially the State of Hawaii. The Hawaii economy, culture, and history are derived from the ocean. So any dramatic changes to our ocean environment will impact our lives especially.

As I mentioned before, sea level rise threatens our beachfront property from Waikiki to Ka'anapali to the North Shore of Kauai. These beaches are important for Hawaii tourism and our economy and to local people across the State. Each year, Hawaii hosts an estimated 8 million visitors, with many of them drawn to our beaches. Tourist receipts alone made up almost $12 billion in revenues last year. So climate change could also usher in a period of more frequent and severe weather, which could make Hawaii's communities increasingly vulnerable to flooding and storm damage.

Climate change threatens more than our economy. Our national security institutions face a similar risk from sea

level rise and ocean acidification. The 2010 Quadrennial Defense Review, an assessment produced every 4 years by the Department of Defense, concluded that climate change will affect the military and its mission. In particular, low-lying naval installations, such as Joint Base Pearl Harbor-Hickam, face similar threats from sea level rise that could leave parts of the base flooded, requiring millions of dollars in costly upgrades.

With the United States rebalancing to the Asia-Pacific region, sustaining our naval capabilities and ensuring that they too can weather the effect of climate change will be increasingly important for Hawaii and for our Nation.

I know the Senator from Rhode Island has concerns about his own State. I yield to him.

Mr. WHITEHOUSE. As the Senator from Hawaii said, it is not just Hawaii, it is not just Rhode Island actually, it is all of our States that will be affected. Dr. Leinin, who testified at our EPW hearing, is from Florida Atlantic University. She highlighted how sensitive Florida will be to climate change.

In her testimony, Dr. Leinin said:

> The Caribbean/Florida region has shown sea surface temperature increases of about . . . [2 degrees Fahrenheit] per decade concurrent with losses of viable coral reef area of between 5.5 percent and 9.2 percent per year. Western Atlantic reefs have the highest percentage area affected by bleaching of any reefs worldwide.

Not so great for Florida's diving and snorkeling economy. Dr. Leinin pointed out that Florida's population ''is heavily concentrated, with almost 14 million people living along our coast. In South Florida, Miami, the seventh largest city in the country, the Florida Keys, coastal and inland portions of Broward County, the Florida Everglades and Ft. Lauderdale are all below 2 feet in elevation.''

The effects of sea level rise that we discussed for Hawaii and Rhode Island appear to be more evident in Florida. Dr. Leinin told us: Although sea level rise has only risen these few inches in 50 years, that rise has been sufficient to prevent drainage systems from working during lunar high tides and during storms. The streets of Miami Beach are now routinely flooded at peak high tide. The addition of storm surges to these higher sea levels means that drainage systems no longer work reliably, causing seawater to move into storm sewer systems forcing water inland.

So South Florida is ground zero for sea level rise. As Senator SCHATZ said earlier, this is one of the effects of climate change. Sea level rise has not stopped or slowed down, especially not in South Florida. It is time to wake up and get to work slowing these changes where we can, and adapting our communities to their inevitable effects.

Mr. SCHATZ. Commonsense solutions to the threat of climate change are everywhere. We have been talking a lot about the risks of climate change, but let's talk a little bit about the opportunities—the opportunities to fight climate change, to transform how we produce and consume energy, and to grow a clean energy economy.

We know what we need to do. We also know how to do it. Congress may not enact comprehensive climate legislation this year, but it can still take action to make a difference. As I see it, we have an opportunity for common ground in three areas: energy efficiency, tax incentives, and innovative financing structures to promote clean energy deployment.

Perhaps the greatest opportunity for compromise is in energy efficiency, the commonsense idea that we ought to save money and reduce pollution at the same time by simply consuming less energy to perform the same tasks. Senators SHAHEEN and PORTMAN have taken this up and are writing excellent legislation to improve and enhance energy efficiency across the Nation.

Their bill includes sensible measures that will help to achieve significant reduction in energy use. Buildings use close to 40 percent of the energy used in the United States. This bill will contain provisions that will update the building codes, increase efficiency goals for Federal facilities, and provide incentives to industrial facilities, commercial buildings, and homes.

In recent weeks, we have been hearing that Shaheen-Portman may come to the floor. We are encouraged by that. We encourage both the majority leader and the minority leader, as well as the managers of this legislation, to move it to the floor expeditiously so that we can take care of it before the August break.

Second, I urge my colleagues to support tax incentives for clean energy, many of which expire at the end of this year. Senators on both sides of the aisle have repeatedly worked together to extend these incentives, especially the wind credit. We can build on this common ground to support sensible solutions. We not only have the opportunity to extend clean energy incentives as a part of tax reform but to improve upon them. We should focus on creating credits that reward performance and innovation and do not pick winners and losers. They should help industries scale up, bring costs down, and become competitive on their own.

Finally, the Federal Government must do more to help new and innovative technologies reach the marketplace. New technologies face significant barriers to market entry; barriers that focused government intervention such as loan guarantees and other financing mechanisms can help overcome.

The Senator from Rhode Island may also have thoughts on other commonsense solutions. I yield to him for any comments he may have.

Mr. WHITEHOUSE. Mr. President, Rhode Island is preparing for climate change. We are doing it in commonsense ways. Along our coasts, we are identifying areas that are vulnerable to sea level rise. The University of Rhode Island Graduate School of Oceanography is a world leader in measuring and understanding the effects of climate change on our waters.

Rhode Island's Department of Health, with a grant from the Centers for Disease Control and Prevention, is preparing us for the health effects associated with climate change. But it is not enough for individual States to have to act alone. That is why Senator SCHATZ and I, along with our colleagues in the House, Representatives WAXMAN and BLUMENAUER, have put forward a discussion draft for a fee on carbon pollution.

It is clear when we consider the damage climate change will cause, indeed already has begun to cause, there is a social cost of carbon pollution. It is not factored into the price of fossil fuel.

That is a market failure, and our approach would correct that market failure.

We wish to discuss with our Democratic and Republican colleagues how best to implement this solution, what the price should be, how fast it should rise, and how to return the proceeds back to Americans. A market solution like this should be right up Republicans' alley. This is why Republicans such as Art Laffer and George Shultz are talking about it.

A fee on carbon can reduce emissions. One option, to use the proceeds to reduce taxes, should be attractive to our Republican colleagues.

To give one example, with the majority of the carbon pollution fee proceeds, setting a little reserve aside for the lowest income people, putting the rest of it to work lowering corporate income taxes, and just with that you can reduce the top of the American corporate income tax rate from 35 to 28 percent, that is a pretty considerable value to those businesses that are still considering paying the top rate, and that should be worth something during negotiations.

As I have said before in these talks, it is time to wake up. It is time to get to work.

I wish to thank my friend Senator SCHATZ for his leadership in the effort to protect Americans from the harms of climate change.

I turn to him now for his final remarks and welcome Senator BLUMENTHAL, who will be joining us in this colloquy.

Mr. SCHATZ. I wish to thank Senator WHITEHOUSE for being a leader for so long, for being so forceful and so factual on this issue. I applaud his leadership and look forward to continuing to work together on this important issue.

Climate change is real. Climate change is caused by humans, and climate change is solvable.

I wish to end on a note of optimism. The urgency of this situation creates a real opportunity. We have a chance to start a second Industrial Revolution that will drive our economy for decades to come.

We have the chance and the responsibility to transition into a clean energy economy and leave our world in better shape than we found it.

I yield the floor for Senator BLUMENTHAL.

Mr. BLUMENTHAL. I wish to join with my two very good friends and colleagues who have highlighted an issue that concerns the whole country, not just Hawaii, Rhode Island—and no two States are farther apart geographically—but we share this very dire and dangerous problem, often characterized as climate change. I think it is climate disruption. It is global destruction.

One of the myths that surrounds this area that my two colleagues have sought to expose is the supposed incompatibility of reducing destruction of our planet and, at the same time, growing our economy. Often, economic growth is thought to be in conflict with environmental protection and responsibility.

In fact, ecology and economy go together. We can expand our economy by developing new sources of fuel, renewables such as wind and solar, but also fuel cells, which in my State of Connecticut are a growing source of energy responsibility and economic growth.

Far from being incompatible, these two goals are complementary. More jobs, more economic growth, can be the result of controlling carbon pollution.

In fact, the President's program for controlling carbon pollution, which would dramatically cut the magnitude of our air contamination and make us a more responsible nation, will increase jobs and economic growth. It will also put us in a position of leadership around the globe and enable us to regain the position of trust and leadership that we have exercised on so many other issues. We cannot be a leader if we don't lead ourselves.

We cannot tell others what to do when we don't follow the example that we should be setting. It should be and it must be leadership by example.

My colleague Senator MURPHY and I—and he will be shortly speaking about another subject—brought together a very powerful coalition in Connecticut last week to highlight this issue of climate change and to dramatize how many different interests and ages have commonality in this goal: labor leaders, environmental activists, young people wearing T-shirts and carrying signs.

They get it. They know. The science is there. The reality is pressing, urgent, and we must address it.

I wish to thank all of my colleagues who are uniting on this historic cause. I hope we can join together in colloquies going forward.

The Presiding Officer has been a leader in the House and will be now in the Senate; most especially, my friend and colleague Senator WHITEHOUSE, who literally week after week, in many different themes and widely diverse ways, has brought our attention, riveting our minds, on this very important subject. I congratulate him on the 40th speech, and I look forward to participating more with him.

Mr. WHITEHOUSE. I look forward to that.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. On July 20, a few days ago, we had a pretty somber anniversary in this country. Senator BENNET came down to acknowledge the occasion. It was the 1-year anniversary of the shooting in Aurora, CO, in which a young man killed 12 individuals and wounded 58 others when he walked into a crowded movie theater at a midnight showing of ''The Dark Knight Rises.'' This, once again, showed the vulnerability of this Nation when the Congress refuses to act on the issue of preventing gun violence.

I have come down virtually every week—not, frankly, as often or as regularly as Senator WHITEHOUSE has on the issue of climate change, but in the short time I have been in the Senate I have tried to come down to the floor virtually every week to talk about the victims of gun violence. Today it is an apt moment to recognize the victims in Aurora, who now have been lost for over a year.

This number represents something different. On December 14, our world in Connecticut was absolutely shattered by a global tragedy in which 26 people, adults and children, including 7-year-olds, died in a splatter of gunfire at Sandy Hook Elementary School, as well as six of the professionals who were charged with protecting them.

What has happened since December 14 is, frankly, in a lot of ways even more egregious, even more unconscionable, even more difficult to swallow than what happened on that day, and that is that 6,497 people have died from guns since December 14 in, frankly, every manner.

There have been more mass shootings, accidental deaths, and suicides. There have been instances of one-on-one urban violence, suburban violence, and family-on-family violence. What has happened is this country has become kind of numb to it. We have to accept that every day we are going to be able to pick up a paper, and somewhere across this country there is going to be upward of 30 or 40 people who have died at the hands of guns at a rate that we can't find anywhere else in the civilized world. We just kind of accept it.

The number is startling. Since December 14, almost 6,500 people have died of gun violence. But we just can't settle on that number. We have to talk about who these people are. I am trying to lend some voice to the victims of gun violence every week on the floor of the Senate to try to spur the Senate to action because I have become resolved that the numbers aren't enough.

Apparently, this number isn't big enough for the Senate to do something so that maybe if we humanize these tragedies, that might do the trick.

A.J. Boik was described as a ball of joy by his friend Jordan. He had just graduated from high school, and he was looking forward to attending the Rocky Mountain College of Art and Design in the fall. He wanted to be an art teacher and wanted to teach others the joy he felt for art.

He was known as a big personality, so much so that after he was killed in that movie theater in Aurora, over 1,000 people came to his funeral. Among those mourners were his girlfriend who was there in the theater the day he was shot.

Matthew McQuinn was one of the heroes that day. He was there with his girlfriend Samantha and her brother Nick Yowler. When the shooter came into the theater and started spraying bullets, Matthew, as well as Nick, attempted to shield Samantha from the bullets.

Samantha survived but Matthew did not. He was working in a Target, which is where he actually met his girlfriend when they were working at another Target. He was remembered by his coworkers very fondly. He died that day saving a life.

Also a victim that day was PO3 John Thomas Larimer. He was one of two Active-Duty servicemembers who died as a result of that mass shooting. His girlfriend Kelley Vojtsek, whose life was saved, said this:

> John and I were seated in the middle area. When the violence occurred, John immediately and instinctively covered me and brought me to the ground in order to protect me from any danger.

In that act, he saved his girlfriend, but he was struck with a bullet that ended his life.

Alex Sullivan was 27 years old. His friends called him a gentle giant. He was ringing in his 27th birthday, in fact, by going to the premier of ''The Dark Knight Rises.'' His family said he always had a glowing smile on his face. He made friends with everybody. He was a huge movie buff, a comic book geek—as his family called him—and the New York Mets. The Sunday following his attack would have been his 1-year wedding anniversary.

Micayla Medek was called Cayla by her friends. She loved her friends and going out with her friends. That is what she was doing when she went out that evening to see this movie. Her family didn't find out she had been killed that day until 20 hours after the shooting. They had spent that evening and morning driving from hospital to hospital hoping to get news she had survived.

Veronica Moser-Sullivan was the youngest of the 12 people who were shot. She was 6 years old, not unlike the 20 6-year-old and 7-year-old children killed in Newtown. She was described as beautiful and innocent, excited about life. She was there that

evening because her family wanted to get her mind off of the recent passing of her grandfather. She had become consumed with sorrow over the passing of her grandfather. So as a treat her family brought her to the premier of this movie. She was going to start swimming lessons the following week.

James Holmes walked into that movie theater with an AR–15-style rifle, which we have heard talked about over and over and over—the weapon of choice in mass shootings in this country. But just as important, he was armed with 100-round drums of ammunition. Why on Earth does this Senate allow for the continued legal sale of 100-round drums of ammunition? What possible legal reason could there be for the possession of 100-round drums of ammunition that go into an automatic weapon other than to kill as many people as possible as quickly as possible? There is no reason a hunter or sport shooter needs a 100-round drum of ammunition. Yet we can't even get the votes to ban the sale of those deadly accessories to semiautomatic weapons.

I get it. These 6,497 people didn't die at the hands of an assault weapon, they didn't die at the hands of a 100-round drum, never mind a 30-round magazine, but these mass shootings are going to continue to happen. Frankly, the one that happened in Santa Monica not long ago barely made the headlines in this country. Three or four people dying at the hands of a semiautomatic weapon is nothing these days. Now there have to be 20 or 30 people die in order for it to be a big story. Expectations have changed because these shootings are becoming regular, normal occurrences. But we can't let this country become numb to mass shootings in the way I would argue we have become numb to the 6,500 people who have died since December 14.

I understand we tried and failed to get legislation passed through the Senate—supported by 90 percent of Americans—that would extend background checks to more sales of weapons, to make sure criminals don't have weapons, to make gun trafficking a crime in a way that it is not, to provide some more mental health resources, but we shouldn't give up. We shouldn't give up because there is going to be another Aurora, there will be another Sandy Hook if we do nothing, and 30 to 40 people will still die every day if we stand by and continue to allow this kind of regular, everyday gun violence to be the background noise of this Nation.

Maybe if the numbers don't move people, the stories of the victims will. Maybe that will be enough to finally prompt the Senate and the House of Representatives to action.

I yield the floor.

THE MINIMUM WAGE

Mr. DURBIN. Mr. President, 4 years ago today, the Federal minimum wage increased to $7.25 per hour. That was the final phase of a minimum wage increase that Congress passed in 2007. After 4 years, it is time to evaluate where wages stand.

Since 1967, the Federal minimum wage has increased from $1.40 to $7.25. While at first glance this seems like significant progress, when adjusted to current dollars the value of the minimum wage has actually declined by 12.1 percent. Had the minimum wage kept pace with inflation, it would be $10.74 an hour today.

But the minimum wage for tipped workers is even worse. The current minimum wage for tipped workers is $2.13, and that has not gone up since 1991. Employers paying the tipped minimum wage now pay just 21 percent of what that employee would make at minimum wage. This forces workers to use more and more of their tips simply to make up the difference between the tipped minimum wage and the standard minimum wage.

Working 40 hours per week at $7.25 per hour translates to just $15,080 per year. That's about $400 less than the Federal poverty level guidelines for a family of two. Last week, The Atlantic ran an article that showed a budget chart produced by McDonald's to help its employees better manage their finances. And while I commend McDonald's for trying to help workers better manage money, the budget tells a sad story.

According to the chart, someone making the minimum wage and working 40 hours a week at McDonald's would have to work a second job to make ends meet. But to be clear for this budget to be accurate, a worker must hold nearly two full time jobs. According to the Washington Post's Wonkblog, a worker making the minimum wage would to have work 75 hours a week to have the after-tax income in the McDonalds sample budget. Working 75 hours a week at minimum wage with no vacation days and limited benefits—if any—one can make $24,720 a year, after tax.

How does a person do that if they are a single parent? They can't. There are not enough hours in the day to raise a family working that many hours. And there certainly aren't enough dollars in the income to provide child care.

The sample budget drawn up for McDonald's employees might as well include a line for Federal and State assistance. Families living on the minimum wage have few alternatives but to turn to programs such as SNAP, housings assistance, and Medicaid to survive. These are the same programs that are regularly attacked by the ultra-conservative for growing too quickly. For those who insist that working be a requirement for receiving public assistance, shouldn't they also insist that if you are working full time you shouldn't need public assistance? Wouldn't that be a good definition of a minimum wage?

If we increase the minimum wage to $10.10, more than 30 million workers would receive a raise. And while some of these workers are teenagers, 88 percent are adults. For many of those adults, these are not part time jobs or stepping stones to their next job, but the full time job they rely on for a living.

That is why 4 years after the last minimum wage increase, it is time to act again. I am a cosponsor of the Fair Minimum Wage Act introduced by Senator HARKIN in the Senate and Representative GEORGE MILLER in the House. The Fair Minimum Wage Act will increase the minimum wage from $7.25 to $10.10 per hour in three, 95-cent annual increments, and index it to inflation annually thereafter. The bill will also gradually raise the minimum wage for tipped workers from the current $2.13 per hour to a level that is 70% of the regular minimum wage.

If we pass the Fair Minimum Wage Act that same full-time worker being paid minimum wage I mentioned earlier that makes $15,080 a year—will make $21,000. That can be the difference for a family that is getting by and one that is living in poverty. I hope my colleagues on both sides of the aisle will join me in cosponsoring the Fair Minimum Wage Act.

Mr. HARKIN. Mr. President, 4 years ago today, July 24, 2009, was the last time the minimum wage was increased. It rose from $6.55 an hour to $7.25 an hour. And it has been stuck there ever since. Four years is too long. It is time to raise the minimum wage.

To that end, I have introduced legislation along with Rep. GEORGE MILLER in the House. The Fair Minimum Wage Act will gradually increase the minimum wage to $10.10 an hour in three annual steps. Our bill will also link future increases in the minimum wage to the cost of living, using the Consumer Price Index, so that people who are trying to get ahead don't fall behind as our economy grows. Finally, our bill—for the first time in more than 20 years—will raise the minimum wage for workers who earn tips, from a paltry $2.13 per hour, today, to a level that is 70 percent of the regular minimum wage. This will be gradually phased in over the course of 6 years, which will give businesses time to adjust while providing more fairness for hard-working people in tipped industries.

While millions of workers have been without a raise these past 4 years, costs have continued to climb. Between 2009 and 2012, rent has gone up 4%, auto repair costs have climbed 6%, food is 8% more expensive, child care costs 9% more, and public transportation takes a 13% bigger bite out of workers' wallets.

I do not need to tell you that when you are taking in $1,000 a month, even a few dollars more at the grocery checkout line is a hardship. The tens of millions of working poor and low-wage Americans and their families know this. They know that the minimum wage, for many, is a poverty wage; it pays $3,000 less per year than what is needed to lift a family of three above

the poverty line. They know they can not survive on such meager wages. They know it because they live it.

Unfortunately, the McDonald's corporation does not seem to understand. Last week, a budgeting brochure that McDonald's provides its workers went viral on the Internet. It seems that, as the folks at The Atlantic said, ''McDonald's can't figure out how its workers survive on minimum wage.'' Let's talk about McDonald's.

McDonald's is the third-largest employer of low-wage workers in the country, with 860,000 U.S. workers. According to Glassdoor, the average wage for a cashier is $7.72 and for a crew member is $7.68. That is just pennies above the minimum. Even managers only make around $9.50 per hour, sometimes less.

The McDonald's budget brochure shows workers how to add up their monthly expenses to determine their monthly household budget. But wages at McDonald's are so paltry that its sample budget had to assume that its employees work two full-time jobs to earn $2,000 a month. Never mind that most fast food jobs are part-time, and finding two jobs would be very difficult in today's economy with so many unemployed and part-time workers looking for full-time jobs.

On top of requiring two jobs, this budget's estimated costs are either out of sync with reality or simply missing. It estimated rent at $600 a month, when in reality rent costs $783 for a one-bedroom apartment and $977 for a two-bedroom, according to the National Low-Income Housing Coalition. Those are national figures; rent is much higher in many parts of the country. The McDonald's budget also doesn't include necessities like child care or food. And I don't know where someone is going to get health insurance for $20 a month. Even McDonald's charges $54 a month for its most basic plan for one employee with no dependents, and that is after a year of working there. With just one dependent, it is $140 a month. And that basic plan still has deductibles and copays on top of the premium.

This just shows how difficult it is for tens of millions of people—folks who do some of the most demanding work in our country—to make ends meet. But it's not just low-wage workers who are hurt when they can't keep up with costs. This hurts our communities and our local businesses as well. When our neighbors can't afford to go to the grocery store or the auto repair shop or the hardware store, all of those businesses suffer. They lose customers and sales.

But imagine if the lowest wage workers all got raises. They would take their car in for that long-needed repair. They would pick up a few extra items at the store. They would buy a new pair of shoes for their growing son or daughter. And those local stores would all benefit.

And when we see that 30 million people across the country will get a raise thanks to the Fair Minimum Wage Act, all that extra spending really adds up. The local grocery might even have to hire new people to keep up with rising demand. In total, my bill will add $33 billion to our GDP over its 3 years of implementation. And it will create 140,000 new jobs over that same period.

It's simple: more money in consumers' pockets means more spending, which means more economic activity, which means more jobs.

In fact, the financial and economic experts know this already. I have seen article after article, interview after interview from financial experts saying that we need more consumer spending in order to get our economy really going. Just last month, the Wall Street Journal interviewed the president of Naroff Economic Advisors. He analyzed a recent consumer spending report and said, ''We're in a situation where we need much stronger increases in wages and salaries if households are going to have the money to spend and the economy's going to grow faster.'' He added:

> We need wages to grow significantly faster. They're coming up from where they have been, but we need them to really begin to pick up. We need stronger job growth, but more importantly we also need average salaries and hourly wages to grow faster. Those have been largely flat and that's the problem. Right now, income's growing because we're creating more jobs, not because people are making more money. We need the average person to see their salaries go up before they can spend more and drive this economy forward.

Well, we can raise wages in this country, and we can provide those raises to the people who need it most—not to CEOs but to the people serving our food, watching our children, helping us when we call customer service, and assisting us at our local stores. These are the people who are earning wages so low, they work two jobs and still can't make ends meet. And these are people who will go out and spend just about every dime in their local stores, boosting their local economies.

Minimum wage workers want to support themselves. Ninety percent of the people who would benefit from my legislation are adults, not teenagers. They are often parents. In fact, one in five working parents in this country will get a raise under my bill, and a third of single parents. A total of 18 million children have parents who would get a raise. Think about that. All of those millions of families with a little more money to spend. What a help that will be to those growing kids.

We owe it to millions of low-wage families struggling to just have a glimpse of the American Dream, to make sure that they get a raise and can support their families. But we also owe it to ourselves, to our economy. Our system works best when everyone has the opportunity to support themselves, to be productive, and to participate in our larger economy.

Raising the minimum wage is a simple and effective way to do this. And we know we can do it in a responsible way, with no unintended consequences. My bill would phase in an increase in three steps, giving businesses time to adapt. And because the minimum wage will apply to all businesses, no single business will be at a competitive disadvantage.

Also, my proposal is in line percentage wise with previous increases in the minimum wage. Decades of solid economic research shows us that these increases have not caused job losses. In fact, businesses stand to benefit from increased wages, because raises result in significantly lower turnover rates, which in turn saves those businesses money.

Four years without a raise is 3 years too many. We have to make sure that working families can keep up with the economy. That is why linking future increases in the minimum wage to the cost of living is so crucial. Small annual increases will be easy to absorb, but will make a big difference to American families. And it will help our businesses on Main Street as well as our national economy.

Mr. President, it is time to raise the minimum wage and link it to inflation for the future. It is the right thing to do, and it is the responsible thing to do. And it will give a much needed boost to both local economies and our national economy. I urge my colleagues to support this long-overdue legislation.

TRIBUTE TO FRANK J. SAMMARTINO

Mrs. MURRAY. Mr. President, I rise along with my colleague, the Ranking Member of the Budget Committee, Senator SESSIONS, to pay tribute to Frank J. Sammartino, who is retiring this week after 33 years of distinguished Federal service, including 26 years serving the Congress at the Congressional Budget Office and the Joint Economic Committee.

Mr. Sammartino began his Federal career in 1978, working in the office of the assistant secretary for planning and evaluation at the U.S. Department of Health and Human Services, where he worked until 1985. He left HHS for the Tax Analysis Division in the Congressional Budget Office, where he has worked for most of his remaining career. While at CBO, Mr. Sammartino has risen up through the ranks to his current position of assistant director for Tax Analysis, the director's top person on all tax policy and budget matters. In addition to his work at CBO, he has also served Congress as the chief economist and deputy director at the Joint Economic Committee.

As head of the Tax Analysis Division at CBO, Mr. Sammartino has worked tirelessly to ensure the Congress has quality and timely analysis of tax policy and budget issues. He has directly contributed to and overseen numerous baseline projections, policy studies, and cost estimates. In fact, early on at

CBO, he developed the first microsimulation model used by CBO for analyzing tax policy. That model became the basis for CBO's individual income tax projections and its analysis of the distribution of federal taxes. In general, his expertise on a wide range of public policy issues has served as a valuable resource for Members and staff.

Mr. Sammartino exemplifies CBO's high standards of professionalism, objectivity, and nonpartisanship, and has received the highest awards for outstanding service while at both CBO and HHS. As chairman, I greatly appreciate the sacrifices that he—as well as his family, including his wife, Ellen, and children, Frank and Lulu—have made in assisting the Budget Committee and Congress.

I would like to turn to my colleague, Senator SESSIONS, for his remarks.

Mr. SESSIONS. I thank the chairman and join her in commending Mr. Sammartino for his many years of dedicated and distinguished service to CBO, the Congress, and the American people. We wish him and his family well in his retirement from Federal service.

We hope our colleagues will join us in thanking Mr. Sammartino—and really all of the hard-working employees at the Congressional Budget Office—for his and their service.

ENERGY SUBCOMMITTEE ASSIGNMENTS

Mr. WYDEN. Mr. President, I ask unanimous consent that the Subcommittee Assignments of the Committee on Energy and Natural Resources be printed in the RECORD.

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

ENERGY

Al Franken, *Chairman*

Tim Johnson, Mary L. Landrieu, Maria Cantwell, Bernard Sanders, Debbie Stabenow, Mark Udall, Joe Manchin, III, Martin Heinrich, Tammy Baldwin.

James E. Risch, *Ranking*, Dean Heller, Jeff Flake, Lamar Alexander, Rob Portman, John Hoeven.

PUBLIC LANDS, FORESTS, AND MINING

Joe Manchin, III, *Chairman*

Tim Johnson, Mary L. Landrieu, Maria Cantwell, Mark Udall, Al Franken, Brian Schatz, Martin Heinrich, Tammy Baldwin.

John Barrasso, *Ranking*, James E. Risch, Mike Lee, Dean Heller, Jeff Flake, Tim Scott, Lamar Alexander, John Hoeven.

NATIONAL PARKS

Mark Udall, Chairman

Mary L. Landrieu, Bernard Sanders, Debbie Stabenow, Brian Schatz, Martin Heinrich, Tammy Baldwin.

Rob Portman, *Ranking*, John Barrasso, Mike Lee, Lamar Alexander, John Hoeven.

WATER AND POWER

Brian Schatz, *Chairman*

Tim Johnson, Maria Cantwell, Bernard Sanders, Debbie Stabenow, Joe Manchin, III, Al Franken.

Mike Lee, *Ranking*, John Barrasso, James E. Risch, Dean Heller, Jeff Flake, Tim Scott.

Ron Wyden and Lisa Murkowski are ex officio members of all the Subcommittees.

TRIBUTE TO TOM ED McHUGH

Ms. LANDRIEU. Mr. President, today I wish to ask my colleagues to join me in recognizing Tom Ed McHugh, who will retire as executive director of the Louisiana Municipal Association. Mr. McHugh will step down on December 31, 2013, after 13 years of dedicated service.

Mr. McHugh began his career in public service in 1966 as a teacher in the East Baton Rouge Parish School System after receiving a Bachelor's degree in education from Louisiana State University. In 1989, Mr. McHugh was elected mayor-president of the City of Baton Rouge and Parish of East Baton Rouge and served three terms in this position. Under his leadership, East Baton Rouge Parish experienced its greatest years of growth and prosperity. Through his years of service as an elected official, Mr. McHugh created enduring changes in a wide breadth of programs to impact and improve the lives of every individual within and throughout his community.

Mr. McHugh has worked tirelessly for 13 years as executive director of the Louisiana Municipal Association to maintain and promote the independence and self-sufficiency of Louisiana's municipalities while strengthening the relationship between the local, State, and Federal levels of government. He created municipal structures in which all people are taken care of, no matter their situation in life. Mr. McHugh had a vision to reach the lives of the citizens he vigorously worked to improve through dynamic enhancement models that provided quality management and services at all levels of government. Mr. McHugh also worked continuously to build a strong economic agenda to ensure the prosperity of Louisiana's municipalities and communities for generations to come.

Mr. McHugh's distinguished career includes many prestigious recognitions. Among them are memberships to the United States Conference of Mayors, the National League of Cities, and the governing boards of the Louisiana Conference of Mayors and the Louisiana Municipal Association. Mr. McHugh's career leaves a legacy of accomplishment and dedication to his family and all those who are a part of the educational systems and municipalities that he served. Together with his high school sweetheart, Betty Schilling McHugh, Mr. and Mrs. McHugh are the proud parents and grandparents of three children and eight grandchildren, all of whom have continued to inspire Mr. McHugh as a professional, a father, and a grandfather.

Mr. McHugh has been and continues to be an inspiration to all of those who have been impacted by his tireless efforts. It is with my heartfelt and greatest sincerity that I ask my colleagues to join me along with Mr. McHugh's family in recognizing the life and many accomplishments of this incredible leader and his impact in so many communities.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 6:48 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5. An act to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5. An act to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

MEASURES DISCHARGED

The following measure was discharged from the Committee on Energy and Natural Resources and referred as indicated:

S. 1294. A bill to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 2668. To delay the application of the individual health insurance mandate, to delay the application of the employer health insurance mandate, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2374. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Fresh Citrus Fruit From Uruguay, Including Citrus Hybrids and Fortunella spp.,

Into the Continental United States'' ((RIN0579–AD59) (Docket No. APHIS–2011–0060)) received in the Office of the President of the Senate on July 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2375. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010'' (RIN0584–AE09) received in the Office of the President of the Senate on July 9, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2376. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Export Administration Regulations Based on the 2012 Missile Technology Control Regime Plenary Agreements'' (RIN0694–AF81) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2377. A communication from the Acting Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–2378. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to significant transnational criminal organizations that was established in Executive Order 13581 on July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2379. A communication from the Associate Director, Financial Reporting and Accounting Policy, Federal Home Loan Bank of Des Moines, transmitting, pursuant to law, the 2012 Statement on the System of Internal Controls of the Federal Home Loan Bank of Des Moines and accompanying reports; to the Committee on Banking, Housing, and Urban Affairs.

EC–2380. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Seattle, transmitting, pursuant to law, the Bank's 2012 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–2381. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–2382. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC–2383. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Israel; to the Committee on Banking, Housing, and Urban Affairs.

EC–2384. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–2385. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Singapore; to the Committee on Banking, Housing, and Urban Affairs.

EC–2386. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Disqualification of Felons and Other ''Bad Actors'' from Rule 506 Offerings'' (RIN3235–AK97) received in the Office of the President of the Senate on July 11, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2387. A communication from the President and Chief Operating Officer, Financing Corporation, transmitting, pursuant to law, the Corporation's Statement on the System of Internal Controls and the 2012 Audited Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC–2388. A communication from the President and Chief Operating Officer, Resolution Funding Corporation, transmitting, pursuant to law, the Corporation's Statement on the System of Internal Controls and the 2012 Audited Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC–2389. A communication from the Special Inspector General for the Troubled Asset Relief Program, transmitting, the January 2013 Quarterly Report to Congress of the Special Inspector General for the Troubled Asset Relief Programs; to the Committee on Banking, Housing, and Urban Affairs.

EC–2390. A communication from the President and Chief Executive Officer, United States Enrichment Corporation, transmitting the Corporation's eighteenth annual report regarding its activities as Executive Agent for the U.S. government in the implementation of the 20-year contract to purchase low enriched uranium derived from dismantled Russian nuclear weapons; to the Committee on Energy and Natural Resources.

EC–2391. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Critical Habitat Map for the Fountain Darter'' (RIN1018–AZ68) received in the Office of the President of the Senate on July 16, 2013; to the Committee on Environment and Public Works.

EC–2392. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Species Status for Six West Texas Aquatic Invertebrates'' (RIN1018–AX70) received in the Office of the President of the Senate on July 16, 2013; to the Committee on Environment and Public Works.

EC–2393. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Six West Texas Aquatic Invertebrates'' (RIN1018–AZ26) received in the Office of the President of the Senate on July 16, 2013; to the Committee on Environment and Public Works.

EC–2394. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Listing One Distinct Population Segment of Broad-Snouted Caiman as Endangered and a Second as Threatened with a Special Rule'' (RIN1018–AT56) received in the Office of the President of the Senate on July 16, 2013; to the Committee on Environment and Public Works.

EC–2395. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Buena Vista Lake Shrew'' (RIN1018–AW85) received in the Office of the President of the Senate on July 16, 2013; to the Committee on Environment and Public Works.

EC–2396. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2013'' (RIN3150–AJ19) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2397. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Service Limits and Loading Combinations for Class 1 Linear Type Supports'' (Regulatory Guide 1.124, Revision 3) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2398. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Service Limits and Loading Combinations for Class 1 Plate-and-Shell-Type Supports'' (Regulatory Guide 1.130, Revision 3) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2399. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Preparation of Environmental Reports for Nuclear Power Plant License Renewal Applications'' (Regulatory Guide 4.2, Supplement 1, Revision 1) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2400. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Community Right-to-Know; Direct Final Rule to Adopt 2012 North American Industry Classification System (NAICS) Codes for Toxics Release Inventory (TRI) Reporting'' (FRL No. 9825–8) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2401. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Protection of Stratospheric Ozone; The 2013 Critical Use Exemption from the Phaseout of Methyl Bromide'' (FRL No. 9809–7) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Environment and Public Works.

EC–2402. A communication from the Inspector General of the Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Part D Plans Generally Include Drugs Commonly Used by Dual Eligibles: 2013 (OEI–05–13-00090)''; to the Committee on Finance.

EC–2403. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled ''The Year in Trade 2012''; to the Committee on Finance.

EC–2404. A communication from the Chief of the Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Media Space, Inc. v. Commissioner'' (AOD 2012–08) received during adjournment of the Senate in the Office of the President of the Senate on July 22, 2013; to the Committee on Finance.

EC–2405. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—August 2013'' (Rev. Rul. 2013–13) received during adjournment of the Senate in the Office of the President of the Senate on July 22, 2013; to the Committee on Finance.

EC–2406. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2013–46) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Finance.

EC–2407. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revised Timeline and Other Guidance Regarding the Implementation of FATCA'' (Notice 2013–43) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Finance.

EC–2408. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Expanded Eligibility for Temporary Housing for Individuals Displaced by Severe Storms, Flooding, and Tornadoes in Oklahoma'' (Notice 2013–47) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Finance.

EC–2409. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Updated Static Mortality Tables for the Years 2014 and 2015'' (Notice 2013–49) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Finance.

EC–2410. A joint communication from the Secretary of Labor, Chair of the Board and the Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2012 actuarial evaluation of the expected operations and status of the Pension Benefit Guaranty Corporation funds; to the Committee on Health, Education, Labor, and Pensions.

EC–2411. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted in Feed and Drinking Water of Animals; Ammonium Formate'' (Docket No. FDA–2008–F–0151) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2412. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Animal Feeds Contaminated With Salmonella Microorganisms'' (Docket No. FDA–2013–N–0253) received in the Office of the President of the Senate on July 18, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2413. A communication from the Acting Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the Department of Labor's fiscal year 2011 Office of Workers' Compensation Programs annual report; to the Committee on Health, Education, Labor, and Pensions.

EC–2414. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Health, United States, 2012''; to the Committee on Health, Education, Labor, and Pensions.

EC–2415. A communication from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary, Department of Homeland Security, received in the Office of the President of the Senate on July 9, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2416. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Director, Office of Management and Budget, received in the Office of the President of the Senate on July 18, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2417. A communication from the Director of the Diversity and Inclusion Division, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the Department's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–2418. A communication from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting, pursuant to law, the Company's Balance Sheet as of December 31, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–2419. A communication from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–2420. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department of Commerce's Performance and Accountability Report for fiscal year 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–2421. A communication from the Chairman and Members of the Federal Labor Relations Authority, transmitting, pursuant to law, the Office of Inspector General Semi-annual Report for the period of October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2422. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2423. A communication from the Director, National Security Agency, transmitting a report relative to classified information sharing and safeguarding efforts on computer networks; to the Select Committee on Intelligence.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–44. A joint resolution adopted by the Legislature of the State of Nevada urging Congress to pass the Marketplace Fairness Act; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 5

Whereas, In the case of National Bellas Hess, Inc. v. Department of Revenue, 386 U.S. 753 (1967), the United States Supreme Court held, in relevant part, that Congress alone has the power to regulate and control the taxation of commerce which is conducted between a business that is located within one state, and a customer who is located in another state and who communicates with and purchases from the business using only remote means; and

Whereas, The United States Supreme Court established in Quill Corp. v. North Dakota, 504 U.S. 298 (1992), that a state government cannot, of its own accord, require out-of-state retailers to collect sales tax on sales within the state; and

Whereas, The United States Supreme Court also announced in Quill that Congress could exercise its authority under the Commerce Clause of the United States Constitution to decide whether, when and to what extent the states may require collection of sales tax on remote sales; and

Whereas, The State of Nevada and municipalities within this State receive significant operating revenue from sales taxes collected by brick-and-mortar businesses and online vendors with a nexus to the State and from use taxes on purchases made online through vendors without a brick-and-mortar location in the State; and

Whereas, Remittance of use taxes not collected by a vendor from online purchases puts an undue burden and widely unknown obligation on consumers; and

Whereas, The unequal taxation schemes as between online and traditional retailers create a disadvantage for Nevada-based retailers, who are rooted and invested in the Nevada community and employ residents of this State; and

Whereas, The tax collection loophole for online retailers deprives local governments of revenue that could be used to fund necessities such as schools, police and fire departments, and other important infrastructure; and

Whereas, The Marketplace Fairness Act, S. 336, 113th Cong. (2013), and H.R. 684, 113th Cong. (2013), proposes to provide states with the authority to require out-of-state retailers, such as online and catalog retailers, to collect and remit sales tax on purchases shipped into the state; and

Whereas, The State of Nevada has enacted the Simplified Sales and Use Tax Administration Act, chapter 360B of NRS, which is in compliance with the Marketplace Fairness Act, S. 336, 113th Cong. §2 (2013) and H.R. 684, 113th Cong. §2 (2013): Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, Jointly, That the members of the 77th Session of the Nevada Legislature urge Congress to pass the Marketplace Fairness Act without delay; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation and the Executive Director of the Department of Taxation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM–45. A joint resolution adopted by the Legislature of the State of Nevada expressing support for wild horses and burros in Nevada; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 1

Whereas, Wild horses and burros are an integral part of the ecosystem and rangelands of the United States and the State of Nevada; and

Whereas, Wild horses and burros helped to build this nation and are living symbols of freedom and our American Western heritage, as represented by the depiction of wild horses on the Nevada State quarter; and

Whereas, Wild horses and burros are natural resources and cultural assets, and have the potential to promote tourism and job creation in this State; and

Whereas, Building eco-sanctuaries that enable the public to view and photograph wild horses and burros may provide a much needed boost to the Nevada economy; and

Whereas, Wild horses and burros depend on the understanding, cooperation and fairness of all interested parties: Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, Jointly, That the Nevada Legislature:

1. Supports the preservation and protection of our iconic wild horses and burros in the State of Nevada as living symbols of freedom, the pioneer spirit of the West and America's heritage, as well as valuable natural resources and cultural assets;

2. Supports the development of wild horse and burro related ecotourism in the State of Nevada;

3. Encourages the State Department of Agriculture to enter into cooperative agreements with local wild horse and burro advocacy groups pursuant to NRS 569.031 concerning wild horses and burros living on private lands that are under the jurisdiction of the State Department of Agriculture; and

4. Encourages a spirit of cooperation, collaboration and fairness among wild horse and burro advocacy groups, private land owners and the State Department of Agriculture; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation, the Governor and the Director of the State Department of Agriculture; and be it further

Resolved, That this resolution becomes effective upon passage.

POM–46. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to amend the Clean Air Act and to fully consider the impact of the new regulations; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1001

To the Congress of the United States of America:

Your memorialist respectfully represents:

Whereas, the Clean Air Act is a federal law designed to minimize air pollution nationwide; and

Whereas, the Clean Air Act requires the Environmental Protection Agency (EPA) to enforce regulations intended to protect the public from air pollutants believed to be hazardous to public health; and

Whereas, in 1970, Congress amended the Clean Air Act by mandating comprehensive state and federal regulations for both stationary and non-stationary sources of pollution; and

Whereas, the 1970 amendments dramatically expanded the EPA's regulatory authority; and

Whereas, additional amendments adopted in 1990 expanded the Clean Air Act by allowing the EPA to address acid rain, ozone depletion, gasoline formulation and evaporative emissions; and

Whereas, in April 2009, the EPA issued an endangerment finding, declaring that current and future greenhouse gas emissions pose a serious threat to public health and safety, allowing the agency to regulate carbon dioxide emissions; and

Whereas, as written, the Clean Air Act gives states, not the federal government, the primary role in establishing and carrying out plans to comply with EPA regulations; and

Whereas, as written, the Clean Air Act requires the EPA to consider the economic impact of its proposed regulations; and

Whereas, in spite of these provisions, recent actions by the EPA reflect a disturbing and legally questionable shift away from state and towards federal primacy; and

Whereas, these actions include the EPA's recent rejection of Arizona's State Implementation Plan for Regional Haze, which may cost Arizona consumers as much as one billion dollars for new technology that will make an imperceptible improvement in air quality compared to the state's plan; and

Whereas, while Americans support efforts to improve air quality, such efforts should be carefully balanced to ensure that the cost of new regulations on the economy do not exceed potential benefits; and Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress amend the Clean Air Act to further clarify that the states, not the EPA, have the primary role in developing plans for regulating air pollutants and fully consider the impact of new regulations on the state and national economy before approval or implementation of new regulations.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–47. A joint memorial adopted by the Legislative Assembly of the State of Oregon urging Congress to increase investment in the Drinking Water State Revolving Fund and Clean Water State Revolving Fund; to the Committee on Environment and Public Works.

HOUSE JOINT MEMORIAL 7

To the President of the United States and the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-seventh Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas generations of Oregonians have enjoyed access to safe, reliable and accessible public water, but a lack of investment in critical water systems that are relied upon to bring clean, accessible water to communities and the aging of public water infrastructure pose significant threats to the quality, safety, reliability and accessibility of public water; and

Whereas water is widely viewed in Oregon as a public trust to be managed for the common good of the public at large; and

Whereas approximately 80 percent of Oregon residents get their drinking water from public water systems; and

Whereas the federal Safe Drinking Water Act Amendments of 1996 created the Drinking Water State Revolving Fund for the purpose of assisting states with funding to ensure safe public drinking water; and

Whereas in 2010 the Department of Human Services determined that $44 million would be needed in order to fund projects for protecting existing sources of public drinking water in Oregon; and

Whereas in 2010 the final amount of funding from the Drinking Water State Revolving Fund available for use on Oregon priority projects was $9,752,311, representing less than 25 percent of the amount needed; and

Whereas according to the United States Environmental Protection Agency, approximately 45 percent of the investment needs in Oregon for public water infrastructure are in communities with a population of less than 10,000; and

Whereas the Title VI provisions of the federal Clean Water Act created the Clean Water State Revolving Fund in 1987 for the purpose of assisting states with funding to ensure clean water resources and wastewater systems and treatment facilities for the public; and

Whereas in 2011 the Department of Environmental Quality determined that $380,821,000 will be needed in order to fully fund projects for maintaining clean water resource programs and wastewater systems and treatment facilities to protect the public and Oregon water resources; and

Whereas in 2011 the funding from the Clean Water State Revolving Fund predicted to be available for use on Oregon priority projects was $23,017,000, representing six percent of the amount needed; and

Whereas 50 percent of Oregon priority projects for funding from the Clean Water State Revolving Fund would serve communities with a population of less than 5,000; and

Whereas the current levels of funding for the Drinking Water State Revolving Fund and the Clean Water State Revolving Fund are not sufficient to ensure that Oregon's public drinking water and wastewater systems and treatment facilities are maintained and protected to benefit the health and safety of Oregon residents and benefit Oregon water resources;

Whereas investing in Oregon's public drinking water and wastewater systems and treatment facilities will create and support family wage jobs for Oregon workers; and

Whereas according to the National Utility Contractors Association, for every $1 billion that is invested nationally in water infrastructure, almost 27,000 jobs are created; and

Whereas it is critical for Oregon students to have access to safe and clean drinking water; and

Whereas there is currently no dedicated federal funding available for updating and repairing drinking water systems in public schools; and

Whereas protecting the public drinking water and wastewater systems and treatment facilities in the nation's communities is of crucial importance and requires an ongoing federal funding commitment: Now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon:

(1) The Seventy-seventh Legislative Assembly of the State of Oregon urges the Congress of the United States of America to increase investment in the Drinking Water State Revolving Fund to upgrade and repair the nation's aging public drinking water systems in order to ensure that all citizens have access to safe, clean and affordable drinking water.

(2) The Seventy-seventh Legislative Assembly urges the Congress of the United States to increase investment in the Clean Water State Revolving Fund to upgrade and repair the nation's aging public water and

wastewater treatment systems in order to ensure the health and safety of the nation's urban and rural environments and water resources.

(3) The Seventy-seventh Legislative Assembly urges the Congress of the United States to ensure that federal funding is available for public water systems in both large and small communities and ensure that dedicated funding is made available for updating and repairing drinking water systems in the nation's public schools.

(4) A copy of this memorial shall be sent to the President and Vice President of the United States, to the Senate Majority Leader, to the Speaker of the House of Representatives and to each member of the Oregon Congressional Delegation.

POM–48. A joint resolution adopted by the Legislature of the State of California memorializing the President and Congress of the United States to enact appropriate legislation reauthorizing the federal Older Americans Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION NO. 4

Whereas, In 2006, Congress reauthorized the federal Older Americans Act of 1965 in its entirety, effective through the 2011 fiscal year; and

Whereas, The federal Older Americans Act of 1965 has not been reauthorized since 2006, although it was updated in 2009 and funding for its programs has been authorized since that date on an annual basis; and

Whereas, The congressional appropriations staff continue to stress the tight spending caps on discretionary programs imposed by the Balanced Budget Act of 1997; and

Whereas, A substantial number of older Americans living in the State of California will be at risk if there are significant reductions in allocated funds for the programs funded by the act; and

Whereas, Further delay in the reauthorization of the federal Older Americans Act of 1965 will erode the capacity of the act's various structures to deliver services to meet the needs of older Americans; and

Whereas, The federal Older Americans Act of 1965 should immediately be reauthorized to preserve the aging network's role in home- and community-based services, maintain the advocacy and consumer directed focus of the act, and give area agencies on aging increased flexibility in planning and delivering services to vulnerable older Americans; and

Whereas, The federal Older Americans Act of 1965 should be funded in the same manner in which the act has been funded for the past 48 years: Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature memorializes the President and the Congress of the United States to enact appropriate legislation that would reauthorize the federal Older Americans Act of 1965; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to the Chairman of the Senate Special Committee on Aging, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM–49. A resolution adopted by the House of Representatives of the State of Illinois relative to urging the Congress of the United States, the President of the United States, and the United States Department of Education to consider communities in the State of Illinois as Promise Neighborhoods; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 0154

Whereas, The Promise Neighborhoods program was founded in 2010 on the premise of significantly improving the educational and developmental outcomes of children and youth in distressed communities by providing access to great schools and strong systems of community support to aid in the transition from childhood to career; and

Whereas, The Promise Neighborhoods grant program consists of planning grants and implementation grants; and

Whereas, The United States Department of Education proposed to fund Promise Neighborhoods through the legislative authority of the Fund for the Improvement of Education Program in 2010; the level and allocation of planning and implementation funds are contingent upon each fiscal year's final budget; and

Whereas, The Promise Neighborhoods grant program is expected to continue in 2013 with another round of applications and award winners: Now, therefore, be it

Resolved, by the House of Representatives of the Ninety-Eighth General Assembly of the State of Illinois, that we urge the Congress of the United States, the President of the United States, and the United States Department of Education to consider communities in this State, including communities in the City of Chicago, as Promise Neighborhoods and award grants as such; and be it further

Resolved, That suitable copies of this resolution be delivered to the President pro tempore of the U.S. Senate, the Speaker of the U.S. House of Representatives, each member of the Illinois congressional delegation, the President of the United States, and the U.S. Secretary of Education.

POM–50. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to protest against the closure of the Cherrybell Postal Processing and Distribution Center; to the Committee on Homeland Security and Governmental Affairs.

HOUSE CONCURRENT MEMORIAL 2007

To the Members of the United States Congress:

Your memorialist respectfully represents:

Whereas, the Cherrybell Postal Processing and Distribution Center (Cherrybell) serves the entire southern portion of Arizona covering the counties of Pima, Santa Cruz and Cochise. Currently, Southern Arizona is facing a potential economic downfall due to the initial decision made by the United States Postal Service Board of Governors to close Cherrybell; and

Whereas, more than 1.8 million people and 23,197 businesses use the Cherrybell postal services. According to United States Postal Service officials, over 3 million pieces of mail go through Cherrybell each day as it is the 15th largest facility serving the 33rd largest population area in our nation. Thus, the processing and sorting operations at Cherrybell that are being proposed to be moved to Phoenix affect approximately 280 jobs in Southern Arizona; and

Whereas, Southern Arizona, which includes both the Tohono O'odham nation and Pasqua Yaqui tribal lands, encompasses the California and Arizona border at Yuma south to Nogales, across to Douglas and Bisbee in Cochise County and the military installations located at Fort Huachuca and Davis Monthan, depends on the Cherrybell Post office; and

Whereas, Council Member Richard Fimbres went on record opposing the closure of Cherrybell Post Office and requested that the Tucson City Council work directly with Tucson's congressional delegation and community members to frame a campaign to protect the vital jobs at Cherrybell; and

Whereas, Pima County Recorder F. Ann Rodriguez, objects to the closure of Cherrybell and firmly believes this change will clearly impact the activities of the state and county elections officials in Arizona and will cause a detrimental impact to voters. The information provided to the public by the United States Postal Services is based entirely on economic considerations with no apparent regard for the impact of the change on the fundamental right to vote of all citizens and, in particular, the significant additional detrimental impact to Native American voters in the region; and

Whereas, 600 people attended the public hearing, which was scheduled three days after Christmas, and 6,000 people wrote letters and signed online petitions urging the United States Postal Service Board of Governors not to close Cherrybell.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the Congress of the United States protest the proposed closing of Cherrybell Postal Processing and Distribution Center.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–51. A memorial adopted by the Legislature of the State of Arizona urging the United States to propose an amendment to the Constitution of the United States to provide rights to victims of crime; to the Committee on the Judiciary.

HOUSE MEMORIAL 2002

To the Congress of the United States of America:

Your memorialist respectfully represents:

Whereas, criminal defendants are afforded numerous federal rights and procedural protections; and

Whereas, victims of crime are not afforded any federal constitutional rights or protections; and

Whereas, the people of this state believe in the individual rights and liberties of all persons and have amended the Constitution of Arizona to provide crime victims with rights, and yet it is clear that without federal constitutional rights, crime victims' rights are less meaningful and enforceable.

Wherefore your memorialist, the House of Representatives of the State of Arizona, prays:

1. That the Congress of the United States propose to the people an amendment to the Constitution of the United States that provides rights to crime victims and that embodies the following principles:

(a) The right to be informed of and not excluded from any public proceedings relating to the crime.

(b) The right to be heard regarding any release from custody.

(c) The right to consideration for the safety and privacy of the victim, the victim's interest in avoiding unreasonable delay and the victim's interest in restitution.

(d) The right to be heard regarding any negotiated plea or sentence.

(e) The right to receive notice of release or escape.

2. That any amendment to the Constitution of the United States to establish rights for crime victims grant standing to victims of crime to assert all rights established by the Constitution.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial

to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–52. A joint resolution adopted by the Legislature of the State of Nevada urging Congress to enact comprehensive immigration reform; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 15

Whereas, The United States is predominantly a nation of immigrants that draws strength from the diversity of its residents; and

Whereas, Hardworking persons who aspire to become citizens of the United States have contributed to the prosperity of the State of Nevada in extraordinary ways through the years; and

Whereas, The operation of a strong and vibrant democracy is likely to be impeded unless all men and women, regardless of their race, creed, color, ethnicity or birthplace, are able to participate meaningfully in the political process with full rights and the equal protection attendant thereto; and

Whereas, We believe in the human dignity of all residents of the United States, regardless of their immigration status, and recognize the importance of the many contributions that immigrants have made to the social and economic fabric of Nevada; and

Whereas, A comprehensive approach to fixing our broken immigration system would strengthen the economy of our State and our nation, and would free aspiring citizens to make even greater contributions to our communities, our State and our nation; and

Whereas, We support immigration reform that keeps families together, upholds our values as a nation, promotes economic growth and provides long-term solutions to the current problems resulting from our immigration system; and

Whereas, Comprehensive immigration reform must include a significant reduction in the often unreasonable wait times and arbitrary rules that keep families separated from their loved ones; and

Whereas, Comprehensive immigration reform must include a realistic pathway to citizenship for all hardworking and taxpaying aspiring citizens who live in this country and meet reasonable requirements; and

Whereas, Comprehensive immigration reform must provide a mechanism for aspiring citizens who have grown up in this country to become citizens and be better able to fully contribute to our joint future; and

Whereas, The reform of our nation's immigration system must occur in a thoughtful manner which builds the strength and unity of working people, and guarantees the same rights, obligations and basic fairness for all workers, no matter their country of birth or origin; and

Whereas, Comprehensive immigration reform must include a new temporary worker program that provides for strict compliance with the labor standards and wage and hour requirements of the United States, portability of work visas so that workers may change jobs and the ability of workers to petition for permanent residency; and

Whereas, The enforcement provisions which accompany comprehensive immigration reform must restore respect for the law by promoting strict adherence to our nation's values, including due process, civil and human rights, accountability and proportionality; and

Whereas, The focus of law enforcement, both within and at the borders of the United States, should be to prevent criminals, and those persons attempting to enter the country for the purpose of doing harm to this nation, from entering or remaining in the United States; and

Whereas, Comprehensive immigration reform must include a funding stream to address the entire spectrum of fiscal impacts that will be experienced by state governments as a result of programs for guest workers, earned legalization and increases in the number of immigrants; and

Whereas, Our federal elected officials must create an immigration process that strengthens our nation's economy and allows aspiring citizens to continue making contributions to our communities, our State and our nation: Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, Jointly, That the members of the 77th Session of the Nevada Legislature hereby urge Congress to enact comprehensive immigration reform as outlined in this resolution which addresses: (1) earned legal residency accompanied by a clear path to citizenship; (2) the future immigration of families and workers; (3) improved immigration enforcement and border security that is consistent with our nation's values; and (4) a funding stream to address the entire fiscal impacts on state governments; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the President of the United States, the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM–53. A joint memorial adopted by the General Assembly of the State of Colorado urging Congress to adopt comprehensive immigration reform; to the Committee on the Judiciary.

SENATE JOINT MEMORIAL 13–003

Whereas, Unlike most nations, America has a long and rich heritage of generous immigration laws; and

Whereas, Many employers are faced with an insufficient number of visas for workers to support the needs of the United States economy, with arbitrary visa caps creating backlogs, frequent exploitation by employers through wage and workplace violations, and inadequate government infrastructure to efficiently administer our numerous guest worker programs; and

Whereas, Colorado's identity is defined by its promise of equal opportunity, esteem for diversity and commitment to innovation; and

Whereas, Coloradans have prospered because of the contributions of hardworking immigrants who aspire to citizenship; and

Whereas, We believe in the human dignity of all Colorado residents, regardless of immigration status, and recognize the importance of immigrants' many contributions to the social and economic fabric of the state of Colorado; and

Whereas, Becoming a citizen of the United States means taking a solemn oath to uphold our nation's Constitution and to forsake allegiance to other nations; and

Whereas, Citizenship is the legal embodiment and symbol of full membership and participation in society that should be encouraged for all who can meet the lawful standards for citizenship; and

Whereas, Keeping families together not only is the correct and moral thing to do but is also good for the economy because families provide a base of support that increases worker productivity and spurs entrepreneurship; and

Whereas, It is universally recognized that adequate border security is a fundamental prerequisite for successful and lasting immigration reform; and

Whereas, America's current immigration system is widely recognized as dysfunctional because it harms our economy and does not reflect Colorado's values; and

Whereas, A well-designed and efficiently enforced immigration system is a federal responsibility, and a comprehensive approach to solve our broken immigration system would strengthen Colorado's and the nation's economy and would free aspiring citizens to make an even greater contribution to our communities; and

Whereas, The federal government's inability to enact immigration reform has created severe economic, cultural, and political strains in communities across Colorado and has led to a patchwork of state laws that inadequately address immigration-related problems; and

Whereas, Immigration reform must occur in a comprehensive, thoughtful manner that builds the strength and unity of working people, keeps families together wherever possible, and guarantees the same rights, obligations, and basic fairness for all lawful workers, no matter where they come from; and

Whereas, Comprehensive immigration reform must provide a fair, equitable, and realistic mechanism for aspiring citizens who have grown up in this country to become citizens and be able to fully contribute to our joint future; and

Whereas, Comprehensive immigration reform must update the legal immigration system so that the future flow of legal guest workers more realistically matches our nation's labor needs and is structured to protect the employment, wages, and working conditions of U.S. and lawful immigrant workers; and

Whereas, Comprehensive immigration reform must strengthen the small business workforce and customer base, reward initiative with the American promise of opportunity, promote productivity, reduce red tape, and strengthen the American economy; and

Whereas, Any new guest worker visa program must provide for strict compliance with United States labor standards and wage and hour standards, portability of visas so that workers can change jobs under prescribed circumstances, and the ability for workers to petition for permanent residency; and

Whereas, Comprehensive immigration reform must aim to reduce the unreasonable wait times and overly complex rules that keep families unreasonably separated from their loved ones; and

Whereas, Colorado citizens support a comprehensive immigration reform that keeps families together wherever possible, upholds our values as a state and nation, promotes small business and economic growth, and provides long-term, practicable and enforceable solutions to our broken immigration system: Now, therefore, be it

Resolved by the Senate of the Sixty-ninth General Assembly of the State of Colorado, the House of Representatives concurring herein:

That we urge the 113th Congress to enact comprehensive immigration reform as outlined in this Joint Memorial; and be it further

Resolved, That a copy of this Joint Memorial shall be delivered to the U.S. Speaker of the House, President of the U.S. Senate, members of Colorado's Congressional delegation, members of Colorado's General Assembly, and the Governor of Colorado.

POM–54. A joint resolution adopted by the City of Sumter, Sumter County Council, and

Sumter School District of the State of South Carolina supporting the preservation of tax-exempt municipal bonds; to the Committee on Finance.

POM–55. A resolution adopted by the Board of Education of the Mentor Exempted Village School District of the State of Ohio urging Congress and the Administration to mitigate across-the-board cuts to education that are scheduled to occur March 1, 2013; to the Committee on Health, Education, Labor, and Pensions.

POM–56. A resolution adopted by the Municipal Assembly of San Juan, Puerto Rico expressing the San Juan Municipal Legislature's deepest rejection of the application of the death penalty by the United States District Court for the District of Puerto Rico; to the Committee on the Judiciary.

POM–57. A resolution adopted by the Governing Body of the City of Santa Fe, New Mexico expressing support for the Uniting American Families Act; to the Committee on the Judiciary.

POM–58. A resolution adopted by the Board of Aldermen of the Town of Carrboro, North Carolina supporting the Uniting American Families Act and the inclusion of LGBT families in comprehensive immigration reform; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with amendments:

S. 960. A bill to foster stability in Syria, and for other purposes (Rept. No. 113–79).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 156. A resolution expressing the sense of the Senate on the 10-year anniversary of NATO Allied Command Transformation.

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. 375. A bill to require Senate candidates to file designations, statements, and reports in electronic form.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Kent Yoshiho Hirozawa, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2016.

*Nancy Jean Schiffer, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2014.

By Mr. SCHUMER for the Committee on Rules and Administration.

*Davita Vance-Cooks, of Virginia, to be Public Printer.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MORAN (for himself, Mr. TESTER, and Mr. KIRK):

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; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 1350. A bill to exclude from gross income compensation provided for victims of the March 29, 2013, pipeline oil spill in Mayflower, Arkansas; to the Committee on Finance.

By Mr. THUNE (for himself, Mr. KAINE, Mr. PORTMAN, and Mr. COONS):

S. 1351. A bill to provide for fiscal gap and generational accounting analysis in the legislative process, the President's budget, and annual long-term fiscal outlook reports; to the Committee on the Budget.

By Ms. CANTWELL (for herself, Mr. BARRASSO, Mr. JOHNSON of South Dakota, Mr. TESTER, Mr. UDALL of New Mexico, Mr. FRANKEN, Mr. BEGICH, Ms. HEITKAMP, Ms. HIRONO, and Mr. SCHATZ):

S. 1352. A bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROCKEFELLER (for himself and Mr. THUNE):

S. 1353. A bill to provide for an ongoing, voluntary public-private partnership to improve cybersecurity, and to strengthen cybersecurity research and development, workforce development and education, and public awareness and preparedness, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 1354. A bill to amend title 18, United States Code, to clarify the range of conduct punished as sex trafficking, and for other purposes; to the Committee on the Judiciary.

By Mr. INHOFE (for himself, Mr. BEGICH, Mr. BLUNT, and Mr. CASEY):

S. 1355. A bill to provide regulatory parity among alternative fuel vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. MURRAY (for herself, Mr. ISAKSON, Mr. HARKIN, and Mr. ALEXANDER):

S. 1356. A bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 1357. A bill to extend the trade adjustment assistance program; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 1358. A bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN:

S. 1359. A bill to amend the Federal Water Pollution Control Act to establish national standards for discharges from cruise vessels; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER (for himself and Mr. COBURN):

S. 1360. A bill to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MURPHY:

S. 1361. A bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 20, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 134

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 134, a bill to arrange for the National Academy of Sciences to study the impact of violent video games and violent video programming on children.

S. 409

At the request of Mr. BURR, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 409, a bill to add Vietnam Veterans Day as a patriotic and national observance.

S. 411

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

S. 425

At the request of Ms. STABENOW, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 425, a bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives.

S. 462

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

S. 491

At the request of Mr. UDALL of New Mexico, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from

Oregon (Mr. MERKLEY), the Senator from Ohio (Mr. BROWN), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 491, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 888

At the request of Mr. JOHANNS, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 888, a bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 983

At the request of Mr. CORNYN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 983, a bill to prohibit the Secretary of the Treasury from enforcing the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010.

S. 1007

At the request of Mr. KING, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1007, a bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property.

S. 1064

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1064, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 1072

At the request of Ms. KLOBUCHAR, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1072, a bill to ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, and for other purposes.

S. 1123

At the request of Mr. CARPER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1123, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1128

At the request of Mr. TOOMEY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1128, a bill to clarify the orphan drug exception to the annual fee on branded prescription pharmaceutical manufacturers and importers.

S. 1143

At the request of Mr. MORAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1149

At the request of Mr. NELSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1149, a bill to reauthorize the ban on undetectable firearms, and to extend the ban to undetectable firearm receivers and undetectable ammunition magazines.

S. 1182

At the request of Mr. UDALL of Colorado, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1182, a bill to modify the Foreign Intelligence Surveillance Act of 1978 to require specific evidence for access to business records and other tangible things, and provide appropriate transition procedures, and for other purposes.

S. 1188

At the request of Ms. COLLINS, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Arkansas (Mr. BOOZMAN), the Senator from South Carolina (Mr. GRAHAM) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1188, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act.

S. 1215

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1215, a bill to strengthen privacy protections, accountability, and oversight related to domestic surveillance conducted pursuant to the USA PATRIOT Act and the Foreign Intelligence Surveillance Act of 1978.

S. 1236

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1236, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 1279

At the request of Ms. LANDRIEU, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1279, a bill to prohibit the revocation or withholding of Federal funds to programs whose participants carry out voluntary religious activities.

S. 1292

At the request of Mr. CRUZ, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 1292, a bill to prohibit the funding of the Patient Protection and Affordable Care Act.

S. 1306

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1306, a bill to amend the Elementary and Secondary Education Act of 1965 in order to improve environmental literacy to better prepare students for postsecondary education and careers, and for other purposes.

S. 1310

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

S. 1334

At the request of Mr. MANCHIN, the names of the Senator from Nevada (Mr. HELLER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Wyoming (Mr. ENZI) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1334, a bill to establish student loan interest rates, and for other purposes.

S. 1343

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1343, a bill to protect the information of livestock producers, and for other purposes.

AMENDMENT NO. 1749

At the request of Mr. MCCONNELL, his name was added as a cosponsor of amendment No. 1749 proposed to S. 1243, an original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

At the request of Mr. PORTMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of amendment No. 1749 proposed to S. 1243, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 1350. A bill to exclude from gross income compensation provided for victims of the March 29, 2013, pipeline oil spill in Mayflower, Arkansas; to the Committee on Finance.

Mr. BOOZMAN. Mr. President, on March 29, 2013, the ExxonMobil pipeline

ruptured spilling an estimated 147,000 gallons of oil into Mayflower, Arkansas. Victims of this oil spill are rightfully being compensated by ExxonMobil, but the Internal Revenue Service has said that compensatory payments will be considered taxable income. These families should not have to pay taxes on this disaster relief assistance. The Mayflower Oil Spill Tax Relief Act of 2013 prohibits compensation to Mayflower oil spill victims from being taxed by treating it as ''a qualified disaster relief payment'' under current law. My colleague Senator PRYOR joins me in introducing this important legislation. I would also like to thank Representative TIM GRIFFIN for his support and leadership on the House companion version of the Mayflower Oil Spill Tax Relief Act of 2013.

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. 1350

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 ''Mayflower Oil Spill Tax Relief Act of 2013''.

SEC. 2. MAYFLOWER, ARKANSAS OIL SPILL COMPENSATION EXCLUDED FROM GROSS INCOME.

For purposes of the Internal Revenue Code of 1986—

(1) the March 29, 2013, pipeline rupture and oil spill in Mayflower, Arkansas, shall be treated as a qualified disaster under section 139(c) of such Code, and

(2) any compensation provided to or for the benefit of a victim of such disaster shall be treated as a qualified disaster relief payment under section 139(b) of such Code.

By Mr. ROCKEFELLER (for himself and Mr. THUNE):

S. 1353. A bill to provide for an ongoing, voluntary public-private partnership to improve cybersecurity, and to strengthen cybersecurity research and development, workforce development and education, and public awareness and preparedness, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, the cybersecurity legislation Senator THUNE and I introduce today is built upon several years of bipartisan hard work on the Senate Commerce, Science, and Transportation Committee. I am proud of that fact and proud of our work product.

I would like to sincerely thank Senator THUNE for working closely with me on this legislation. Senator THUNE appreciates the gravity of the cybersecurity threat to our national security and our economy—a genuine threat to the free flow of commerce. He has been laser focused in finding workable, private sector led solutions to mitigate this existential threat.

Our bill will go a long way to better secure our nation from ongoing cyber threats by having the National Institute of Standards and Technology, NIST, a world-class, non-regulatory agency within the Department of Commerce—facilitate and support the development of voluntary, industry-led standards and best practices to reduce cyber risks to critical infrastructure and all businesses.

Our bill will give NIST the permanent authority it needs to continue the standards development process initiated by the President's Executive Order on Improving Critical Infrastructure Cybersecurity to ensure such efforts remain industry led and voluntary.

It will also make sure that the Federal Government supports cutting edge research, works to increase public awareness, and improves our workforce to better address cyber threats.

Our country's future economic success and security demands prompt attention to the cyber threat. It demands we all pull together to face the reality of cyber intrusions into every aspect of our nation's business, our electric grid, our trade secrets, our water supply, and so much more. The stakes are great. This is about our national security—3 Directors of National Intelligence have said cyber attacks are the number 1 national security threat to our country. That is why we have to find a way to reach a consensus that allows us to responsibly legislate.

This bill is a very good start. There is a lot more we can and should do to protect our critical infrastructure, including promoting more sharing of private sector threat information. I will certainly keep looking for ways to work with my colleagues to provide this nation with the tools and resources we need to take on this threat.

Again, I thank Senator THUNE for dedicating his time, talent, and energy to this legislation, and his fine staff.

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. 1353

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. No regulatory authority.
TITLE I—PUBLIC-PRIVATE COLLABORATION ON CYBERSECURITY
Sec. 101. Public-private collaboration on cybersecurity.
TITLE II—CYBERSECURITY RESEARCH AND DEVELOPMENT
Sec. 201. Federal cybersecurity research and development.
Sec. 202. Computer and network security research centers.
TITLE III—EDUCATION AND WORKFORCE DEVELOPMENT.
Sec. 301. Cybersecurity competitions and challenges.
Sec. 302. Federal cyber scholarship-for-service program.
Sec. 303. Study and analysis of education, accreditation, training, and certification of information infrastructure and cybersecurity professionals.
TITLE IV—CYBERSECURITY AWARENESS AND PREPAREDNESS
Sec. 401. National cybersecurity awareness and preparedness campaign.

SEC. 2. DEFINITIONS.

In this Act:

(1) CYBERSECURITY MISSION.—The term ''cybersecurity mission'' means activities that encompass the full range of threat reduction, vulnerability reduction, deterrence, international engagement, incident response, resiliency, and recovery policies and activities, including computer network operations, information assurance, law enforcement, diplomacy, military, and intelligence missions as such activities relate to the security and stability of cyberspace.

(2) INFORMATION INFRASTRUCTURE.—The term ''information infrastructure'' means the underlying framework that information systems and assets rely on to process, transmit, receive, or store information electronically, including programmable electronic devices, communications networks, and industrial or supervisory control systems and any associated hardware, software, or data.

(3) INFORMATION SYSTEM.—The term ''information system'' has the meaning given that term in section 3502 of title 44, United States Code.

SEC. 3. NO REGULATORY AUTHORITY.

Nothing in this Act shall be construed to confer any regulatory authority on any Federal, State, tribal, or local department or agency.

TITLE I—PUBLIC-PRIVATE COLLABORATION ON CYBERSECURITY

SEC. 101. PUBLIC-PRIVATE COLLABORATION ON CYBERSECURITY.

(a) CYBERSECURITY.—Section 2(c) of the National Institute of Standards and Technology Act (15 U.S.C. 272(c)) is amended—

(1) by redesignating paragraphs (15) through (22) as paragraphs (16) through (23), respectively; and

(2) by inserting after paragraph (14) the following:

''(15) on an ongoing basis, facilitate and support the development of a voluntary, industry-led set of standards, guidelines, best practices, methodologies, procedures, and processes to reduce cyber risks to critical infrastructure (as defined under subsection (e));''.

(b) SCOPE AND LIMITATIONS.—Section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272) is amended by adding at the end the following:

''(e) CYBER RISKS.—

''(1) IN GENERAL.—In carrying out the activities under subsection (c)(15), the Director—

''(A) shall—

''(i) coordinate closely and continuously with relevant private sector personnel and entities, critical infrastructure owners and operators, sector coordinating councils, Information Sharing and Analysis Centers, and other relevant industry organizations, and incorporate industry expertise;

''(ii) consult with the heads of agencies with national security responsibilities, sector-specific agencies, State and local governments, the governments of other nations, and international organizations;

''(iii) identify a prioritized, flexible, repeatable, performance-based, and cost-effective approach, including information security measures and controls, that may be voluntarily adopted by owners and operators of

critical infrastructure to help them identify, assess, and manage cyber risks;

''(iv) include methodologies—

''(I) to identify and mitigate impacts of the cybersecurity measures or controls on business confidentiality; and

''(II) to protect individual privacy and civil liberties;

''(v) incorporate voluntary consensus standards and industry best practices;

''(vi) align with voluntary international standards to the fullest extent possible;

''(vii) prevent duplication of regulatory processes and prevent conflict with or superseding of regulatory requirements, mandatory standards, and related processes; and

''(viii) include such other similar and consistent elements as the Director considers necessary; and

''(B) shall not prescribe or otherwise require—

''(i) the use of specific solutions;

''(ii) the use of specific information or communications technology products or services; or

''(iii) that information or communications technology products or services be designed, developed, or manufactured in a particular manner.

''(2) LIMITATION.—Information shared with or provided to the Institute for the purpose of the activities described under subsection (c)(15) shall not be used by any Federal, State, tribal, or local department or agency to regulate the activity of any entity.

''(3) DEFINITIONS.—In this subsection:

''(A) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' has the meaning given the term in section 1016(e) of the USA PATRIOT Act of 2001 (42 U.S.C. 5195c(e)).

''(B) SECTOR-SPECIFIC AGENCY.—The term 'sector-specific agency' means the Federal department or agency responsible for providing institutional knowledge and specialized expertise as well as leading, facilitating, or supporting the security and resilience programs and associated activities of its designated critical infrastructure sector in the all-hazards environment.''.

TITLE II—CYBERSECURITY RESEARCH AND DEVELOPMENT

SEC. 201. FEDERAL CYBERSECURITY RESEARCH AND DEVELOPMENT.

(a) FUNDAMENTAL CYBERSECURITY RESEARCH.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, in coordination with the head of any relevant Federal agency, shall build upon programs and plans in effect as of the date of enactment of this Act to develop a Federal cybersecurity research and development plan to meet objectives in cybersecurity, such as—

(A) how to design and build complex software-intensive systems that are secure and reliable when first deployed;

(B) how to test and verify that software and hardware, whether developed locally or obtained from a third party, is free of significant known security flaws;

(C) how to test and verify that software and hardware obtained from a third party correctly implements stated functionality, and only that functionality;

(D) how to guarantee the privacy of an individual, including that individual's identity, information, and lawful transactions when stored in distributed systems or transmitted over networks;

(E) how to build new protocols to enable the Internet to have robust security as one of the key capabilities of the Internet;

(F) how to determine the origin of a message transmitted over the Internet;

(G) how to support privacy in conjunction with improved security;

(H) how to address the growing problem of insider threats;

(I) how improved consumer education and digital literacy initiatives can address human factors that contribute to cybersecurity;

(J) how to protect information processed, transmitted, or stored using cloud computing or transmitted through wireless services; and

(K) any additional objectives the Director of the Office of Science and Technology Policy, in coordination with the head of any relevant Federal agency and with input from stakeholders, including industry and academia, determines appropriate.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The Federal cybersecurity research and development plan shall identify and prioritize near-term, mid-term, and long-term research in computer and information science and engineering to meet the objectives under paragraph (1), including research in the areas described in section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)).

(B) PRIVATE SECTOR EFFORTS.—In developing, implementing, and updating the Federal cybersecurity research and development plan, the Director of the Office of Science and Technology Policy shall work in close cooperation with industry, academia, and other interested stakeholders to ensure, to the extent possible, that Federal cybersecurity research and development is not duplicative of private sector efforts.

(3) TRIENNIAL UPDATES.—

(A) IN GENERAL.—The Federal cybersecurity research and development plan shall be updated triennially.

(B) REPORT TO CONGRESS.—The Director of the Office of Science and Technology Policy shall submit the plan, not later than 1 year after the date of enactment of this Act, and each updated plan under this section to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

(b) CYBERSECURITY PRACTICES RESEARCH.—The Director of the National Science Foundation shall support research that—

(1) develops, evaluates, disseminates, and integrates new cybersecurity practices and concepts into the core curriculum of computer science programs and of other programs where graduates of such programs have a substantial probability of developing software after graduation, including new practices and concepts relating to secure coding education and improvement programs; and

(2) develops new models for professional development of faculty in cybersecurity education, including secure coding development.

(c) CYBERSECURITY MODELING AND TEST BEDS.—

(1) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Director the National Science Foundation, in coordination with the Director of the Office of Science and Technology Policy, shall conduct a review of cybersecurity test beds in existence on the date of enactment of this Act to inform the grants under paragraph (2). The review shall include an assessment of whether a sufficient number of cybersecurity test beds are available to meet the research needs under the Federal cybersecurity research and development plan.

(2) ADDITIONAL CYBERSECURITY MODELING AND TEST BEDS.—

(A) IN GENERAL.—If the Director of the National Science Foundation, after the review under paragraph (1), determines that the research needs under the Federal cybersecurity research and development plan require the establishment of additional cybersecurity test beds, the Director of the National Science Foundation, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, may award grants to institutions of higher education or research and development non-profit institutions to establish cybersecurity test beds.

(B) REQUIREMENT.—The cybersecurity test beds under subparagraph (A) shall be sufficiently large in order to model the scale and complexity of real-time cyber attacks and defenses on real world networks and environments.

(C) ASSESSMENT REQUIRED.—The Director of the National Science Foundation, in coordination with the Secretary of Commerce and the Secretary of Homeland Security, shall evaluate the effectiveness of any grants awarded under this subsection in meeting the objectives of the Federal cybersecurity research and development plan under subsection (a) no later than 2 years after the review under paragraph (1) of this subsection, and periodically thereafter.

(d) COORDINATION WITH OTHER RESEARCH INITIATIVES.—In accordance with the responsibilities under section 101 of the High-Performance Computing Act of 1991 (15 U.S.C. 5511), the Director the Office of Science and Technology Policy shall coordinate, to the extent practicable, Federal research and development activities under this section with other ongoing research and development security-related initiatives, including research being conducted by—

(1) the National Science Foundation;

(2) the National Institute of Standards and Technology;

(3) the Department of Homeland Security;

(4) other Federal agencies;

(5) other Federal and private research laboratories, research entities, and universities;

(6) institutions of higher education;

(7) relevant nonprofit organizations; and

(8) international partners of the United States.

(e) NATIONAL SCIENCE FOUNDATION COMPUTER AND NETWORK SECURITY RESEARCH GRANT AREAS.—Section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)) is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(J) secure fundamental protocols that are integral to inter-network communications and data exchange;

''(K) secure software engineering and software assurance, including—

''(i) programming languages and systems that include fundamental security features;

''(ii) portable or reusable code that remains secure when deployed in various environments;

''(iii) verification and validation technologies to ensure that requirements and specifications have been implemented; and

''(iv) models for comparison and metrics to assure that required standards have been met;

''(L) holistic system security that—

''(i) addresses the building of secure systems from trusted and untrusted components;

''(ii) proactively reduces vulnerabilities;

''(iii) addresses insider threats; and

''(iv) supports privacy in conjunction with improved security;

''(M) monitoring and detection;

''(N) mitigation and rapid recovery methods;

''(O) security of wireless networks and mobile devices; and

''(P) security of cloud infrastructure and services.''.

(f) RESEARCH ON THE SCIENCE OF CYBERSECURITY.—The head of each agency and department identified under section 101(a)(3)(B) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(3)(B)), through existing programs and activities, shall support research that will lead to the development of a scientific foundation for the field of cybersecurity, including research that increases understanding of the underlying principles of securing complex networked systems, enables repeatable experimentation, and creates quantifiable security metrics.

SEC. 202. COMPUTER AND NETWORK SECURITY RESEARCH CENTERS.

Section 4(b) of the Cyber Security Research and Development Act (15 U.S.C. 7403(b)) is amended—

(1) by striking ''the center'' in paragraph (4)(D) and inserting ''the Center''; and

(2) in paragraph (5)—

(A) by striking ''and'' at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting a semicolon; and

(C) by adding at the end the following:

''(E) the demonstrated capability of the applicant to conduct high performance computation integral to complex computer and network security research, through on-site or off-site computing;

''(F) the applicant's affiliation with private sector entities involved with industrial research described in subsection (a)(1);

''(G) the capability of the applicant to conduct research in a secure environment;

''(H) the applicant's affiliation with existing research programs of the Federal Government;

''(I) the applicant's experience managing public-private partnerships to transition new technologies into a commercial setting or the government user community; and

''(J) the capability of the applicant to conduct interdisciplinary cybersecurity research, such as in law, economics, or behavioral sciences.''.

TITLE III—EDUCATION AND WORKFORCE DEVELOPMENT.

SEC. 301. CYBERSECURITY COMPETITIONS AND CHALLENGES.

(a) IN GENERAL.—The Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security shall—

(1) support competitions and challenges under section 105 of the America COMPETES Reauthorization Act of 2010 (124 Stat. 3989) or any other provision of law, as appropriate—

(A) to identify, develop, and recruit talented individuals to perform duties relating to the security of information infrastructure in Federal, State, and local government agencies, and the private sector; or

(B) to stimulate innovation in basic and applied cybersecurity research, technology development, and prototype demonstration that has the potential for application to the information technology activities of the Federal Government; and

(2) ensure the effective operation of the competitions and challenges under this section.

(b) PARTICIPATION.—Participants in the competitions and challenges under subsection (a)(1) may include—

(1) students enrolled in grades 9 through 12;

(2) students enrolled in a postsecondary program of study leading to a baccalaureate degree at an institution of higher education;

(3) students enrolled in a postbaccalaureate program of study at an institution of higher education;

(4) institutions of higher education and research institutions;

(5) veterans; and

(6) other groups or individuals that the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security determine appropriate.

(c) AFFILIATION AND COOPERATIVE AGREEMENTS.—Competitions and challenges under this section may be carried out through affiliation and cooperative agreements with—

(1) Federal agencies;

(2) regional, State, or school programs supporting the development of cyber professionals;

(3) State, local, and tribal governments; or

(4) other private sector organizations.

(d) AREAS OF SKILL.—Competitions and challenges under subsection (a)(1)(A) shall be designed to identify, develop, and recruit exceptional talent relating to—

(1) ethical hacking;

(2) penetration testing;

(3) vulnerability assessment;

(4) continuity of system operations;

(5) security in design;

(6) cyber forensics;

(7) offensive and defensive cyber operations; and

(8) other areas the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security consider necessary to fulfill the cybersecurity mission.

(e) TOPICS.—In selecting topics for competitions and challenges under subsection (a)(1), the Secretary of Commerce, Director of the National Science Foundation, and Secretary of Homeland Security—

(1) shall consult widely both within and outside the Federal Government; and

(2) may empanel advisory committees.

(f) INTERNSHIPS.—The Director of the Office of Personnel Management may support, as appropriate, internships or other work experience in the Federal Government to the winners of the competitions and challenges under this section.

SEC. 302. FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

(a) IN GENERAL.—The Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management and Secretary of Homeland Security, shall continue a Federal Cyber Scholarship-for-Service program to recruit and train the next generation of information technology professionals, industrial control system security professionals, and security managers to meet the needs of the cybersecurity mission for Federal, State, local, and tribal governments.

(b) PROGRAM DESCRIPTION AND COMPONENTS.—The Federal Cyber Scholarship-for-Service program shall—

(1) provide scholarships to students who are enrolled in programs of study at institutions of higher education leading to degrees or specialized program certifications in the cybersecurity field;

(2) provide the scholarship recipients with summer internship opportunities or other meaningful temporary appointments in the Federal information technology workforce; and

(3) provide a procedure by which the National Science Foundation or a Federal agency, consistent with regulations of the Office of Personnel Management, may request and fund security clearances for scholarship recipients, including providing for clearances during internships or other temporary appointments and after receipt of their degrees.

(c) SCHOLARSHIP AMOUNTS.—Each scholarship under subsection (b) shall be in an amount that covers the student's tuition and fees at the institution under subsection (b)(1) and provides the student with an additional stipend.

(d) SCHOLARSHIP CONDITIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the program, shall enter into an agreement under which the recipient agrees to work in the cybersecurity mission of a Federal, State, local, or tribal agency for a period equal to the length of the scholarship following receipt of the student's degree.

(e) HIRING AUTHORITY.—

(1) APPOINTMENT IN EXCEPTED SERVICE.—Notwithstanding any provision of chapter 33 of title 5, United States Code, governing appointments in the competitive service, an agency shall appoint in the excepted service an individual who has completed the academic program for which a scholarship was awarded.

(2) NONCOMPETITIVE CONVERSION.—Except as provided in paragraph (4), upon fulfillment of the service term, an employee appointed under paragraph (1) may be converted noncompetitively to term, career-conditional or career appointment.

(3) TIMING OF CONVERSION.—An agency may noncompetitively convert a term employee appointed under paragraph (2) to a career-conditional or career appointment before the term appointment expires.

(4) AUTHORITY TO DECLINE CONVERSION.—An agency may decline to make the noncompetitive conversion or appointment under paragraph (2) for cause.

(f) ELIGIBILITY.—To be eligible to receive a scholarship under this section, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in improving the security of information infrastructure; and

(3) have demonstrated a high level of proficiency in mathematics, engineering, or computer sciences.

(g) REPAYMENT.—If a scholarship recipient does not meet the terms of the program under this section, the recipient shall refund the scholarship payments in accordance with rules established by the Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management and Secretary of Homeland Security.

(h) EVALUATION AND REPORT.—The Director of the National Science Foundation shall evaluate and report periodically to Congress on the success of recruiting individuals for scholarships under this section and on hiring and retaining those individuals in the public sector workforce.

SEC. 303. STUDY AND ANALYSIS OF EDUCATION, ACCREDITATION, TRAINING, AND CERTIFICATION OF INFORMATION INFRASTRUCTURE AND CYBERSECURITY PROFESSIONALS.

(a) STUDY.—The Director of the National Science Foundation and the Secretary of Homeland Security shall undertake to enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study of government, academic, and private-sector education, accreditation, training, and certification programs for the development of professionals in information infrastructure and cybersecurity. The agreement shall require the National Academy of Sciences to consult with sector coordinating councils and relevant governmental agencies, regulatory entities, and nongovernmental organizations in the course of the study.

(b) SCOPE.—The study shall include—

(1) an evaluation of the body of knowledge and various skills that specific categories of professionals in information infrastructure and cybersecurity should possess in order to secure information systems;

(2) an assessment of whether existing government, academic, and private-sector education, accreditation, training, and certification programs provide the body of knowledge and various skills described in paragraph (1);

(3) an evaluation of—

(A) the state of cybersecurity education at institutions of higher education in the United States;

(B) the extent of professional development opportunities for faculty in cybersecurity principles and practices;

(C) the extent of the partnerships and collaborative cybersecurity curriculum development activities that leverage industry and government needs, resources, and tools;

(D) the proposed metrics to assess progress toward improving cybersecurity education; and

(E) the descriptions of the content of cybersecurity courses in undergraduate computer science curriculum;

(4) an analysis of any barriers to the Federal Government recruiting and hiring cybersecurity talent, including barriers relating to compensation, the hiring process, job classification, and hiring flexibility; and

(5) an analysis of the sources and availability of cybersecurity talent, a comparison of the skills and expertise sought by the Federal Government and the private sector, an examination of the current and future capacity of United States institutions of higher education, including community colleges, to provide current and future cybersecurity professionals, through education and training activities, with those skills sought by the Federal Government, State and local entities, and the private sector.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the National Academy of Sciences shall submit to the President and Congress a report on the results of the study. The report shall include—

(1) findings regarding the state of information infrastructure and cybersecurity education, accreditation, training, and certification programs, including specific areas of deficiency and demonstrable progress; and

(2) recommendations for further research and the improvement of information infrastructure and cybersecurity education, accreditation, training, and certification programs.

TITLE IV—CYBERSECURITY AWARENESS AND PREPAREDNESS

SEC. 401. NATIONAL CYBERSECURITY AWARENESS AND PREPAREDNESS CAMPAIGN.

(a) NATIONAL CYBERSECURITY AWARENESS AND PREPAREDNESS CAMPAIGN.—The Director of the National Institute of Standards and Technology (referred to in this section as the ''Director''), in consultation with appropriate Federal agencies, shall continue to coordinate a national cybersecurity awareness and preparedness campaign, such as—

(1) a campaign to increase public awareness of cybersecurity, cyber safety, and cyber ethics, including the use of the Internet, social media, entertainment, and other media to reach the public;

(2) a campaign to increase the understanding of State and local governments and private sector entities of—

(A) the benefits of ensuring effective risk management of the information infrastructure versus the costs of failure to do so; and

(B) the methods to mitigate and remediate vulnerabilities;

(3) support for formal cybersecurity education programs at all education levels to prepare skilled cybersecurity and computer science workers for the private sector and Federal, State, and local government; and

(4) initiatives to evaluate and forecast future cybersecurity workforce needs of the Federal government and develop strategies for recruitment, training, and retention.

(b) CONSIDERATIONS.—In carrying out the authority described in subsection (a), the Director, in consultation with appropriate Federal agencies, shall leverage existing programs designed to inform the public of safety and security of products or services, including self-certifications and independently-verified assessments regarding the quantification and valuation of information security risk.

(c) STRATEGIC PLAN.—The Director, in cooperation with relevant Federal agencies and other stakeholders, shall build upon programs and plans in effect as of the date of enactment of this Act to develop and implement a strategic plan to guide Federal programs and activities in support of the national cybersecurity awareness and preparedness campaign under subsection (a).

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, and every 5 years thereafter, the Director shall transmit the strategic plan under subsection (c) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

By Mr. DURBIN:

S. 1359. A bill to amend the Federal Water Pollution Control Act to establish national standards for discharges from cruise vessels; to the Committee on Commerce, Science, and Transportation.

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. 1359

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 ''Clean Cruise Ship Act of 2013''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) cruise ships carry millions of passengers through North American waters each year, showcase some of the most beautiful ocean and coastal environments in the United States, and provide opportunities for passengers to relax and enjoy oceans and marine ecosystems;

(2) the natural beauty and health of the ocean and coastal environment is what draws passengers to travel along these waterways by ship;

(3) protecting the natural environment is beneficial to both the environment and to the cruise industry;

(4) the number of cruise passengers continues to grow, making the cruise industry 1 of the fastest growing tourism sectors in the world;

(5) in 2010, more than 10,000,000 passengers departed from North America on thousands of cruise ships;

(6) as of 2010, the average annual growth rate of cruise passengers is 7.5 percent;

(7) during the 2 decades preceding the date of enactment of this Act, the average cruise ship size has increased at a rate of approximately 90 feet every 5 years;

(8) an average-sized cruise vessel generates millions of gallons of liquid waste and many tons of solid waste;

(9) in just 1 week, a 3000-passenger cruise ship generates approximately 200,000 gallons of human sewage, more than 1,000,000 gallons of water from showers and sinks and dishwashing water (commonly known as ''graywater''), more than 8 tons of solid waste, and toxic wastes from dry cleaning and photo-processing laboratories;

(10) in an Environmental Protection Agency survey of 29 ships traveling in Alaskan waters, reported sewage generation rates ranged from 1,000 to 74,000 gallons per day per vessel, with the average volume of sewage generated being 21,000 gallons per day per vessel;

(11) those frequently untreated cruise ship discharges deliver nutrients, hazardous substances, pharmaceuticals, and human pathogens, including viruses and bacteria, directly into the marine environment;

(12) in the final report of the United States Commission on Ocean Policy, that Commission found that cruise ship discharges, if not treated and disposed of properly, and the cumulative impacts caused when cruise ships repeatedly visit the same environmentally sensitive areas, ''can be a significant source of pathogens and nutrients with the potential to threaten human health and damage shellfish beds, coral reefs, and other aquatic life'';

(13) pollution from cruise ships not only has the potential to threaten marine life and human health through consumption of contaminated seafood, but also poses a health risk for recreational swimmers, surfers, and other beachgoers;

(14) according to the Environmental Protection Agency, ''Sewage may host many pathogens of concern to human health, including Salmonella, Shigella, Hepatitis A and E, and gastro-intestinal viruses. Sewage contamination in swimming areas and shellfish beds poses potential risks to human health and the environment by increasing the rate of waterborne illnesses'';

(15) the nutrient pollution from human sewage discharges from cruise ships can contribute to the incidence of harmful algal blooms;

(16) algal blooms have been implicated in the deaths of marine life, including the deaths of more than 150 manatees off the coast of Florida;

(17) in a 2005 report requested by the International Council of Cruise Lines, the Science Panel of the Ocean Conservation and Tourism Alliance recommended that—

(A) ''[a]ll blackwater should be treated'';

(B) treated blackwater should be ''avoided in ports, close to bathing beaches or water bodies with restricted circulation, flushing or inflow''; and

(C) blackwater should not be discharged within 4 nautical miles of shellfish beds, coral reefs, or other sensitive habitats;

(18) that Science Panel further recommended that graywater be treated in the same manner as blackwater and that sewage sludge be off-loaded to approved land-based facilities;

(19) in a summary of recommendations for addressing unabated point sources of pollution, the Pew Oceans Commission states that, ''Congress should enact legislation that regulates wastewater discharges from cruise ships under the Clean Water Act by establishing uniform minimum standards for discharges in all State waters and prohibiting discharges within the U.S. Exclusive Economic Zone that do not meet effluent standards.''; and

(20) a comprehensive statutory regime for managing pollution discharges from cruise vessels, applicable throughout the United States, is needed—

(A) to protect coastal and ocean areas from pollution generated by cruise vessels;

(B) to reduce and better regulate discharges from cruise vessels; and

(C) to improve monitoring, reporting, and enforcement of standards regarding discharges.

(b) PURPOSE.—The purpose of this Act is to amend the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) to establish national standards and prohibitions for discharges from cruise vessels.

SEC. 3. CRUISE VESSEL DISCHARGES.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) CRUISE VESSEL DISCHARGES.—

''(1) DEFINITIONS.—In this subsection:

''(A) BILGE WATER.—

''(i) IN GENERAL.—The term 'bilge water' means wastewater.

''(ii) INCLUSIONS.—The term 'bilge water' includes lubrication oils, transmission oils, oil sludge or slops, fuel or oil sludge, used oil, used fuel or fuel filters, and oily waste.

''(B) COMMANDANT.—The term 'Commandant' means the Commandant of the Coast Guard.

''(C) CRUISE VESSEL.—

''(i) IN GENERAL.—The term 'cruise vessel' means a passenger vessel that—

''(I) is authorized to carry at least 250 passengers; and

''(II) has onboard sleeping facilities for each passenger.

''(ii) EXCLUSIONS.—The term 'cruise vessel' does not include—

''(I) a vessel of the United States operated by the Federal Government;

''(II) a vessel owned and operated by the government of a State; or

''(III) a vessel owned by a local government.

''(D) DISCHARGE.—The term 'discharge' means the release, escape, disposal, spilling, leaking, pumping, emitting, or emptying of bilge water, graywater, hazardous waste, incinerator ash, sewage, sewage sludge, trash, or garbage from a cruise vessel into the environment, however caused, other than—

''(i) at an approved shoreside reception facility, if applicable; and

''(ii) in compliance with all applicable Federal, State, and local laws (including regulations).

''(E) EXCLUSIVE ECONOMIC ZONE.—The term 'exclusive economic zone' has the meaning given the term in section 2101 of title 46, United States Code (as in effect on the day before the date of enactment of Public Law 109–304 (120 Stat. 1485)).

''(F) FUND.—The term 'Fund' means the Cruise Vessel Pollution Control Fund established by paragraph (11)(A)(i).

''(G) GARBAGE.—The term 'garbage' means solid waste from food preparation, service and disposal activities, even if shredded, ground, processed, or treated to comply with other requirements.

''(H) GRAYWATER.—

''(i) IN GENERAL.—The term 'graywater' means galley water, dishwasher, and bath, shower, and washbasin water.

''(ii) INCLUSIONS.—The term 'graywater' includes, to the extent not already covered under provisions of law relating to hazardous waste—

''(I) spa, pool, and laundry wastewater;

''(II) wastes from soot tanker or economizer cleaning;

''(III) wastes from photo processing;

''(IV) wastes from vessel interior surface cleaning; and

''(V) miscellaneous equipment and process wastewater.

''(I) HAZARDOUS WASTE.—The term 'hazardous waste' has the meaning given the term in section 6903 of the Solid Waste Disposal Act (42 U.S.C. 6903).

''(J) INCINERATOR ASH.—The term 'incinerator ash' means ash generated during the incineration of solid waste or sewage sludge.

''(K) NEW VESSEL.—The term 'new vessel' means a vessel, the construction of which is initiated after promulgation of standards and regulations under this subsection.

''(L) NO-DISCHARGE ZONE.—

''(i) IN GENERAL.—The term 'no-discharge zone' means an area of ecological importance, whether designated by Federal, State, or local authorities.

''(ii) INCLUSIONS.—The term 'no-discharge zone' includes—

''(I) a marine sanctuary;

''(II) a marine protected area;

''(III) a marine reserve; and

''(IV) a marine national monument.

''(M) PASSENGER.—The term 'passenger' means any person (including a paying passenger and any staff member, such as a crew member, captain, or officer) traveling on board a cruise vessel.

''(N) SEWAGE.—The term 'sewage' means—

''(i) human and animal body wastes; and

''(ii) wastes from toilets and other receptacles intended to receive or retain human and animal body wastes.

''(O) SEWAGE SLUDGE.—

''(i) IN GENERAL.—The term 'sewage sludge' means any solid, semi-solid, or liquid residue removed during the treatment of on-board sewage.

''(ii) INCLUSIONS.—The term 'sewage sludge' includes—

''(I) solids removed during primary, secondary, or advanced wastewater treatment;

''(II) scum;

''(III) septage;

''(IV) portable toilet pumpings;

''(V) type III marine sanitation device pumpings (as defined in part 159 of title 33, Code of Federal Regulations (or a successor regulation)); and

''(VI) sewage sludge products.

''(iii) EXCLUSIONS.—The term 'sewage sludge' does not include—

''(I) grit or screenings; or

''(II) ash generated during the incineration of sewage sludge.

''(P) TRASH.—The term 'trash' means solid waste from vessel operations and passenger services, even if shredded, ground, processed, or treated to comply with other regulations.

''(2) PROHIBITIONS.—

''(A) PROHIBITION ON DISCHARGE OF SEWAGE SLUDGE, INCINERATOR ASH, AND HAZARDOUS WASTE.—

''(i) IN GENERAL.—Except as provided by subparagraph (C), no cruise vessel departing from, or calling on, a port of the United States may discharge sewage sludge, incinerator ash, or hazardous waste into navigable waters, including the contiguous zone and the exclusive economic zone.

''(ii) OFF-LOADING.—Sewage sludge, incinerator ash, and hazardous waste described in clause (i) shall be off-loaded at an appropriate land-based facility.

''(B) PROHIBITION ON DISCHARGE OF SEWAGE, GRAYWATER, AND BILGE WATER.—

''(i) IN GENERAL.—Except as provided by subparagraph (C), no cruise vessel departing from or calling on, a port of the United States may discharge sewage, graywater, or bilge water into navigable waters, including the contiguous zone and the exclusive economic zone, unless—

''(I) the sewage, graywater, or bilge water is treated to meet all applicable effluent limits established under this section and is in accordance with all other applicable laws;

''(II) the cruise vessel is underway and proceeding at a speed of not less than 6 knots;

''(III) the cruise vessel is more than 12 nautical miles from shore; and

''(IV) the cruise vessel complies with all applicable standards established under this Act.

''(ii) NO-DISCHARGE ZONES.—Notwithstanding any other provision of this paragraph, no cruise vessel departing from, or calling on, a port of the United States may discharge treated or untreated sewage, graywater, or bilge water into a no-discharge zone.

''(C) SAFETY EXCEPTION.—

''(i) SCOPE OF EXCEPTION.—Subparagraphs (A) and (B) shall not apply in any case in which—

''(I) a discharge is made solely for the purpose of securing the safety of the cruise vessel or saving human life at sea; and

''(II) all reasonable precautions have been taken to prevent or minimize the discharge.

''(ii) NOTIFICATION.—

''(I) IN GENERAL.—If the owner, operator, master, or other person in charge of a cruise vessel authorizes a discharge described in clause (i), the person shall notify the Administrator and the Commandant of the decision to authorize the discharge as soon as practicable, but not later than 24 hours, after authorizing the discharge.

''(II) REPORT.—Not later than 7 days after the date on which a discharge described in clause (i) occurs, the owner, operator, master, or other person in charge of a cruise vessel, shall submit to the Administrator and the Commandant a report that describes—

''(aa) the quantity and composition of each discharge authorized under clause (i);

''(bb) the reason for authorizing each such discharge;

''(cc) the location of the vessel during the course of each such discharge; and

''(dd) such other supporting information and data as are requested by the Commandant or the Administrator.

''(III) DISCLOSURE OF REPORTS.—Upon receiving a report under subclause (II), the Administrator shall make the report available to the public.

''(3) EFFLUENT LIMITS.—

''(A) EFFLUENT LIMITS FOR DISCHARGES OF SEWAGE, GRAYWATER, AND BILGE WATER.—

''(i) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Administrator shall promulgate effluent limits for sewage, graywater, and bilge water discharges from cruise vessels.

''(ii) REQUIREMENTS.—The effluent limits shall—

''(I) be consistent with the capability of the best available technology to treat effluent;

''(II) take into account the best available scientific information on the environmental effects of sewage, graywater, and bilge water discharges, including conventional, nontoxic, and toxic pollutants and petroleum;

''(III) take into account marine life and ecosystems, including coral reefs, shell fish beds, endangered species, marine mammals, seabirds, and marine ecosystems;

''(IV) take into account conditions that will affect marine life, ecosystems, and human health, including seamounts, continental shelves, oceanic fronts, warm core and cold core rings, and ocean currents; and

''(V) require compliance with all relevant Federal and State water quality standards.

''(iii) MINIMUM LIMITS.—The effluent limits promulgated under clause (i) shall require, at a minimum, that treated sewage, treated graywater, and treated bilge water effluent discharges from cruise vessels, measured at the point of discharge, shall, not later than the date described in subparagraph (C)—

''(I) satisfy the minimum level of effluent quality specified in section 133.102 of title 40, Code of Federal Regulations (or a successor regulation); and

''(II) with respect to the samples from the discharge during any 30-day period—

''(aa) have a geometric mean that does not exceed 20 fecal coliform per 100 milliliters;

''(bb) not exceed 40 fecal coliform per 100 milliliters in more than 10 percent of the samples; and

''(cc) with respect to concentrations of total residual chlorine, not exceed 10 milligrams per liter.

''(B) REVIEW AND REVISION OF EFFLUENT LIMITS.—The Administrator shall—

''(i) review the effluent limits promulgated under subparagraph (A) at least once every 5 years; and

''(ii) revise the effluent limits to incorporate technology available at the time of the review in accordance with subparagraph (A)(Ii).

''(C) COMPLIANCE DATE.—The Administrator shall require compliance with the effluent limits promulgated pursuant to subparagraph (A)—

''(i) with respect to new vessels put into water after the date of enactment of this subsection, as of the date that is 180 days after the date of promulgation of the effluent limits; and

''(ii) with respect to vessels in use as of that date of enactment, as of the date that is 1 year after the date of promulgation of the effluent limits.

''(D) SAMPLING, MONITORING, AND REPORTING.—

''(i) IN GENERAL.—The Administrator shall require sampling, monitoring, and reporting to ensure compliance with—

''(I) the effluent limitations promulgated under subparagraph (A);

''(II) all other applicable provisions of this Act;

''(III) any regulations promulgated under this Act;

''(IV) other applicable Federal laws (including regulations); and

''(V) all applicable international treaty requirements.

''(ii) RESPONSIBILITIES OF PERSONS IN CHARGE OF CRUISE VESSELS.—The owner, operator, master, or other person in charge of a cruise vessel, shall at a minimum—

''(I) conduct sampling or testing at the point of discharge on a monthly basis, or more frequently, as determined by the Administrator;

''(II) provide real-time data to the Administrator, using telemetric or other similar technology, for reporting relating to—

''(aa) discharges of sewage, graywater, and bilge water from cruise vessels;

''(bb) pollutants emitted in sewage, graywater, and bilge water from cruise vessels; and

''(cc) functioning of cruise vessel components relating to fuel consumption and control of air and water pollution;

''(III) ensure, to the maximum extent practicable, that technologies providing real-time data have the ability to record—

''(aa) the location and time of discharges from cruise vessels;

''(bb) the source, content, and volume of the discharges; and

''(cc) the operational state of components relating to pollution control technology at the time of the discharges, including whether the components are operating correctly;

''(IV) establish chains of custody, analysis protocols, and other specific information necessary to ensure that the sampling, testing, and records of that sampling and testing are reliable; and

''(V) maintain, and provide on a monthly basis to the Administrator, electronic copies of required sampling and testing data.

''(iii) REPORTING REQUIREMENTS.—The Administrator shall require the compilation and production, and not later than 1 year after the date of enactment of this subsection and biennially thereafter, the provision to the Administrator and the Commandant in electronic format, of documentation for each cruise vessel that includes, at a minimum—

''(I) a detailed description of onboard waste treatment mechanisms in use by the cruise vessel, including the manufacturer of the waste treatment technology on board;

''(II) a detailed description of onboard sludge management practices of the cruise vessel;

''(III) copies of applicable hazardous materials forms;

''(IV) a characterization of the nature, type, and composition of discharges by the cruise vessel;

''(V) a determination of the volumes of those discharges, including average volumes; and

''(VI) the locations, including the more common locations, of those discharges.

''(iv) SHORESIDE DISPOSAL.—The Administrator shall require documentation of shoreside disposal at approved facilities for all wastes by, at a minimum—

''(I) establishing standardized forms for the receipt of those wastes;

''(II) requiring those receipts to be sent electronically to the Administrator and Commandant and maintained in an onboard record book; and

''(III) requiring those receipts to be signed and dated by the owner, operator, master, or other person in charge of the discharging vessel and the authorized representative of the receiving facility.

''(v) REGULATIONS.—Not later than 18 months after the date of enactment of this subsection, the Administrator, in consultation with the Commandant, shall promulgate regulations that, at a minimum, implement the sampling, monitoring, and reporting protocols required by this subparagraph.

''(4) INSPECTION PROGRAM.—

''(A) IN GENERAL.—The Administrator shall establish an inspection program to require that—

''(i) regular announced and unannounced inspections be conducted of any relevant aspect of cruise vessel operations, equipment, or discharges, including sampling and testing of cruise vessel discharges;

''(ii) each cruise vessel that calls on a port of the United States be subject to an unannounced inspection at least once per year; and

''(iii) inspections be carried out by the Environmental Protection Agency or the Coast Guard.

''(B) COAST GUARD INSPECTIONS.—If the Administrator and the Commandant jointly agree that some or all inspections are to be carried out by the Coast Guard, the inspections shall—

''(i) occur outside the Coast Guard matrix system for setting boarding priorities;

''(ii) be consistent across Coast Guard districts; and

''(iii) be conducted by specially-trained environmental inspectors.

''(C) REGULATIONS.—Not later than 18 months after the date of enactment of this subsection, the Administrator, in consultation with the Commandant, shall promulgate regulations that, at a minimum—

''(i) designate responsibility for conducting inspections;

''(ii) require the owner, operator, master, or other person in charge of a cruise vessel to maintain and submit a logbook detailing the times, types, volumes, flow rates, origins, and specific locations of, and explanations for, any discharges from the cruise vessel not otherwise required by the International Convention for the Prevention of Pollution from Ships, 1973 (done at London on November 2, 1973; entered into force on October 2, 1983), as modified by the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 (done at London, February 17, 1978);

''(iii) provide for routine announced and unannounced inspections of—

''(I) cruise vessel environmental compliance records and procedures; and

''(II) the functionality, sufficiency, redundancy, and proper operation and maintenance of installed equipment for abatement and control of any cruise vessel discharge (including equipment intended to treat sewage, graywater, or bilge water);

''(iv) ensure that—

''(I) all crew members are informed of, in the native language of the crew members, and understand, the pollution control obligations under this subsection, including regulations promulgated under this subsection; and

''(II) applicable crew members are sufficiently trained and competent to comply with requirements under this subsection, including sufficient training and competence—

''(aa) to effectively operate shipboard pollution control systems;

''(bb) to conduct all necessary sampling and testing; and

''(cc) to monitor and comply with recording requirements;

''(v) require that operating manuals be on the cruise vessel and accessible to all crew members;

''(vi) require the posting of the phone number for a toll-free whistleblower hotline on all ships and at all ports using language likely to be understood by international crews;

''(vii) require any owner, operator, master, or other person in charge of a cruise vessel, who has knowledge of a discharge from the cruise vessel in violation of this subsection, including regulations promulgated under this subsection, to report immediately the discharge to the Administrator and the Commandant;

''(viii) require the owner, operator, master, or other person in charge of a cruise vessel to provide, not later than 1 year after the date of enactment of this subsection, to the Administrator, Commandant, and on-board observers (including designated representatives), a copy of cruise vessel plans, including—

''(I) piping schematic diagrams;

''(II) construction drawings; and

''(III) drawings or diagrams of storage systems, processing, treating, intake, or discharge systems, and any modifications of those systems (within the year during which the modifications are made); and

''(ix) inhibit illegal discharges by prohibiting all means of altering piping, tankage, pumps, valves, and processes to bypass or circumvent measures or equipment designed to monitor, sample, or prevent discharges.

''(D) DISCLOSURE OF LOGBOOKS.—The logbook described in subparagraph (C)(ii) shall be submitted to the Administrator and the Commandant.

''(5) CRUISE OBSERVER PROGRAM.—

''(A) IN GENERAL.—Not later than 18 months after the date of enactment of this subsection, the Commandant, in consultation with the Administrator, shall establish and carry out a program for the hiring and placement of 1 or more trained, independent, observers on each cruise vessel.

''(B) PURPOSE.—The purpose of the cruise observer program established under subparagraph (A) is to monitor and inspect cruise vessel operations, equipment, and discharges to ensure compliance with—

''(i) this subsection (including regulations promulgated under this subsection); and

''(ii) all other relevant Federal and State laws and international agreements.

''(C) REGULATIONS.—Not later than 18 months after the date of enactment of this

subsection, the Commandant, in consultation with the Administrator and the Attorney General, shall promulgate regulations that, at a minimum—

''(i) specify that the Coast Guard shall be responsible for the hiring of observers;

''(ii) specify the qualifications, experience, and duties of the observers;

''(iii) specify methods and criteria for Coast Guard hiring of observers;

''(iv) establish the means for ensuring constant observer coverage and allowing for observer relief and rotation; and

''(v) establish an appropriate rate of pay to ensure that observers are highly trained and retained by the Coast Guard.

''(D) RESPONSIBILITIES.—Cruise observers participating in the program established under subparagraph (A) shall —

''(i) observe and inspect—

''(I) onboard liquid and solid handling and processing systems;

''(II) onboard environmental treatment systems;

''(III) use of shore-based treatment and storage facilities;

''(IV) discharges and discharge practices; and

''(V) documents relating to environmental compliance, including—

''(aa) sounding boards, logs, and logbooks;

''(bb) daily and corporate maintenance and engineers' logbooks;

''(cc) fuel, sludge, slop, waste, and ballast tank capacity tables;

''(dd) installation, maintenance, and operation records for oily water separators, incinerators, and boilers;

''(ee) piping diagrams;

''(ff) e-mail archives;

''(gg) receipts for the transfer of materials, including waste disposal;

''(hh) air emissions data; and

''(ii) electronic and other records of relevant information, including fuel consumption, maintenance, and spares ordering for all waste processing- and pollution-related equipment;

''(ii) have the authority to interview and otherwise query any crew member with knowledge of cruise vessel operations;

''(iii) have access to all data and information made available to government officials under this subsection;

''(iv) immediately report any known or suspected violation of this subsection or any other applicable Federal law or international agreement to—

''(I) the owner, operator, master, or other person in charge of a cruise vessel;

''(II) the Commandant; and

''(III) the Administrator;

''(v) maintain inspection records to be submitted to the Commandant and the Administrator on a semiannual basis; and

''(vi) have authority to conduct the full range of duties of the observers within the United States territorial seas, contiguous zone, and exclusive economic zone.

''(E) PROGRAM EVALUATION.—The cruise observer program established and carried out by the Commandant under subparagraph (A) shall include—

''(i) a method for collecting and reviewing data relating to the efficiency, sufficiency, and operation of the cruise observer program, including—

''(I) the ability to achieve program goals;

''(II) cruise vessel personnel cooperation;

''(III) necessary equipment and analytical resources; and

''(IV) the need for additional observer training; and

''(ii) a process for adopting periodic revisions to the program based on the data collected under clause (i).

''(F) OBSERVER SUPPORT.—Not later than 18 months after the date of enactment of this subsection, the Commandant, in consultation with the Administrator, shall implement a program to provide support to observers, including, at a minimum—

''(i) training for observers to ensure the ability of the observers to carry out this paragraph;

''(ii) necessary equipment and analytical resources, such as laboratories, to carry out the responsibilities established under this subsection; and

''(iii) support relating to the administration of the program and the response to any recalcitrant cruise vessel personnel.

''(G) REPORT.—Not later than 3 years after the date of establishment of the program under this paragraph, the Commandant, in consultation with the Administrator, shall submit to Congress a report describing—

''(i) the results of the program in terms of observer effectiveness, optimal coverage, environmental benefits, and cruise ship cooperation;

''(ii) recommendations for increased effectiveness, including increased training needs and increased equipment needs; and

''(iii) other recommendations for improvement of the program.

''(6) REWARDS.—

''(A) PAYMENTS TO INDIVIDUALS.—

''(i) IN GENERAL.—The Administrator or a court of competent jurisdiction, as the case may be, may order payment, from a civil penalty or criminal fine collected for a violation of this subsection, of an amount not to exceed ½ of the amount of the civil penalty or criminal fine, to any individual who furnishes information that leads to the payment of the civil penalty or criminal fine.

''(ii) MULTIPLE INDIVIDUALS.—If 2 or more individuals provide information described in clause (i), the amount available for payment as a reward shall be divided equitably among the individuals.

''(iii) INELIGIBLE INDIVIDUALS.—No officer or employee of the United States, a State, or an Indian tribe who furnishes information or renders service in the performance of the official duties of the officer or employee shall be eligible for a reward payment under this paragraph.

''(B) PAYMENTS TO INDIAN TRIBES.—The Administrator or a court of competent jurisdiction, as the case may be, may order payment, from a civil penalty or criminal fine collected for a violation of this subsection, to an Indian tribe providing information or investigative assistance that leads to payment of the penalty or fine, of an amount that reflects the level of information or investigative assistance provided.

''(C) PAYMENTS DIVIDED AMONG INDIAN TRIBES AND INDIVIDUALS.—In a case in which an Indian tribe and an individual under subparagraph (A) are eligible to receive a reward payment under this paragraph, the Administrator or the court shall divide the amount available for the reward equitably among those recipients.

''(7) LIABILITY IN REM.—A cruise vessel operated in violation of this subsection or any regulation promulgated under this subsection—

''(A) shall be liable in rem for any civil penalty or criminal fine imposed for the violation; and

''(B) may be subject to a proceeding instituted in any United States district court of competent jurisdiction.

''(8) PERMIT REQUIREMENT.—A cruise vessel may operate in the waters of the United States, or visit a port or place under the jurisdiction of the United States, only if the cruise vessel has been issued a permit under this section.

''(9) NONAPPLICABILITY OF CERTAIN PROVISIONS.—Paragraphs (6)(A) and (12)(B) of section 502 shall not apply to any cruise vessel.

''(10) STATUTORY OR COMMON LAW RIGHTS NOT RESTRICTED.—Nothing in this subsection—

''(A) restricts the rights of any person (or class of persons) to regulate or seek enforcement or other relief (including relief against the Administrator or Commandant) under any statute or common law;

''(B) affects the right of any person (or class of persons) to regulate or seek enforcement or other relief with regard to vessels other than cruise vessels under any statute or common law; or

''(C) affects the right of any person (or class of persons) under any statute or common law, including this Act, to regulate or seek enforcement or other relief with regard to pollutants or emission streams from cruise vessels that are not otherwise regulated under this subsection.

''(11) ESTABLISHMENT OF FUND; FEES.—

''(A) CRUISE VESSEL POLLUTION CONTROL FUND.—

''(i) ESTABLISHMENT.—There is established in the general fund of the Treasury a separate account, to be known as the 'Cruise Vessel Pollution Control Fund' (referred to in this paragraph as the 'Fund').

''(ii) AMOUNTS.—The Fund shall consist of such amounts as are deposited in the Fund under subparagraph (B)(vi).

''(iii) AVAILABILITY AND USE OF AMOUNTS IN FUND.—Amounts in the Fund shall be—

''(I) available to the Administrator and the Commandant as provided in appropriations Acts; and

''(II) used by the Administrator and the Commandant only for purposes of carrying out this subsection.

''(B) FEES ON CRUISE VESSELS.—

''(i) IN GENERAL.—The Commandant and the Administrator shall establish and collect from each cruise vessel a reasonable and appropriate fee for each paying passenger on a cruise vessel voyage, for use in carrying out this subsection.

''(ii) ADJUSTMENT OF FEE.—

''(I) IN GENERAL.—The Commandant and the Administrator shall biennially adjust the amount of the fee established under clause (i) to reflect changes in the Consumer Price Index for All Urban Consumers published by the Department of Labor during the most recent 2-year period for which data are available.

''(II) ROUNDING.—The Commandant and the Administrator may round an adjustment under subclause (I) to the nearest 1/10 of a dollar.

''(iii) FACTORS IN ESTABLISHING FEES.—

''(I) IN GENERAL.—In establishing fees under clause (i), the Commandant and Administrator may establish lower levels of fees and the maximum amount of fees for certain classes of cruise vessels based on—

''(aa) size;

''(bb) economic share; and

''(cc) such other factors as are determined to be appropriate by the Commandant and the Administrator.

''(iv) FEE SCHEDULES.—Any fee schedule established under clause (i), including the level of fees and the maximum amount of fees, shall take into account—

''(I) cruise vessel routes;

''(II) the frequency of stops at ports of call by cruise vessels; and

''(III) other applicable considerations.

''(v) COLLECTION OF FEES.—A fee established under clause (i) shall be collected by the Administrator or the Commandant from the owner or operator of each cruise vessel to which this subsection applies.

''(vi) DEPOSITS TO FUND.—Notwithstanding any other provision of law, all fees collected under this paragraph, and all penalties and payments collected for violations of this subsection, shall be deposited in the Fund.

''(12) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator and the Commandant such sums as are necessary to carry out this subsection for each of fiscal years 2010 through 2014.''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1760. Mr. CARDIN (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

SA 1761. Mr. WHITEHOUSE (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1762. Mr. CORNYN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1763. Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. MENENDEZ, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1764. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1765. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1766. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1767. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1768. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1769. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1770. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1771. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1772. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1773. Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) proposed an amendment to the bill H.R. 1911, of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.

SA 1774. Mr. SANDERS (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Mr. BLUMENTHAL, Mr. WYDEN, and Mr. BROWN) proposed an amendment to amendment SA 1773 proposed by Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) to the bill H.R. 1911, supra.

SA 1775. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 1776. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1777. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1778. Mr. REED (for himself, Ms. WARREN, Mrs. MURRAY, Mr. LEAHY, Mrs. GILLIBRAND, Mrs. BOXER, Ms. STABENOW, Mr. WHITEHOUSE, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. SCHATZ, Mr. MERKLEY, Ms. HIRONO, Ms. BALDWIN, Mrs. SHAHEEN, Mr. BROWN, Ms. KLOBUCHAR, Mr. WYDEN, and Mr. MURPHY) proposed an amendment to amendment SA 1773 proposed by Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) to the bill H.R. 1911, of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes.

SA 1779. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 1780. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1781. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1782. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1783. Mr. MURPHY (for himself, Mr. ROCKEFELLER, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1784. Mr. JOHNSON of Wisconsin (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1785. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1786. Mr. JOHNSON of Wisconsin (for himself, Mr. VITTER, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1787. Mr. BENNET (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1788. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1789. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1790. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1791. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1792. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1793. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1794. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1795. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1796. Mr. FLAKE (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1797. Mr. CORNYN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1760. Mr. CARDIN (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; as follows:

On page 38, between lines 17 and 18, insert the following:

SEC. 127. The Secretary shall submit to Congress a report describing the percentages of lane miles and highway bridge deck in each State that are in good condition, fair condition, and poor condition, and the percentage of Federal amounts each State expends on the repair and maintenance of highway infrastructure and on new capacity construction.

SA 1761. Mr. WHITEHOUSE (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 2___. BUDGET-NEUTRAL DEMONSTRATION PROGRAM FOR ENERGY AND WATER CONSERVATION IMPROVEMENTS AT MULTIFAMILY RESIDENTIAL UNITS.

(a) ESTABLISHMENT.—The Secretary of Housing and Urban Development (referred to in this section as the ''Secretary'') shall establish a demonstration program under

which, during the period beginning on October 1, 2013, and ending on September 30, 2016, the Secretary may enter into budget-neutral, performance-based agreements that result in a reduction in energy or water costs with such entities as the Secretary determines to be appropriate under which the entities shall carry out projects for energy or water conservation improvements at multifamily residential units participating in—

(1) the project-based rental assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f); or

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q).

(b) REQUIREMENTS.—

(1) PAYMENTS CONTINGENT ON SAVINGS.—

(A) IN GENERAL.—The Secretary shall provide to an entity a payment under an agreement under this section only during applicable fiscal years for which an energy or water cost savings is achieved with respect to the applicable multifamily portfolio of properties, as determined by the Secretary, in accordance with subparagraph (B).

(B) PAYMENT METHODOLOGY.—

(i) IN GENERAL.—Each agreement under this section shall include a pay-for-success provision—

(I) that will serve as a payment threshold for the term of the agreement; and

(II) pursuant to which the Department of Housing and Urban Development shall share a percentage of the savings at a level determined by the Secretary.

(ii) LIMITATION.—A payment made by the Secretary under an agreement under this section shall not exceed the utility savings achieved during the term of the agreement as a result of the improvements made under the agreement.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 fiscal years.

(c) FUNDING.—For each fiscal year during which an agreement under this section is in effect, the Secretary may use to carry out this section any funds appropriated to the Secretary for—

(1) project-based rental assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f); and

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q).

(d) EVALUATION AND REPORT.—Not less frequently than once every 5 years after the date on which an initial agreement is entered into under this section, and not later than 2 years after the date of expiration of the final agreement in effect under this section, the Secretary shall—

(1) conduct an evaluation of the program under this section; and

(2) submit to Congress a report describing each evaluation conducted under paragraph (1).

SA 1762. Mr. CORNYN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____ (a) Congress finds the following:

(1) On May 10, 2013, the Internal Revenue Service admitted that it singled out advocacy groups, based on ideology, seeking tax-exempt status.

(2) This action raises pertinent questions about the agency's ability to implement and oversee the Patient Protection and Affordable Care Act (Public Law 111–148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152).

(3) This action could be an indication of future Internal Revenue Service abuses in relation to the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010, given that it is their responsibility to enforce a key provision, the individual mandate.

(4) Americans accept the principle that patients, families, and doctors should be making medical decisions, not the Federal Government.

(b) The Secretary of the Treasury, or any delegate of the Secretary, shall not implement or enforce any provisions of or amendments made by the Patient Protection and Affordable Care Act (Public Law 111–148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152).

SA 1763. Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. MENENDEZ, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, line 4, insert ''bridge'' before ''projects''.

On page 26, line 5, insert ''and title 49'' after ''title 23''.

On page 26, line 9, insert ''to carry out programs under title 23, United States Code, or transfer funds under this heading to other Federal agencies to carry out programs under title 49, United States Code, as applicable'' after ''States''.

On page 26, line 14, strike ''of such title'' and insert ''of title 23 or subtitle V of title 49, United States Code, as applicable,''.

SA 1764. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. None of the funds made available under this Act may be used to subsidize costs related to food and beverage and first class services on any route operated by the National Railroad Passenger Corporation.

SA 1765. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. Not later than 180 days after the date of the enactment of this Act, Amtrak shall submit to Congress a report on profits and losses related to food and beverage and first class services, with the data aggregated by route or rail line.

SA 1766. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 55, strike lines 11 through 13.

SA 1767. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, between lines 17 and 18, insert the following:

SEC. 1_____. The Secretary of Transportation shall submit to Congress an annual report that lists for programs carried out under chapter 2 of title 23, United States Code, the total amounts made available to carry out—

(1) each section of that chapter; and

(2) as applicable, each eligible project type under that chapter.

SA 1768. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 101, line 2, strike ''$1,000,000,000, to remain available until September 30, 2016: *Provided*'' and insert ''$950,000,000, to remain available until September 30, 2016: *Provided*, That the Comptroller General of the United States shall conduct a study of the HOME investment partnerships program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.) to determine the adequacy and effectiveness of such program and that upon the completion of the study, the Comptroller General shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives setting forth the findings and conclusions of the study: *Provided further*''.

SA 1769. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. The Comptroller General of the United States shall conduct a study of, and prepare a report on—

(1) the extent to which U.S. Customs and Border Protection (referred to in this subsection as ''CBP'') uses nonfederal roads along the Southern border, including State,

county, or locally-maintained primitive roads;

(2) the places where CBP use represents a significant percentage of the use of the roads described in paragraph (1);

(3) the extent to which the CBP use of such roads causes increased degradation and increased maintenance costs for State, county, or local entities; and

(4) possible ways for CBP to assist State, county, and local entities with the maintenance of the nonfederal roads adversely affected by CBP use.

SA 1770. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 42, between lines 20 and 21, insert the following:

SEC. 1_____. None of the funds made available under this Act shall be made available to the Secretary of Transportation to carry out activities of the Federal Motor Carrier Safety Administration unless the Secretary extends the application of the exception described in section 395.1(d)(2) of title 49, Code of Federal Regulations (relating to on-duty time not including waiting time at a natural gas or oil well site) to the operators of commercial motor vehicles transporting supplies, equipment, or materials (including produced fluids, drilling and completion fluids, and any other fluids or materials used in the drilling, completion, and production of an oil or gas well) to or from a natural gas or oil well site, regardless of whether the operators have received special training or operate vehicles specially constructed to service wells.

SA 1771. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, line 18, insert ": *Provided further*, That not less than 20 percent of the funds provided under this heading shall be for projects located in rural areas" before the period at the end.

SA 1772. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. Not later than 180 days after the date of the enactment of this Act, Amtrak shall submit to Congress a report on profits and losses related to food and beverage and first class services, with the data aggregated by route or rail line.

SA 1773. Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) proposed an amendment to the bill H.R. 1911, of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes; as follows:

Strike all after the first word and insert the following:

1. SHORT TITLE.

This Act may be cited as the "Bipartisan Student Loan Certainty Act of 2013".

SEC. 2. INTEREST RATES.

(a) INTEREST RATES.—Section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) is amended—

(1) in paragraph (7)—

(A) in the paragraph heading, by inserting "AND BEFORE JULY 1, 2013" after "ON OR AFTER JULY 1, 2006";

(B) in subparagraph (A), by inserting "and before July 1, 2013," after "on or after July 1, 2006,";

(C) in subparagraph (B), by inserting "and before July 1, 2013," after "on or after July 1, 2006,"; and

(D) in subparagraph (C), by inserting "and before July 1, 2013," after "on or after July 1, 2006,";

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(3) by inserting after paragraph (7) the following:

"(8) INTEREST RATE PROVISIONS FOR NEW LOANS ON OR AFTER JULY 1, 2013.—

"(A) RATES FOR UNDERGRADUATE FDSL AND FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Stafford Loans and Federal Direct Unsubsidized Stafford Loans issued to undergraduate students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

"(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 2.05 percent; or

"(ii) 8.25 percent.

"(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

"(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

"(ii) 9.5 percent.

"(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

"(i) a rate equal to the high yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

"(ii) 10.5 percent.

"(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

"(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

"(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 3. BUDGETARY EFFECTS.

(a) PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay- As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARD.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

SEC. 4. STUDY ON THE ACTUAL COST OF ADMINISTERING THE FEDERAL STUDENT LOAN PROGRAMS.

Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study that determines the actual cost to the Federal Government of carrying out the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), which shall—

(A) provide estimates relying on accurate information based on past, current, and projected data as to the appropriate index and mark-up rate for the Federal Government's cost of borrowing that would allow the Federal Government to effectively administer and cover the cost of the Federal student programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) under the scoring rules outlined in the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.);

(B) provide the information described in this section in a way that separates out administrative costs, interest rate, and other loan terms and conditions; and

(C) set forth clear recommendations to the relevant authorizing committees of Congress as to how future legislation can incorporate the results of the study described in this section to allow for the administration of the Federal student loan programs authorized under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) without generating any additional revenue to the Federal Government except revenue that is needed to carry out such programs; and

(2) prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives setting forth the conclusions of the study described in this

section in such a manner that the recommendations included in the report can inform future reauthorizations of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SA 1774. Mr. SANDERS (for himself, Mr. LEAHY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Mr. BLUMENTHAL, Mr. WYDEN, and Mr. BROWN) proposed an amendment to amendment SA 1773 proposed by Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) to the bill H.R. 1911, of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes; as follows:

At the end of the amendment, add the following:

SEC. 5. SUNSET.

(a) IN GENERAL.—The amendments made by this Act shall be effective for a 2-year period beginning on July 1, 2013.

(b) REPEAL.—The amendments made by this Act shall be repealed on July 1, 2015, and section 455(b) of the Higher Education Act of 1965 (20 U.S.C. 1087e(b)) shall be applied as if this Act the amendments made by this Act had never been enacted.

SA 1775. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

In title I, under the heading ''DEPARTMENT OF TRANSPORTATION'' under the heading ''OFFICE OF THE SECRETARY'' under the heading ''NATIONAL INFRASTRUCTURE INVESTMENTS'' , strike the period at the end and insert '': *Provided further*, That the Secretary shall publish on a publicly available Internet site any criteria, including any required documentation, of the Secretary in selecting projects and awarding amounts under this heading: *Provided further*, That not later than 2 days after the date on which the Secretary awards funding under this heading, the Secretary shall publish on a publicly accessible Internet site the amount of that award and identify the Federal congressional district in which the project is located.''.

SA 1776. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

In title I, under the heading ''DEPARTMENT OF TRANSPORTATION'' under the heading ''FEDERAL HIGHWAY ADMINISTRATION'' under the heading ''BRIDGES IN CRITICAL CORRIDORS'', strike the period at the end and insert '': *Provided further*, That any project funded under this heading shall be treated as a categorical exclusion for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''

SA 1777. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 188, after line 24, insert the following:

SEC. 4_____. None of the funds made available by this Act may be used to require the use of a green buildings certification system to construct or modify a building other than a green buildings certification system that—

(1) is based on voluntary consensus standards that have an American National Standard Institute (ANSI) designation or were developed by an ANSI-audited designator; and

(2) only excludes a building material if the exclusion is well-founded and based on robust scientific data and risk assessment principles.

SA 1778. Mr. REED (for himself, Ms. WARREN, Mrs. MURRAY, Mr. LEAHY, Mrs. GILLIBRAND, Mrs. BOXER, Ms. STABENOW, Mr. WHITEHOUSE, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. SCHATZ, Mr. MERKLEY, Ms. HIRONO, Ms. BALDWIN, Mrs. SHAHEEN, Mr. BROWN, Ms. KLOBUCHAR, Mr. WYDEN, and Mr. MURPHY) proposed an amendment to amendment SA 1773 proposed by Mr. HARKIN (for Mr. MANCHIN (for himself, Mr. BURR, Mr. KING, Mr. COBURN, Mr. CARPER, Mr. ALEXANDER, Mr. HARKIN, and Mr. DURBIN)) to the bill H.R. 1911, of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, and for other purposes; as follows:

Beginning on page 3, strike line 9 and all that follows through line 13 on page 5 and insert the following:

''(ii) 6.8 percent.

''(B) RATES FOR GRADUATE AND PROFESSIONAL FDUSL.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct Unsubsidized Stafford Loans issued to graduate or professional students, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 3.6 percent; or

''(ii) 6.8 percent.

''(C) PLUS LOANS.—Notwithstanding the preceding paragraphs of this subsection, for Federal Direct PLUS Loans, for which the first disbursement is made on or after July 1, 2013, the applicable rate of interest shall, for loans disbursed during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to the lesser of—

''(i) a rate equal to the yield of the 10-year Treasury note auctioned at the final auction held prior to such June 1 plus 4.6 percent; or

''(ii) 7.9 percent.

''(D) CONSOLIDATION LOANS.—Notwithstanding the preceding paragraphs of this subsection, any Federal Direct Consolidation Loan for which the application is received on or after July 1, 2013, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of one percent.

''(E) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this paragraph after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

''(F) RATE.—The applicable rate of interest determined under this paragraph for a Federal Direct Stafford Loan, a Federal Direct Unsubsidized Stafford Loan, or a Federal Direct PLUS Loan shall be fixed for the period of the loan.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on July 1, 2013.

SEC. 2A. SURTAX ON MILLIONAIRES.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VIII—SURTAX ON MILLIONAIRES

''Sec. 59B. Surtax on millionaires.

''SEC. 59B. SURTAX ON MILLIONAIRES.

''(a) GENERAL RULE.—In the case of a taxpayer other than a corporation for any taxable year beginning after 2013, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to 0.55 percent of so much of the modified adjusted gross income of the taxpayer for such taxable year as exceeds $1,000,000 ($500,000, in the case of a married individual filing a separate return).

''(b) INFLATION ADJUSTMENT.—

''(1) IN GENERAL.—In the case of any taxable year beginning after 2014, each dollar amount under subsection (a) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2012' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of $10,000, such amount shall be rounded to the next highest multiple of $10,000.

''(c) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this section, the term 'modified adjusted gross income' means adjusted gross income reduced by any deduction (not taken into account in determining adjusted gross income) allowed for investment interest (as defined in section 163(d)). In the case of an estate or trust, adjusted gross income shall be determined as provided in section 67(e).

''(d) SPECIAL RULES.—

''(1) NONRESIDENT ALIEN.—In the case of a nonresident alien individual, only amounts taken into account in connection with the tax imposed under section 871(b) shall be taken into account under this section.

''(2) CITIZENS AND RESIDENTS LIVING ABROAD.—The dollar amount in effect under subsection (a) shall be decreased by the excess of—

''(A) the amounts excluded from the taxpayer's gross income under section 911, over

''(B) the amounts of any deductions or exclusions disallowed under section 911(d)(6)

with respect to the amounts described in subparagraph (A).

''(3) CHARITABLE TRUSTS.—Subsection (a) shall not apply to a trust all the unexpired interests in which are devoted to one or more of the purposes described in section 170(c)(2)(B).

''(4) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.''.

SA 1779. Mrs. GILLIBRAND (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated by this Act or by Public Law 113-2 shall be prohibited from use by a Community Development Block Grant Disaster Recovery grantee to reimburse owners of residential buildings for the uncompensated costs of rehabilitation projects for such residential buildings that were completed after Hurricane Sandy, provided that the grantee completes an environmental review before committing to reimburse such an owner for the rehabilitation that was contracted for or performed prior to the submission of the homeowner's application to the grantee requesting such reimbursement for the rehabilitation activity, regardless of whether the cost to rehabilitate such residential structures met or exceeded 50 percent of the value of the structure.

SA 1780. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, between lines 12 and 13, insert the following:

SEC. 1____. (a) None of the funds made available under this Act to the Department of Transportation for cyber security may be obligated or expended until the Secretary of Transportation submits to each of the committees described in subsection (b) a detailed plan describing how the funding will be allocated and for what purposes, including a detailed description of—

(1) how the cyber security funding will be obligated or expended;

(2) the programs and activities that will receive cyber security funding;

(3) if and how the use of the funding complies with the Federal Information Security Management Act of 2002 (6 U.S.C. 101 et seq.)and any other applicable Federal law;

(4) the performance metrics that will be used to measure and determine the effectiveness of cyber security plans and programs; and

(5) the strategy that will be employed to procure goods and services associated with the cyber security objectives of the Department of Transportation.

(b) The report described in subsection (a) shall be provided to—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Commerce, Science, and Transportation of the Senate;

(3) the Committee on Environment and Public Works of the Senate;

(4) the Committee on Homeland Security and Governmental Affairs of the Senate;

(5) the Committee on Armed Services of the House of Representatives;

(6) the Committee on Energy and Commerce of the House of Representatives;

(7) the Committee on Homeland Security of the House of Representatives; and

(8) the Committee on Transportation and Infrastructure of the House of Representatives.

SA 1781. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. (a) None of the funds appropriated or otherwise made available under this title may be used by any recipient of such funds to discriminate against any person because that person is a member of the uniformed services.

(b) For purposes of this section, the term ''member of the uniformed services'' means an individual who—

(1) is a member of—

(A) the uniformed services (as defined in section 101 of title 10, United States Code); or

(B) the National Guard in State status under title 32, United States Code; or

(2) was discharged or released from service in the uniformed services (as so defined) or the National Guard in such status under conditions other than dishonorable.

(c)(1) Nothing in this section may be construed to prohibit any recipient of funds appropriated or otherwise made available under this title from—

(A) making available to an individual a benefit with respect to a dwelling, a residential real estate-related transaction (as defined in section 805 of the Fair Housing Act (42 U.S.C. 3605)), or a service described in section 806 of such Act (42 U.S.C. 3606) because the individual is a member of the uniformed services; or

(B) selling or renting a dwelling only to members of the uniformed services.

(2) For purposes of this subsection, the term ''benefit'' includes a term, condition, privilege, promotion, discount, or other favorable treatment (including an advertisement for such treatment) having the purpose or effect of providing an advantage to a member of the uniformed services.

SA 1782. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ENDING HOUSING DISCRIMINATION AGAINST MEMBERS OF THE UNIFORMED SERVICES.

(a) DEFINITIONS.—Section 802 of the Fair Housing Act (42 U.S.C. 3602) is amended by adding at the end the following:

''(p) 'Member of the uniformed services' means an individual who—

''(1) is a member of—

''(A) the uniformed services (as defined in section 101 of title 10, United States Code); or

''(B) the National Guard in State status under title 32, United States Code; or

''(2) was discharged or released from service in the uniformed services (as so defined) or the National Guard in such status under conditions other than dishonorable.''.

(b) DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING AND OTHER PROHIBITED PRACTICES.—Section 804 of the Fair Housing Act (42 U.S.C. 3604) is amended—

(1) in subsection (a), by inserting ''or because the person is a member of the uniformed services'' after ''national origin'';

(2) in subsection (b), by inserting ''or because the person is a member of the uniformed services'' after ''national origin'';

(3) in subsection (c), by inserting ''or because a person is a member of the uniformed services,'' after ''national origin,''; and

(4) in subsection (d), by inserting '', or because the person is a member of the uniformed services,'' after ''national origin''.

(c) DISCRIMINATION IN RESIDENTIAL REAL ESTATE-RELATED TRANSACTIONS.—Section 805 of the Fair Housing Act (42 U.S.C. 3605) is amended—

(1) in subsection (a), by inserting ''or because the person is a member of the uniformed services'' after ''national origin''; and

(2) in subsection (c), by striking '', or familial status'' and inserting ''familial status, or whether a person is a member of the uniformed services''.

(d) DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES.—Section 806 of the Fair Housing Act (42 U.S.C. 3606) is amended by inserting ''or because a person is a member of the uniformed services'' after ''national origin''.

(e) RELIGIOUS ORGANIZATION OR PRIVATE CLUB EXEMPTION.—Section 807(a) of the Fair Housing Act (42 U.S.C. 3607(a)) is amended, in the first sentence by inserting ''or to persons who are not members of the uniformed services'' after ''national origin''.

(f) ADMINISTRATION.—Section 808(e)(6) of the Fair Housing Act (42 U.S.C. 3608(e)(6)) is amended, in the first sentence, by inserting ''(including whether such persons and households are or include a member of the uniformed services)'' after ''persons and households''.

(g) PREVENTION OF DISCRIMINATION.—Section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631) is amended—

(1) in subsection (a), by inserting '', or because the person is a member of the uniformed services (as such term is defined in section 802 of this Act),'' after ''national origin'';

(2) in subsection (b)(1), by inserting ''or because a person is a member of the uniformed services (as such term is defined in section 802 of this Act),'' after ''national origin,''; and

(3) in subsection (c), by inserting ''or because a person is a member of the uniformed services (as such term is defined in section 802 of this Act),'' after ''national origin,''.

(h) RULE OF CONSTRUCTION.—The Fair Housing Act (42 U.S.C. 3601 et seq.) is amended by adding at the end the following:

''SEC. 821. RULE OF CONSTRUCTION RELATING TO THE TREATMENT OF MEMBERS OF THE UNIFORMED SERVICES.

''(a) RULE OF CONSTRUCTION.—Nothing in this Act may be construed to prohibit any person from—

''(1) making available to an individual a benefit with respect to a dwelling, a residential real estate-related transaction (as defined in section 805 of this Act), or a service described in section 806 of this Act because the individual is a member of the uniformed services; or

''(2) selling or renting a dwelling only to members of the uniformed services.

''(b) DEFINITION.—For purposes of this section, the term 'benefit' includes a term, condition, privilege, promotion, discount, or other favorable treatment (including an advertisement for such treatment) having the purpose or effect of providing an advantage to a member of the uniformed services.''.

(i) EFFECTIVE DATE.—This section shall become effective 120 days after the date of enactment of this Act.

SA 1783. Mr. MURPHY (for himself, Mr. ROCKEFELLER, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 34, line 23, after ''shall'' insert ''assess the impact on domestic employment if such a waiver were issued and''.

SA 1784. Mr. JOHNSON of Wisconsin (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Except for assistance relating to a natural disaster, none of the funds made available under this Act may be used to prevent a local government from being placed into receivership, to facilitate exit from receivership by a local government, or to prevent a State government from defaulting on its obligations.

SA 1785. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Congress finds the following:

(1) The Housing and Economic Recovery Act of 2008 established an Office of Inspector General within the Federal Housing Finance Agency (in this section referred to as the ''FHFA'').

(2) The President has nominated Steve A. Linick, the current FHFA Inspector General, to be the next Inspector General of the Department of State.

(3) The nomination of Steve A. Linick to be Inspector General of the Department of State occurred on June 27, 2013, following a 1,989 day vacancy that began on January 16, 2008.

(4) The Federal Vacancies Reform Act of 1998 (5 U.S.C. 3345 et seq.) prescribes requirements for filling, both permanently and temporarily, vacancies that are required to be filled by Presidential appointment with Senate confirmation, and generally provides a limit of 210 days for persons serving in an ''acting'' capacity.

(b) It is the Sense of Congress that should a vacancy occur in the position of Inspector General of the Federal Housing Finance Agency, the President should act expeditiously to nominate a person to fill the position on a permanent basis and should wait no more than 210 days to nominate a person to serve in this position in the event of a vacancy.

SA 1786. Mr. JOHNSON of Wisconsin (for himself, Mr. VITTER, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Except for assistance relating to a natural disaster, none of the funds made available under this Act may be used to prevent a local government from being placed into receivership, to facilitate exit from receivership by a local government, or to prevent a State government from defaulting on its obligations.

SA 1787. Mr. BENNET (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. (a) The Administrator of the Federal Aviation Administration shall—

(1) expand the program established pursuant to section 1097 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1608; 49 U.S.C. 40101 note) to include 2 additional test ranges; and

(2) not later than one year after the date on which the Administrator determines the locations of the 6 test ranges required by that section, the Administrator shall determine the location of the 2 additional test ranges.

(b) Of the 8 test ranges required under the program established pursuant to section 1097 of the National Defense Authorization Act for Fiscal Year 2012, as expanded pursuant to subsection (a), at least 2 test ranges shall—

(1) be located in States in which large wildfires that destroy significant amounts of property regularly occur; and

(2) prioritize the monitoring, mitigation, and suppression of wildfires, and other activities associated with preventing and containing wildfires, using unmanned aerial systems.

(c) Not later than 180 days after the date on which the Administrator determines the locations of the 2 additional test ranges required by subsection (a), the Administrator shall submit a report on privacy safeguards relating to the selection and operation of all 8 test ranges to—

(1) the appropriate congressional committees (as defined in section 1097(g) of the National Defense Authorization Act for Fiscal Year 2012); and

(2) the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

SA 1788. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 47, line 20, strike ''$1,452,000,000''and insert ''$1,565,000,000''.

SA 1789. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Railroad Administration, in consultation with appropriate local government representatives, shall—

(1) evaluate existing regulations governing the use of locomotive horns at highway-rail grade crossings to determine whether such regulations should be revised; and

(2) submit a report to Congress that contains the results of the evaluation conducted pursuant to paragraph (1).

SA 1790. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. (a) The unobligated balance of amounts made available for projects described in section 1307(d)(2) of SAFETEA–LU (23 U.S.C. 322 note) is rescinded.

(b)(1) There is appropriated to the Secretary of Transportation an amount equal to half of the amount rescinded under subsection (a) to make grants to localities for direct costs associated with projects to establish quiet zones as described in parts 222 and 229 of title 49, Code of Federal Regulations.

(2) The amount of a grant made to a locality under paragraph (1) for a project may not exceed 50 percent of the cost of the project.

(c) The amount rescinded under subsection (a) that remains after the appropriation of the amount specified in subsection (b)(1) shall be dedicated to the sole purpose of deficit reduction.

SA 1791. Mr. FLAKE submitted an amendment intended to be proposed by

him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 101, line 2, strike ''$1,000,000,000, to remain available until September 30, 2016: *Provided*'' and insert ''$950,000,000, to remain available until September 30, 2016: *Provided*, That the Comptroller General of the United States shall conduct a study of the HOME investment partnerships program under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.) to determine the adequacy and effectiveness of such program and that upon the completion of the study, the Comptroller General shall submit a report to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Financial Services and the Committee on Appropriations of the House of Representatives setting forth the findings and conclusions of the study: *Provided further*''.

SA 1792. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Housing and Urban Development to reorganize or restructure the Office of Multifamily Housing Programs or the Office of Field Policy and Management unless the Secretary of Housing and Urban Development provides a detailed report to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Financial Services and the Committee on Appropriations of the House of Representatives that includes, but is not limited to, the estimated costs, savings, benefits, and risks of implementation of the reorganization and restructuring of such Offices.

SA 1793. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available in this Act may be used the Federal Housing Administration, the Government National Mortgage Association, or the Department of Housing and Urban Development to insure, securitize, or guarantee—

(1) any mortgage secured by a structure, dwelling unit, or other real property that secures a residential mortgage loan that a State, municipality, or other agency or political subdivision thereof, seized, took, or otherwise obtained by the exercise of the power of eminent domain; or

(2) any mortgage-backed security collateralized by a mortgage or a pool of mortgages described under paragraph (1).

SA 1794. Mr. COCHRAN (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. No funds made available under this Act may be used to enforce vehicle weight limits established under section 127 of title 23, United States Code, for any segment of United States Route 78 in Mississippi that is designated as part of the Interstate System (as defined in section 101(a)(12) of title 23, United States Code) after the date of the enactment of this Act, with respect to the operation of any vehicle that could have legally operated on that segment before such designation.

SA 1795. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 101, line 2, strike ''$1,000,000,000'' and insert ''$950,000,000''.

SA 1796. Mr. FLAKE (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. None of the funds made available under this Act may be used to subsidize costs related to food and beverage and first class services on any route operated by the National Railroad Passenger Corporation.

SA 1797. Mr. CORNYN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) No funds appropriated or otherwise made available under this Act may be used to provide assistance to any local governmental entity described in subsection (c), including —

(1) the purchase or guarantee of any asset or obligation of the local governmental entity;

(2) the issuance of a line of credit to the local governmental entity;

(3) the provision of direct or indirect access to any financing to the local governmental entity; or

(4) the provision of any other direct or indirect financial aid to the local governmental entity.

(b) No funds appropriated or otherwise made available under this Act may be made available to a local governmental entity described in subsection (c) that is exiting a bankruptcy case under chapter 9 of title 11, United States Code, unless the local governmental entity has demonstrated a commitment to ensuring the solvency and generally sound financial condition of the local governmental entity.

(c) A local governmental entity described in this subsection is a city, county, township, borough, parish, village, or other general purpose political subdivision of a State that, on or after January 1, 2013, has defaulted on the obligations of such entity, or is at risk of defaulting or is likely to default on the obligations of such entity absent assistance from the Federal Government.

NOTICE OF HEARING

Ms. CANTWELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on July 31, 2013, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a legislative hearing to receive testimony on the following bills: S. 235, to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium; S. 920, to allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land; and S. ____, the Native American Housing Assistance and Self-Determination Reauthorization Act of 2013.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m., to conduct a hearing entitled ''The FHA Solvency Act of 2013.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and

Transportation be authorized to meet during the session of the Senate on July 24, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Cruise Industry Oversight: Recent Incidents Show Need For Stronger Focus On Consumer Protection.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 24, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m., in room SD–406 of the Dirksen Senate office building, to conduct a hearing, ''Oversight Hearing on Implementation of MAP-21's TIFIA Program Enhancements.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 24, 2013, at 10:30 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Health Information Technology: Using it to Improve Care.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 24, 2013, at 9 a.m.

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 24, 2013, at 2 p.m., to hold a East Asia and Pacific Affairs subcommittee hearing entitled, ''Rebalance to Asia III: Protecting the Environment and Ensuring Food and Water Security in East Asia and the Pacific.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Rules and Administration be authorized to meet during the session of the Senate on July 24, 2013, at 9:50 a.m.

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on July 24, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on July 24, 2013, at 2:30 p.m. in room 428A of the Russell Senate Office Building to conduct a hearing entitled ''Implementation of the Affordable Care Act: Understanding Small Business Concerns.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on July 24, 2013, at 10:45 a.m. in room SR–418, of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on July 24, 2013, to conduct a hearing entitled ''Payday Loans: Short-term Solution or Long-term Problem?'' The Committee will meet in room 562 of the Dirksen Senate Office Building beginning at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate, on July 24, 2013, at 2 p.m., in room SH–216 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Closing Guantanamo: The National Security, Fiscal, and Human Rights Implications.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SUPERFUND, TOXICS, AND ENVIRONMENTAL HEALTH

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Superfund, Toxics, and Environmental Health of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 24, 2013, at 2 p.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Cleaning Up and Restoring Communities for Economic Revitalization.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Gabe Sandler, Madeline Walker, Katie Kasten, and Megan Miraglia of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

PATRICIA CLARK BOSTON AIR ROUTE TRAFFIC CONTROL CENTER

Mr. MURPHY. Mr. President, I ask unanimous consent that the Senate immediately proceed to Calendar No. 98, H.R. 1092.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1092) to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center.''

There being no objection, the Senate proceeded to consider the bill.

Mr. MURPHY. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table, all with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1092) was ordered to a third reading, was read the third time, and passed.

DISCHARGE AND REFERRAL—S. 1294

Mr. MURPHY. Mr. President, I ask unanimous consent that the Energy Committee be discharged from further consideration of S. 1294 and the bill be referred to the Committee on Agriculture, Nutrition and Forestry.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JULY 25, 2013

Mr. MURPHY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, July 25, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 11 a.m., with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes; that following morning business, the Senate resume consideration of S. 1243, the Transportation, Housing and Urban Development appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MURPHY. Mr. President, we will continue to work through amendments to the THUD appropriations bill tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MURPHY. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:22 p.m., adjourned until Thursday, July 25, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT B. ABRAMS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. GARRETT P. JENSEN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRUCE L. GILLINGHAM

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. THOMAS D. WALDHAUSER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JOSEPH M. MARKUSFELD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DEONDRA P. ASIKE
ANTHONY C. BROWN
ELI N. COHEN
NICHOLAS J. DAVIS
BLAZEN DRAGULJIC
MATTHEW A. FRANK
KEVIN L. GRAY
LAUREN A. KANTER APPLEBAUM
DANIEL A. LARSON
DAVID S. LEWIS
JUSTIN D. MANLEY
KELLY M. MEEHAN
VILAS SALDANHA
MATTHEW L. SARB
GREGORY C. TROLLEY

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

KARL F. MEYER

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

STEPHANIE M. PRICE

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

GREGORY C. PEDRO

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531, 716 AND 3064:

To be lieutenant colonel

JOHN H. SEOK

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

FREDERICK C. LOUGH

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

ADMIRADO A. LUZURIAGA

To be major

JON KIEV

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

WILLIAM G. HUBER

To be lieutenant colonel

KAUSTUBH G. JOSHI

To be major

PAUL E. BORNEMANN
MICHAEL D. DUPLESSIE
MARK L. LEITSCHUH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CURTIS J. ALITZ

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. KEVIN L. MCNEELY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

GUY R. BEAUDOIN
FREDERICK T. CALKINS
JACKIE R. RITTER
WALLACE E. STEINBRECHER
REBECCA A. YOUNG

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

TIMOTHY C. MOORE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PIERRE A. PELLETIER

EXTENSIONS OF REMARKS

HONORING OFFICERS JACOB J. CHESTNUT AND DETECTIVE JOHN M. GIBSON

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. BOEHNER. Mr. Speaker, members, officers, and staff of the House, it was 15 years ago today that Officers Jacob J. Chestnut and John M. Gibson of the U.S. Capitol Police gave their lives in the line of duty, defending the Capitol against an armed gunman.

In the decade and a half since their sacrifice, the memory of their heroism has never dimmed. The sacrifices they and their families made will never be forgotten by this institution or by the people of the nation we serve.

At 3:40 p.m., the House will observe a moment of silence in memory of these officers. At that time, leaders of the House and the Senate will gather with their families for a wreath-laying ceremony at the Memorial Door.

We give thanks for all the brave men and women of the Capitol Police force who honor the legacy of Officers Chestnut and Gibson on a daily basis through their service and commitment to protecting our nation's greatest symbol of freedom and democracy.

CELEBRATING THE 90TH BIRTHDAY OF MR. MARVIN ''BUZZ'' OATES

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. McCLINTOCK. Mr. Speaker, I rise today to celebrate the 90th birthday of Mr. Marvin ''Buzz'' Oates, a third-generation Californian. Buzz is the founder of The Buzz Oates Group of Companies, a $1.5 billion commercial real estate development company. But before his American dream was realized, Buzz was just a boy with very humble beginnings and an entrepreneurial spirit. Even at a very young age, he earned money mowing lawns and collecting bottles. Buzz graduated from Sacramento High School in 1941. He then served as a bombardier in World War II and attributes much of his business success to time serving his country in the military.

Buzz survived a mid-air collision during training in New Mexico and was eventually stationed in Asia flying missions over Japan in a B–29 Superfortress.

When two bombs engaged to be dropped from his jet at 23,000 feet failed to deploy, Buzz knew he had to act quickly. The two 100-pound bombs hung on the rack of the B–29, and with no oxygen and the bomb-bay doors open, Buzz inched across a cat walk eight inches wide to wrestle both bombs out of the plane. For his bravery, he was awarded the Distinguished Flying Cross.

Buzz returned home a decorated war hero to open a locksmith business—A&A Key Shop—which later turned into a building supply company. Since then, Buzz steadily grew his company into the largest commercial real-estate and management company in Sacramento.

Buzz is also well-known in the community for his generous spirit, charitable giving and commitment to God and his Christian faith. Thousands have worshipped in church buildings donated by Buzz and on the land he sold at a reduced rate. In the past several years, he donated $2.5 million and one acre of land to Mercy Ministries, a group home for women. The group was able to open a home in Lincoln, California where 40 women recovering from drug addiction, sexual abuse and other problems, find sanctuary receiving free room, board and counseling.

Buzz has been honored with many awards throughout the years for his charitable contributions, most recently in 2011 as the Trainor Fairbrook Humanitarian of the Year Award and the Commercial Real Estate Women (CREW) Fame Award in 2007.

Buzz's heroism, hard work, business acumen, and his spirit of public service make him a man to be honored and admired. Mr. Speaker, I am proud to rise today to celebrate the 90th birthday of Mr. Buzz Oates and thank him for his dedication to country and community.

HONORING MARILYN E. HARRIS

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. YOUNG of Indiana. Mr. Speaker, today I rise to congratulate Mrs. Marilyn Harris for receiving the Rural Development Site Manager of the Year award for Elderly Projects. This award was presented to her on June 11th, 2013 at the Council for Affordable and Rural Housing Annual Meeting and Legislative Conference in Arlington, Virginia.

Marilyn was nominated by her friends and colleagues at Richland Senior Citizens Housing, Inc. in Ellettsville, Indiana. She was nominated for not just being an exceptional property manager but also being a dear friend to those senior citizens who count on her for a safe and comfortable living environment. She also enjoys the privilege of helping with several other properties that her company manages, including PRAC 811 properties for the developmentally challenged and a Rural Development property for families. As a Regional Manager of these properties, she oversees the daily operations of these communities in Indiana and Tennessee.

Being both state and nationally recognized, Marilyn's hard work has not gone unnoticed, and it goes without saying, that this sort of accomplishment is not reached overnight, but through a career dedicated to exceptional work. I once again commend Marilyn for all that she has done, and thank her for her service to South Central Indiana, as she stands as testimony to Hoosier compassion and work ethic.

IN HONOR OF STEPHEN FREDERICK

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. FITZPATRICK. Mr. Speaker, with sadness, we acknowledge the passing of Stephen Frederick, a talented music teacher and mentor who spent 29 of his 35 years in education in the North Penn School District as high school band director and principal of North Penn Junior High School and North Penn High School. Earlier, he was an elementary music teacher in the Central Bucks School District, Bucks County, Pennsylvania. His career also included conducting the Montgomery County Concert Band. Although he retired as a high school principal from the North Penn School District, he later was welcomed back as a consultant. A husband, father and grandfather, Mr. Frederick had a rapport with students who recall his advice, and interest in their future: Never accept less than your own best effort—and often times the work is more important than the destination. Stephen Frederick leaves a personal legacy of achievement, his guidance and grace, and the example he set for others to follow.

PERSONAL EXPLANATION

HON. TOM COTTON

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. COTTON. Mr. Speaker, during a late-night series of votes yesterday on amendments to the Department of Defense Appropriations Act FY2014 (H.R. 2397), I intended to vote ''yes'' on the Fleming amendment (roll-call No. 392), but inadvertently voted ''no.'' Mr. FLEMING's amendment prohibits funds from being used to appoint ''non-theistic'' military chaplains, which would contravene current DOD policy. As I witnessed firsthand in Iraq and Afghanistan, chaplains are essential to our Armed Forces and they minister to troops of all faiths—and none. I strongly support the spiritual role of our military chaplains and I'm pleased Mr. FLEMING's amendment passed with bipartisan support.

HONORING THE 10TH ANNIVERSARY OF THE NASCAR TECHNICAL INSTITUTE

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. PITTENGER. Mr. Speaker, greetings to all those gathered to celebrate the 10th anniversary of the NASCAR Technical Institute.

For over sixty years, NASCAR has captured the hearts and minds of millions of Americans. Skilled mechanics and technicians are the lifeblood of the industry. The individuals graduating from the NASCAR Technical Institute each year are a crucial part of the teams that ensure the sport's safety and continued success.

Additionally, the Institute is an important part of the Mooresville community and the entire region. NASCAR Tech consistently boasts exceptionally high graduation rates as well as high rates of employment upon graduation. You provide your students with many opportunities to learn and excel, such as partnerships with some of the world's best known manufacturers and access to state-of-the-industry technology. All of this enables graduates from this Institute to transition easily from the classroom to the workforce.

Race City, USA, and NASCAR would not be the same without the influence of the NASCAR Technical Institute and its alumni. The Institute's growth and accomplishments in just ten years are amazing, and I look forward to watching your continued success in the next ten years and beyond.

Suzanne and I send our best wishes on this special occasion.

HONORING BUFFALOUIE'S OF BLOOMINGTON, INDIANA

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. YOUNG of Indiana. Mr. Speaker, my home state of Indiana takes pride in its long tradition of Hoosier innovation and small business entrepreneurship. Hoosier businesses across Indiana's 9th District strive to offer quality products and services that become integral parts of their local communities. One such small business is BuffaLouie's, a popular restaurant in Bloomington, Indiana, which is known throughout the state for their amazing selection of buffalo-style chicken wings and homemade sauces.

BuffaLouie's has been a mainstay in Bloomington since they first opened their doors in 1987. It is a popular hangout for Indiana University (IU) students and Bloomington residents alike, who come and enjoy great food in a comfortable atmosphere. In fact, BuffaLouie's has such a strong reputation that they earned national recognition from USA Today as one of the Top Ten Wing Joints in the country.

Today, I commend BuffaLouie's on the success of their business, as well as their commitment to improving the local Bloomington community. As part of my commitment to acknowledge Hoosier small businesses and the critical role they play in my home state, I want to recognize BuffaLouie's as the first in a series titled the 9th District's Hoosier Small Business Spotlight.

Jay Lieser, an IU student and native of Buffalo, New York, founded BuffaLouie's. His mother and father, Ed and Trudy—or Mr. and Mrs. Louie as they are often referred—joined their son in his venture, bringing their family recipes to BuffaLouie's. BuffaLouie's is truly a family business, getting its name and company logo from another member of the Lieser family, Jay's grandfather Lou. This tradition of family and service to the community has been carried on by the current owners, the husband and wife team of Ed and Jamie Schwartzman.

The Schwartzman's have continued to build on the cornerstone of what makes BuffaLouie's great: working hard to "serve quality food, prepared fresh and made to order using the finest ingredients in a family friendly atmosphere." It is not uncommon to see both Mr. and Mrs. Schwartzman at the restaurant helping serve customers and personally thanking patrons for their business. It is this philosophy and commitment that has garnered a loyal following of wing lovers in Bloomington.

BuffaLouie's strengthened its local ties when it relocated from its 17th street location to the famous Gables building on Indiana Avenue. The Gables, once known as the "Book Nook," often played host to the famous jazz musician and IU graduate Hoagy Carmichael. It is where the famous musician penned part of his immortal song "Star Dust." In keeping with this tradition BuffaLouie's hosts musical performances that allow customers to enjoy the historic venue.

BuffaLouie's has become a landmark in Bloomington, Indiana—exemplifying the spirit of Hoosier small businesses across Indiana's 9th district. The family friendly atmosphere and nationally recognized wings continue to bring satisfied customers through the doors of the historic Gables building. I would like to congratulate BuffaLouie's on more than 25 successful years in business and thank them for the dedication they show their customers. I wish them continued success for many years to come.

IN RECOGNITION OF JOHN "KIRK" KIRKPATRICK AND HIS CAREER IN SERVICE TO OWENSBORO, KENTUCKY

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. GUTHRIE. Mr. Speaker, I rise today in recognition of John "Kirk" Kirkpatrick. Born and raised in Owensboro, Kentucky, Kirk has strived to better his surrounding community in every way possible.

Kirk's career began with Owensboro on the Air, Inc., where he served in a number of capacities. Kirk also handled public relations for the city's television system before joining WaxWorks/VideoWorks in 1984. Kirk served as President and CEO of the RiverPark Center Foundation for two years, working to help develop the riverfront. After facilitating major improvements to The RiverPark Center, he returned to WaxWorks/VideoWorks to continue his career until his recent retirement.

Kirk's background in communications made him a natural for Master of Ceremonies for the Greater Owensboro Chamber of Commerce's monthly Rooster Booster meetings. Kirk branded "the good news phone" as his signature personality to share the great happenings of Owensboro. For more than 35 years, Kirk has served in this capacity, with the Owensboro Chamber of Commerce recognizing him as "Member of the Year" three times.

Serving in numerous Board of Director positions, it is evident that Kirk has dedicated his career to serving the greater Owensboro community—for both current and future generations. Kirk recently accepted his latest role as an ambassador for the Owensboro Convention Center. I couldn't think of anyone better suited for this important role. Recently named an All–America City with Kirk's help, Owensboro is fortunate to call Kirk one of its residents.

I look forward to seeing Kirk's new endeavors and would like to thank him for all he has and will continue to do on behalf of Owensboro, Kentucky.

IN HONOR OF CLINT G. QUILTER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. FARR. Mr. Speaker, I rise today to honor Clint G. Quilter on the occasion of his retirement, with just shy of twenty-four years of service to the residents of Hollister. Since he first began his service in 1989, he held multiple posts with the city. Clint began as Public Works Inspector, where he was responsible for the upkeep of water, sewer, grading, storm drains and all city roads. In 1992 he was promoted to Assistant Engineer and the following year to Associate Engineer. In 1997, Clint assumed the Acting Director of Public Works position and within a matter of months was promoted to Acting Public Works Director/City Engineer. Because of his fine work, the following summer he became the Public Works Director/City Engineer position where he was responsible for the overall operation and maintenance for the city's entire infrastructure. He became Interim City Manager on May 10, 2004 and finally served as City Manager from May 17, 2005 through July 19, 2013.

During his tenor as City Manager Clint dealt with a number of challenges in governing the city but was dedicated to working with people to find solutions. When Clint took the City Manager position, the city was operating at a $4 million deficit, but with time he was able to balance the budget. Clint also helped steer the city to a solution for its sewer treatment capacity and out of the building moratorium.

I had the pleasure of working with Clint on a number of federal projects and community events. In 2005, Clint assisted my office with the plans for my annual "Proud to be An American" Citizenship Ceremony held at the Veteran's Memorial Building in downtown Hollister. We had over 250 new citizens from twenty-five different countries sworn-in as American citizens from the tri-county area. In the summer of 2009, Clint again facilitated the use of the Veteran's Memorial Building for my Hollister Health Care Town Hall meeting,

where we had over 450 people, a record turnout of San Benito County residents.

It has also been a pleasure to work with Clint on issues pertaining to the Hollister Airport. Clint's expertise and knowledge was extremely important to my office, when the Federal Aviation Administration (FAA) was leaning to deny the Hollister Airport's through-the-fence access. With his help, the FAA issued a no objection letter to the through-the-fence access at the airport business park. This was a great accomplishment involving many but Clint's work was noteworthy and has opened up other business opportunities as well as federal funding to do upgrades including the airport taxiways. It was great having him on my San Benito County team.

Mr. Speaker, Clint has had a long and successful career with the City of Hollister and has gained the respect of his fellow workers and members of the community as well as the business community. I extend my most sincere thanks and warmest wishes for her success and much success and happiness in his retirement.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Mr. CRENSHAW. Madam Chair, I rise today in support of H.R. 2397, the Department of Defense Appropriations Bill, for Fiscal Year 2014 and to recognize the important role played by management companies in the successful operation of the Department of Defense's Defense Personal Property Program, or DP3.

I would like to thank Chairman YOUNG and Ranking Member VISCLOSKY for including report language I submitted to the Subcommittee on Defense regarding the DP3 program. I am proud to note that one of the management companies that helps make this program successful is located in my congressional district.

Both the Chairman and the Ranking Member have long standing commitments to improving the quality of life of military members and their families. Our members of the military are required to make countless moves during their military service. Providing high-quality moves that provide satisfaction to the service member and his/her family is important to morale, well-being and retention.

The Department of Defense also understands the tremendous challenges associated with completing the countless number of defense personal property moves. Because of dissatisfaction and nightmares associated with previous military personal property movement programs, the Department of Defense adopted the Defense Personal Property Program with the goal of achieving efficient, satisfactory, and seamless military moves.

My purpose in speaking today is to note the significant contributions that management companies are making to DP3 by assisting transportation service providers to reduce costs and improve the quality of each military move. While improving these critical moves, DP3 has improved the quality of life enabling higher levels of personnel readiness.

Madam Chair, again, I offer my thanks to the Chairman and Ranking Member of the Subcommittee on Defense for their inclusion of this important language on the DP3 and for allowing me the opportunity to comment on the important role that management companies play in the success of this program.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Ms. ESTY. Madam Chair, my amendment would add five million dollars for support services for members of the National Guard and Reserve to the Defense-Wide Operations and Maintenance account in Title IX of the bill.

To prevent an increase in spending, the funding for suicide prevention is offset by reducing the Afghanistan Security Forces Fund by thirty-eight million dollars. This amendment is not only fiscally responsible, but urgent and timely.

The cover of Time Magazine from exactly one year ago today described the tragedy of military suicide with the simple headline: "One a Day." It drew attention to the grim reality that military suicide rates were at record levels. By year's end, a record three-hundred-and-fifty active duty troops committed suicide in 2012, amounting to almost one suicide per day. We lost more troops to suicide than we did to combat.

One year later, these rates have barely budged. The Department of Defense reported one-hundred-and-sixty-one potential suicides among active-duty service members, reservists and National Guard members through April. This is a pace of one suicide every eighteen hours.

We owe far better to those who wear the uniform and serve this nation.

I thank the Chairman and Ranking Member for their leadership on this issue. Your tireless, bipartisan commitment to suicide prevention is reflected in the additional twenty-million dollars for the Suicide Prevention Office provided in this bill.

My amendment seeks only to bolster your efforts by strengthening outreach and awareness programs to combat stigma and improve access to resources. As the chairman has often reminded us, we should focus our efforts on prevention. This amendment gives our outreach and prevention programs greater support to assist service members in need. It is our job to serve our troops as well as they serve us. We cannot—we must not—wait; it's up to us to act.

I urge Members to support this amendment.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Mr. GINGREY of Georgia. Mr. Chair, I rise in strong support of the Flores/Gingrey/Conaway/Hensarling Amendment to H.R. 2397 that will prevent funds in this legislation from being used to carry out Section 526 of the Energy Independence and Security Act of 2007.

Section 526 prohibits all federal agencies from contracting for alternative fuels that emit higher levels of greenhouse gas emissions than "conventional petroleum sources." This means that if a federal agency—particularly the Department of Defense—has the ability to utilize an alternative fuel that even has one scintilla more of carbon emissions than conventional fuels, it cannot be used. As a result, Section 526 severely stifles innovation from DoD to improve clean carbon capture technologies for alternative fuels, thereby increasing our dependence on foreign oil, and will only further increase fuel costs.

Mr. Chair, I support a full repeal of Section 526 because the cost of refined product for DoD has increased by over 500 percent in the last ten years when volume only increased by 30 percent. This amendment takes a very important step towards achieving this goal by prohibiting funding to carry out Section 526 for the upcoming fiscal year in the DoD.

I urge my colleagues to support this amendment.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Mr. VAN HOLLEN. Mr. Chair, the Mulvaney, Van Hollen, Coffman, Murphy amendment matches the President's budget for Overseas Contingency Operations, OCO, and also provides an additional $1.5 billion for National Guard and Reserve Equipment Modernization. The amendment expressly protects all the funding increases made in the OCO account by the Appropriations Committee for the National Guard and provides sufficient funding to fully accommodate the President's OCO request for National Guard military personnel, operation and maintenance (including depot maintenance), and counter drug activities.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) makign appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Mr. NUNES. Mr. Chair, I rise today to address the crucial need for retaining the U.S. military's force structure at Lajes Field.

Due to Air Force planners' short-sighted decision to draw down at Lajes, the United States is poised to surrender a military asset of unparalleled strategic value. Located on the Azores island chain between Europe and the United States, Lajes is like the Hawaii of the Atlantic Ocean—only closer to the American mainland. The islands belong to Portugal, a strong U.S. ally since World War II that has never prevented us from conducting operational missions.

The base at this crucial location has bolstered the United States' control of the Atlantic since World War II, proving critical to our tracking of Soviet submarines during the Cold War. It allows for U.S. access to Europe, the Middle East, and western and sub-Saharan Africa, and enables the expeditionary movement of warfighters, aircraft, ships, and global communications to AFRICOM and CENTCOM's joint, coalition, and NATO operations.

It is also a vital site for countering a major regional threat, al-Qaeda in the Islamic Maghreb, which has known ties to al-Qaeda in the Arabian Peninsula and other violent groups. In fact, from Lajes, ten of the eighteen African countries that hold State Department Travel Warnings can be reached within six hours. Further, Lajes is well-positioned to act as a logistical hub not only for the Defense Department, but also for USAID, the State Department, and other agencies.

Having engaged with Portuguese officials for years on this issue, I know that the consequences of drawing down the base will be dire. Our strategic planners may believe we can leave a mere skeletal operation at Lajes and retain access there, but in reality, the Air Force's decision to draw down at the base means a total end to the U.S. presence at Lajes. This will severely impact the Azorean economy, forcing Portugal to find a new tenant for the site. In light of the weak Portuguese economy, we do not want to make Azoreans choose between their alliance with the United States and their ability to feed their families.

While our strategic planners may not want to be in the Azores anymore, leaders of other nations feel differently. Several high ranking Chinese officials have visited the islands in recent years, including a sojourn by China's Ambassador to Portugal just a few weeks ago, as well as a June 2012 visit to Terceira by then-Premier Wen Jiabao. The Chinese did not divulge what all these delegates were doing there, but I assure you they weren't sipping port and enjoying the pleasant climate.

In the wake of the decision to wind down Lajes, we cannot assume the Portuguese will exclude China or other bad actors from the site simply out of allegiance to the U.S.; the recent decision to send a rapid reaction force of 500 U.S. Marines to Moron, Spain—a contingent that would have much more flexibility at the logistics hub of Lajes—could easily be interpreted as a calculated insult to our Portuguese friends.

These Marines could easily be located in Lajes, which is a safe environment that allows for forward basing at Rota, Spain, or Sigonella, Italy, or if necessary, for the deployment of troops in Western and sub-Saharan Africa. This amendment would give Defense Department planners the opportunity to think outside the box. If they did, they would realize this solution would allow the Air Force to scale-down at Lajes, provide maximum strategic flexibility for the Marines, and fully utilize the Lajes facility.

The retention of Lajes was not an issue for seventy years because prior planners never contemplated giving up something so crucial to U.S. interests. Because this Congress does not assume that Chinese and Russian subs will voluntarily stop sailing beneath the Atlantic Ocean or that jihadists will stop training in sub-Saharan Africa, we need the flexibility that Lajes' unique location provides.

As we reduce our European footprint—comprising 110,000 personnel and dozens of military installations—we need to base our decisions on each site's global strategic value and tactical and strategic flexibility. It would cost billions to build a base like Lajes today, and we must understand that the decision by Air Force planners to draw down at Lajes means closing the site and losing our access there.

Therefore, Mr. Chair, I encourage my colleagues to vote for this amendment to retain the current force structure at Lajes Field, and to keep this crucial military asset fully staffed and fully operational.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Ms. ESTY. Mr. Chair, I thank my colleagues Mr. WALBERG (R–MI); Mr. COHEN (D–TN); Mr. RIGELL (R–VA) for crafting this smart, commonsense amendment which would simply reduce the Afghanistan Infrastructure Fund by $79 million and redirect those funds to the Spending Reduction Account, saving taxpayer dollars.

This is a targeted and smart cut, at a time when we are asking all to do more with less.

And in fact, with this amendment, we would simply be funding this account at the level which this body passed last year.

Now more than ever, we need to make smart investments in our own infrastructure to create jobs and improve efficiency for our businesses.

A business owner in my district recently told me how his drivers lose two hours a day sitting in traffic . . .

. . . And many citizens in Connecticut are pleading to widen 1–84 around Waterbury and to modernize our interchanges.

Additionally, Newtown has recommended rebuilding Sandy Hook Elementary School, and there is an appropriate role for the Federal Government.

We must prioritize our investments and find ways to reduce our deficit.

I urge Members to support this amendment.

THE 1965 LANIER HIGH SCHOOL BASKETBALL TEAM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, 1965 will always be remembered in American History as a year of turmoil, unrest and great change. The Civil Rights Movement was in full swing, with marches, demonstrations and often dramatic confrontations by brave African Americans that were attacked, beaten and jailed as they struggled for equal rights. Their struggles shocked the world and made front page news and formented a change in the deep south.

Meanwhile as the war over civil rights raged, few noticed a sports revolution in the small city of Jackson, MS. They were seven skinny kids from Lanier High School and they dared to take on all corners. Under Principal Luther Buckley and Assistant Principal Will Anderson, legendary basketball coaches Harrison Barnes and Orsmond Jordan, this team honed their skills, speed and prowess and developed into an unstoppable force whose starters came to be known as the Lanier Magnificent Seven. Known for their quickness, scoring offense and devastatingly tough defenses, this team ran up an amazing in-state record of 43 and 0 and averaged over 100 points a game in eight minute quarters and this was before the three point shot had been instituted into the game. With each game their record and legend grew and they not only won the State championship, in March 1965 they were invited to compete in the National Invitation Interscholastic Basketball Tournament, the NIIBT at Alabama State College in Montgomery Alabama.

On March 6, 1965, those seven inner city kids from Jackson, MS took on the best in the Nation, the vaunted Bears from Booker T. Washington High School from Suffolk, Virginia. The Bears were a force to reckon with, with two fantastic guards and the team was described by some sportscasters as the "team of the century." While both teams were known for their scoring prowess and dynamic offenses, the game was a defensive struggle from the very beginning. It featured heart-stopping action, amazing shots and stellar defense by both teams that dazzled the spectators and fans. The papers described it as an amazing game between two titans of high school basketball that featured great ball handling, tough perimeter defense and some of the best high school players and most electric shooting many had ever seen. At the buzzer the Lanier High School Bulldogs prevailed 58 to 55 and had done it. They beat the team of the century and won the coveted National High School Basketball Championship and were deemed

the best in the Nation. These proud, defiant and jubilant national champions rode a public bus back to Jackson, a bus also loaded with Freedom Riders determined to change the hearts and minds of a Nation. The Lanier Basketball Team came home winners but their triumph was swallowed up by the news of the day and the rabid turmoil of the civil rights movement.

These young men, heroes to their legion of fans at Lanier High School, the city of Jackson and the entire State of Mississippi never got their due. True champions, they held their heads high with their national championship trophy in their hands and placed it in the Lanier Trophy Case where it has sat for 48 years gathering dust and forgotten. But not anymore. Thanks to the efforts of Jackson businessman Johnny Morrow that has now changed. Morrow demanded that these men be recognized and put his name and clout behind the effort. He organized and brought together city, county and State government entities, local businesses and talented individuals to help with his cause. He energized schools and local and even national media and forced this recognition ceremony which he developed to right this long overdue wrong. And now due to his efforts they will be recognized.

Now is their time to be remembered and recognized. They have been called the best team you never heard of. Well now you have. Take pride Jackson. In 1965 seven inner city young men took on the best in the Nation and won. As we salute the accomplishments of African Americans during Black History Month, let us not forget our local heroes. Help us to remember, congratulate and salute the 1965 Lanier High School Basketball Team, the only Mississippi high school basketball team to ever win a NATIONAL championship.

We invite everyone to come out and show your love, support and admiration for what these men accomplished. On January 23rd at 6 p.m. at the Mississippi Sports Hall, the State will finally salute and give their due to the 1965 Lanier High School Basketball team. Come and meet the men who accomplished this amazing feat and learn of their daring, their courage and of their basketball dominance in 1965. Come and meet the only Mississippi High School Basketball Team to ever win a national championship. Come and meet the men who were and are the Lanier High School Basketball Team Bulldogs of 1965. The National Champions.

Joe Usry Chrysler Dodge Jeep Ram is sponsoring the National Championship Rings to be presented to the surviving team members. Please join us on January 23rd at 6 p.m. at the Mississippi Sports Hall of Fame in Jackson, Miss. Come and meet the Magnificent Seven and the other members of the 1965 Lanier Basketball Team!

Coach Harrison Barnes and Assistant Coach Orsmond Jordan

Team Members: Marvin Scott, Cornell Warner, Larry Hayes, Eddie Clanton, James Hudson, Elliot Guinn, Mitchell Johnson, George Amerson, Louis Tucker, Arthur Brown, James Garland, Charles Dalley, Robert Mayberry, Otha Mitchell, Henry Brown Jr.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,116,336,111.15. We've added $6,111,239,287,198.07 to our debt in 4 and a half years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING THE LIFE AND LEGACY OF MR. JOHN B. BOY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the life and legacy of Mr. John B. Boy, the former President and C.E.O. of the U.S. Sugar Corporation, who died on July 16, 2013 at the age of 96. He spent 41 years at U.S. Sugar, serving as its President for 17 years until his retirement.

John held a degree in mechanical engineering from the Georgia Institute of Technology. Under his leadership, the Bryant Sugar House was built in Canal Point, Florida. Additionally, John acquired the South Bay Growers vegetable and sugar cane operations, where he began growing oranges and producing orange juice. Among his lasting contributions while serving as an engineer in his company's agricultural equipment shop, are the many important mechanical advancements in Glades agriculture that are still used today.

During World War II, John served in the U.S. Navy, becoming captain of three ships. After the war, he moved from Ohio to Clewiston, Florida, where he began his employment in the sugar industry. John contributed immeasurably to his community, and encouraged employees at U.S. Sugar, as well as those around him, to do the same.

As a measure of their appreciation for all that he did for the sugar industry, Clewiston's civic auditorium, located within sight of the U.S. Sugar plant, is named after him.

John is survived by his daughter, Betsy Terrill (Jim); sons, John Boy, Jr. (Connie) and H. Lane Boy; grandchildren, Jamie Terrill, Christopher Smith, Jennifer Price, Suzanne Boy, Stephanie Crawford, and Rachael Boy; and 10 great grandchildren.

Mr. Speaker, words cannot express how deeply sorry I am for John's passing. My thoughts and prayers go out to his family, friends, and all of those in the sugar community. I was privileged to know him and call him my friend. He will be dearly missed.

PERSONAL EXPLANATION

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Ms. KUSTER. Mr. Speaker, on July 22, 2013, I was unavoidably detained and missed the following rollcall votes: Nos. 375 for H.R. 1542 and 376 for H. Con. Res. 44. Had I been present, I would have voted "aye" on these two rollcall votes.

Additionally, on July 23, 2013, I was also unavoidably detained and missed rollcall vote 377, on ordering the Previous Question on H. Res. 312. Had I been present, I would have voted "nay" on this vote.

IN MEMORY OF DAVID G. RICH

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. REED. Mr. Speaker, I rise today to celebrate the life of David G. Rich, who left a lasting impact on the 23rd District of New York. After fighting a courageous battle against cancer, David, of Falconer, New York, passed away July 11, 2013, in the presence of his beloved high school sweetheart and wife, Cindy, as well as his friends and family.

Following graduation from Falconer Central School in 1961 and the completion of bachelor's, master's, and superintendent's degrees at the State University of New York at Fredonia, David enlisted in the U.S. Army. He served as a first lieutenant in Vietnam, First Air Cavalry Division, until he suffered critical wounds in action in 1968. After his honorable discharge, David taught Social Studies at Cassadaga Valley Central School from 1970 to 1998. During this period, he volunteered as an adviser for the student council, the junior and senior classes, the chess club, and he contributed to the production of school plays. David's long tenure at Cassadaga allowed him to positively impact the lives of generations of students.

David's community involvement stretched beyond his devotion to Cassadaga students. He served as a Distinguished President of the Kiwanis Club of Falconer and went on to work as the Lieutenant Governor and Foundation Coordinator of the Southwestern Division of New York Kiwanis. David also volunteered in other clubs and organizations including the Falconer American Legion, the Eastern Star, the Travel Club of Herons Glen, and the Vietnam Veterans of America. With an exceptional affection for animals, David was also considered a "Legacy of Love" member of the Chautauqua County Humane Society.

Through his dedication to others, David G. Rich made his community a better place. Although David will be greatly missed, his legacy will continue for generations to come. I am proud to honor him here today.

PERSONAL EXPLANATION

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. COFFMAN. Mr. Speaker, on rollcall No. 381, I was unavoidably detained. Had I been present, I would have voted "no."

MD ANDERSON CANCER HOSPITAL HOUSTON, TEXAS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. POE of Texas. Mr. Speaker, I am always pleased to see my fellow Texans succeed. Today, I want to take a moment to recognize yet another accomplishment by the University of Texas MD Anderson Cancer Hospital. MD Anderson has been ranked as the top cancer treatment center by the latest US News & World Report's "Best Hospitals" study. Of course this should not come as a surprise considering that the hospital has been ranked number one by the study for the last six years in a row.

The accomplishments of MD Anderson do not stop there. In several subspecialties, the hospital has been ranked highly. In particularly, the Ears, Nose, and Throat subspecialty is ranked third. MD Anderson Hospital succeeds because of the dedicated people that labor tirelessly every day with one shared purpose: fighting cancer. Under the direction and leadership of President Ronald DePinho, 20,000 employees and 1,100 volunteers help countless individuals through their expertise, research and simple compassion.

MD Anderson has had a huge impact on many children and gave them the hope of life despite adversity. For Joey Nichols, he received a diagnosis of lymphocytic leukemia at the young age of three. He couldn't understand what that meant or why he felt ill. Today, Joey acknowledges that he has no clear memories during his time at MD Anderson, but he sees it as a defining moment in his life. MD Anderson saved his life, and because of its work, Joey has aspirations to become a pediatric oncologist and to work at MD Anderson one day.

MD Anderson's dedication to fighting children's cancer should be acknowledged and celebrated. In a separate survey, the MD Anderson Children's Cancer Hospital was ranked 21st in the nation. MD Anderson's services go beyond the well-being of the patient. The children's hospital provides support groups, activities, and camps for families of children with cancer. In a difficult time for a family, there is some comfort in knowing that we have such knowledgeable and compassionate people to fight cancer alongside them.

Mr. Speaker, these remarks only scratch the surface of the accomplishments achieved by the MD Anderson Cancer Hospital. I am confident that the hospital will continue to exceed expectations and to remain as one of the top cancer centers in the United States. I am proud to see such a prestigious hospital in the great State of Texas—and the great City of Houston.

And that's just the way it is.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. COLE. Mr. Speaker, on July 23, 2013, I was unavoidably detained and was not present for rollcall vote No. 389. Had I been present, I would have voted "no."

CELEBRATING THE 24TH ANNUAL BRONX DOMINICAN DAY PARADE

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to twenty-fourth annual Bronx Dominican Day Parade, La Gran Parada Dominicana del Bronx, which will take place on Sunday, July 28, 2013. This celebration of heritage and culture is one that is eagerly anticipated by the Dominican and Bronx communities each year.

Under the leadership of Felipe Febles and Rosa Ayala, the Bronx Dominican Day Parade has grown exponentially in size, scale, and significance over the years. It has morphed into the extraordinary cultural celebration that it is today. For years the United States has largely recognized the Dominican-American community for its success on the baseball diamond, however, there are thousands of Dominican professionals and students that serve as community leaders in the fields of government, law, media, science, and technology.

As the second largest Latino community in New York City, Dominicans have made invaluable contributions to the city, as well as to the entire nation. Although the highest concentration of Dominican New Yorkers live in Northern Manhattan, a significant, and growing, number have enriched The Bronx with their unique culture, spirit, and drive to live the American Dream. I am grateful that so many have chosen to make The Bronx their home.

The Bronx Dominican Day Parade is a unique event that celebrates the diversity of New York City, the distinct heritage of one of its most important communities, and the strong sense of unity that can be found in celebrating our different cultures. As a New Yorker, I am very pleased to see this event grow every year, and extremely proud to march alongside everyone celebrating the accomplishments and contributions of Dominican men and women in our community.

Mr. Speaker, I look forward to marching in the twenty-fourth annual Bronx Dominican Day Parade, and I am confident that this event will exist as a cultural landmark celebration for many years to come.

RECOGNIZING THE SERVICE OF SGT. JUSTIN R. ROGERS

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. REED. Mr. Speaker, I rise today to recognize Sgt. Justin R. Rogers, a brave soldier and devoted family man who served our country for the past five years in support of Operation Enduring Freedom. Sgt. Rogers was only 25 years old when he passed away in Bagram, Afghanistan on June 28, 2013. He leaves behind his wife, Stefanie, daughter, Nateli, and his mother and stepfather, Teresa and Stan Vicki, who reside in Sgt. Rogers' hometown of Barton, New York.

Sgt. Justin Rogers enlisted in the Army in 2008 following his graduation at Tioga Central High School. While attending Tioga Central, Rogers was a standout athlete and leader, captaining both the football and wrestling teams. He utilized these leadership skills in his career as a soldier, earning multiple awards during his service including, two Army Achievement Medals and an Army Good Conduct Medal.

Sgt. Rogers was devoted to his country and planned on making the Army a career. A few weeks before his death, he had reenlisted to serve another three years as a horizontal construction engineer with the 101st Airborne Division based in Fort Campbell, Kentucky.

Today we remember the commitment and dedication of Sgt. Justin Rogers. He selflessly served his country to protect our freedom and it is imperative that we honor his sacrifice.

PERSONAL EXPLANATION

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. COFFMAN. Mr. Speaker, on rollcall No. 383, I was unavoidably detained. Had I been present, I would have voted "no."

A TRIBUTE TO CIVILIANS WHO HAVE SERVED IN DIFFICULT REGIONS AROUND THE WORLD

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. WOLF. Mr. Speaker, I rise today to personally thank and honor the civilians who faithfully serve in war zones and high threat security environments alongside our military in so doing further our national security and peacefully advance American interests.

I am especially grateful to those civilians who served side-by-side with members of our armed forces in Iraq and Afghanistan.

These civilians, as well as contractors and former military who return as civilians work for and with the U.S. military and varied U.S. government agencies, deploy into conflict zones such as Iraq and Afghanistan and into high threat security posts.

Dr. Peter R. Mansoor, the Raymond E. Mason Jr. Chair in Military History and the

former Executive Officer to Gen. David Petraeus, when he was commander of the multinational forces in Iraq had this to say about civilian service: "The wars in Iraq and Afghanistan have been difficult ventures, but the nation could not have achieved its objectives in either conflict without the support of American civilians, who came to the fight with a number of critical specialties and who shouldered more of the load than their numbers would suggest. The Nation owes our civilian veterans a great deal of gratitude for their service in the nation's wars since 9/11."

In September 2007 there were actually more contractors in Iraq than combat troops. According to a 2013 report of the Special Inspector General for Iraq Reconstruction (SIGIR): "In September 2007, the United States had more than 170,000 combat personnel in Iraq as part of the counterinsurgency operation, with more than 171,000 contractors supporting the mission." These contractors are credited in the report for supporting "the counterinsurgency mission in unstable, yet strategically significant, areas such as Baghdad, Anbar, and Babylon provinces."

More and more civilians are serving in conflict zone jobs traditionally held by the military. This proximity to dangerous and unstable security situations has come with a cost. The New York Times reported on February 11, 2012 that, "More civilian contractors working for American companies than American soldiers died in Afghanistan last year for the first time during the war," reporting that "at least 430 employees of American contractors were reported killed in Afghanistan: 386 working for the Defense Department, 43 for the United States Agency for International Development and one for the State Department."

More recently, just last year four of these civilians became household names—U.S. Ambassador Christopher Stevens, information officer Sean Smith, and CIA security contractors Tyrone Woods and Glen Doherty—when they were killed in Benghazi, Libya. Other civilian contractors were seriously wounded.

As with the military, casualties and serious injuries only tell part of the story. There are other costs associated with prolonged wars, including PTSD, depression and traumatic bereavement.

I was pleased to learn of the recent formation of an organization called We Served Too—a group dedicated to honoring and supporting American and international civilian service in conflict zones and high threat security environments.

Writing in the Huffington Post, author and professor Anne Speckhard reported that when Major General Arnie Fields was asked to comment on the founding of We Serve Too, he remarked on how the shift to asymmetrical warfare now places civilian workers in the same danger that front line soldiers traditionally faced:

> The dynamics of war have considerably changed in recent years. The past ten years have been most significant. The parameters that have heretofore defined the battlefield or battle space have been dramatically altered. Military commanders in Iraq and Afghanistan have learned early on that the conventional 'front' and 'rear'', which in earlier wars defined the most dangerous areas of the battlefield and the safest, respectively, do not exist. The enemy's threat is virtually omnipresent. Soldiers not in direct pursuit of the enemy are in almost as much danger as those who are. This new paradigm, often referred to as asymmetrical warfare, places civilians assisting in the war effort in about as much imminent danger as the traditional uniformed warrior . . . For. example, as a civilian department of State employee in Iraq and as the U.S. Special Inspector General for Afghanistan Reconstruction, I wore my military flak jacket and helmet with more consistency while conducting my work than I did on active military duty in the Marine Corps.

Unlike soldiers who are trained and prepared to face armed conflict, civilians who serve alongside them are often ill-equipped for what they experience. This can have lasting implications even after their return home.

I am pleased to recognize We Served Too and commend their aim of supporting and honoring the civilians who served alongside their military counterparts.

While we don't often remember the sacrifices of civilian workers in conflict zones, we have an obligation to recognize that they too sacrificially served this country and their service is worthy of our gratitude.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Ms. ESHOO. Mr. Speaker, I was not present during rollcall vote No. 382 on July 23, 2013, regarding an amendment to H.R. 2397 offered by Representative Blumenauer of Oregon. I would have voted "yes."

2015 SPECIAL OLYMPICS WORLD GAMES RESOLUTION

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Ms. HAHN. Mr. Speaker, after over a decade abroad, the Special Olympics World Games are returning to the United States. Two years from today, thousands of athletes, coaches, volunteers and supporters will descend on Los Angeles to see and cheer the skills and accomplishments of people with intellectual disabilities.

The Special Olympics were started by Eunice Kennedy Shriver, who saw how unjustly and unfairly people with intellectual disabilities were treated, and how many children with intellectual disabilities didn't even have a place to play. Her vision grew into the Special Olympics, and in 1968 the first International Special Olympics Summer Games were held in Chicago. For 45 years, the Special Olympics has harnessed the power of sport to create a better world by fostering the acceptance and inclusion of all people.

I could not be prouder that my city and my country are hosting these games. And I want the athletes, their loved ones, and those with intellectual disabilities across the world to know that the United States House of Representatives is with them.

So today, two years before the 2015 Special Olympics World Games open, I am introducing a celebratory resolution with Representative KENNEDY—who is continuing his family's commitment to the Special Olympics—Representative HOYER, and the full bipartisan Los Angeles delegation. I hope our colleagues will join us in supporting these games, and the achievements of those with intellectual disabilities everywhere.

HONORING BORING, OREGON AND DULL, SCOTLAND

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. BLUMENAUER. Mr. Speaker, I rise today to celebrate two communities who, though oceans apart, found a way to honor their shared identities. I am honored to represent one of these communities in Congress: Boring, Oregon, a small community a few miles outside of the Portland Metro region. The other is Dull, Scotland, in the northern United Kingdom.

These two communities share cultural and geographic similarities, in addition to their quirky names. Both communities lie at the base of prominent regional mountain ranges and neighbor cherished farmland. The county surrounding Boring, Oregon, Clackamas County, plays a prominent role promoting and hosting equestrian events and I am told the same is true of Dull, Scotland's Perth and Kinross Counties.

The Oregon Legislature recently passed House Bill 2352 establishing August 9 as Boring & Dull Day. As a result of this alliance, both communities have received significant attention and have seen growth in economic activity and tourism. I was delighted to be contacted by the Boring Community Planning Organization to share in a celebration honoring this occasion. It is my hope that this "Pair for the Ages" thrive well into future.

RETIREMENT OF FRANK SAMMARTINO

HON. PAUL RYAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. RYAN of Wisconsin. Mr. Speaker, I would like to join with my ranking member, Congressman VAN HOLLEN in recognizing the service of Frank Sammartino, who is retiring on July 26th after 33 years of public service, with 26 of those years in Congressional service. Frank is currently the Assistant Director for Tax Analysis at the Congressional Budget Office, where he has worked for most of his career. Frank's first job in Washington was as a staff economist at the U.S. Department of Health and Human Services in the Office of the Assistant Secretary for Planning and Evaluation. While there, he designed and developed a microsimulation model to analyze policies affecting Social Security, taxes, and means-tested transfers. Frank brought that modeling knowledge to CBO, where he developed the first microsimulation model used by the agency for analyzing tax policy. That model became the basis for CBO's individual income tax projections and its analysis of the

distribution of federal taxes. Frank also served for two years as Chief Economist and Deputy Director at the Joint Economic Committee.

As leader of the Tax Analysis Division at CBO, Frank has led his staff in providing high quality and timely analysis of tax policy and budget issues. He has directly contributed to and overseen numerous baseline projections, policy studies, and cost estimates. His expertise on a wide range of public policy issues has been a valuable resource for members and staff. In addition, everyone who has worked with Frank appreciates his warm manner, gentle sense of humor, and helpful spirit. We wish him well in his retirement from CBO and hope he will continue to contribute to our understanding of public policy issues for years to come.

PERSONAL EXPLANATION

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. COFFMAN. Mr. Speaker, on rollcall No. 385, I inadvertently voted "yes." I respectfully request that the record reflect my corrected vote of "no."

IN TRIBUTE TO DR. SARAH MOTEN

HON. DONNA F. EDWARDS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Ms. EDWARDS. Mr. Speaker, I rise today to recognize and celebrate the life and work of Dr. Sarah Moten, a woman who dedicated her life to furthering the causes of education and development in Africa. Dr. Moten passed away Tuesday, July 9, 2013. Dr. Moten will be missed, but her legacy lives on in the lives of those she touched through her work. Her prolific career in federal and international agencies and organizations serves as an inspiration for all of us who strive to impact others' lives in a positive way.

Dr. Sarah Moten was an accomplished academic. She earned a Bachelor's degree in Elementary Education from Hampton University, a Master's in Education, Guidance, and Counseling from George Washington University, and a Doctorate in Education, Administration and Supervision from Clark Atlanta University. She was awarded honorary doctorates from Elizabeth City State University, Chicago State University, and the University of Massachusetts Boston. Dr. Moten also served as the Director of International Affairs at the University of the District of Columbia.

Dr. Moten was dedicated to uplifting children in Africa through education, with particular regard to equal access to education for girls. In her decades-long career, Dr. Moten worked tirelessly as Country Director in Swaziland, Kenya and Sierra Leone and also as Special Assistant to the Africa Director for the U.S. Peace Corps. In addition, Dr. Moten served as the Deputy Assistant Secretary for International Refugee Assistance at the Department of State. She also served as Special Assistant to the President Emerita for the National Council of Negro Women, the Coordinator of the Education Democracy Development Initiative for Africa, and the Chief for the U.S. Agency for International Development's Africa Bureau Office of Sustainable Development, Education Division, among other notable positions.

Dr. Moten's continuous work on areas including education, refugee affairs, diplomacy, and economic development influenced countless lives and earned her a reputation as one of the greatest champions for Africa.

For her work, Dr. Sarah Moten was awarded the Medal of Freedom by the Foundation for Democracy in Africa, the Worldwide Award for Women in Education and Government by Swarthmore College, the Outstanding Partners in Education Award by World Education, the Distinguished Leadership Award from Boston University's African Presidential Archives and Research Center, and the John L. Withers Memorial Award from USAID, among other distinguished recognitions.

During this time of bereavement, I hope all who grieve find comfort and peace in remembering the profound impact Dr. Moten had on so many. Dr. Moten will live on through those who knew her and through those who were touched by her work.

Mr. Speaker, today we remember and celebrate the life of a generous and remarkable woman. I send my thoughts and prayers to all who knew Dr. Sarah Moten and all who mourn her loss.

TRIBUTE TO MARCO WATSON McMILLIAN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, Marco Watson McMillian was born April 23, 1979, to the union of Airy McMillian, Jr., and Patricia Unger in Clarksdale, Mississippi.

Marco accepted Christ at an early age at the New Jerusalem M. B. Church under the leadership of the late Reverend Johnny B. Woods, Sr.

Marco was educated in the public schools of Clarksdale, Mississippi. He was an honor graduate of Clarksdale High School. He was a magna cum laude graduate of the W.E.B. DuBois Honors College at Jackson State University. Marco received his master's degree from Saint Mary's University of Minnesota in the area of Philanthropy and Development. Marco also held a certificate in fundraising management and was a graduate of the Fundraising School at Indiana University. Additionally, he studied at Mississippi State University in the area of Public Policy and Administration and Boston University in the area of Financial Planning. Marco was a graduate of Huntsville/Madison County Leadership Connect Program, Youth Leadership Clarksdale, National Young Leaders Conference of Washington, DC, and the National Association of Student Affairs Professionals' Leadership Program in Bowie, Maryland.

Hailed by Ebony magazine in 2004 as one of the nation's 30 top leaders who are 30 and under, Marco was appointed as the Leadership Effectiveness Initiative Program Manager for New Leaders Memphis and had since been promoted to Director of Recruitment and Operations. Formerly, Marco served as the Executive Assistant to the President (Chief of Staff) at Alabama A & M University in Huntsville, Alabama. As a member of the President's cabinet, Marco was responsible for the day-to-day operations of the Office of the President. In addition, he was responsible for the university's strategic partnerships and legislative affairs in which he assisted the university in receiving its largest state appropriation ever—$38 million. During his tenure as Associate Director for Development at Jackson State, he was responsible for managing the university's fundraising operations and programs, which led to the institution securing more than $16 million in private support. Additionally, he assisted as one of the principals in the development of the $50 million campaign for Jackson State University.

Most recently, Marco served as International Executive Director for Phi Beta Sigma Fraternity, Incorporated, a role he officially assumed on July 16, 2007, and served until October 1, 2011. As the Chief Operating Officer of the organization, whose membership is more than 150,000 and headquartered in Washington, District of Columbia, Marco was responsible for the day-to-day operations of the almost 100-year-old men's fraternity. Of the organization's six COOs since its establishment in 1914, Marco was by far the youngest person to ever hold this top post in the fraternity. During his tenure, Marco secured a half-million dollars ($500,000) for the organization including a federal contract for Phi Beta Sigma Fraternity, Inc., a first for the organization. Additionally, he professionalized many of the organization's systems and procedures and introduced electronic voting for delegates at the organization's 2011 national convention in Atlanta, Georgia. Notably, Marco led the charge for the organization's first international service project in Nigeria, South Africa; and was the organization's first and only Executive Director to travel internationally to visit a chapter (Seoul, Korea).

Previously, Marco served as Assistant to the Vice President for Institutional Advancement at Jackson State University where he was responsible for the day-to-day operations of the Division of Institutional Advancement.

Prior to Jackson State University, Marco served as a program coordinator and classroom instructor for Clarksdale Public School District and Noxubee County School District, respectively. As a program coordinator, he supervised 20 classroom teachers and revised the district's class-size reduction program.

Marco, who was honored by the Mississippi Business Journal as one of the "Top 40 Leaders under 40," was a lifetime member of the NAACP, Coahoma County Branch; a former member of Arms of Love National Project; Community Bridge Builders, Incorporated; the Mississippi School for the Blind Community Health Council, and the Kiwanis Club International President's Advisory Council. He was also a former Student Government Association President for Jackson State University, a former International Second Vice President for Phi Beta Sigma Fraternity, Inc., and past National Parliamentarian for the Jackson State University National Alumni Association, Incorporated.

Most recently, Marco, a certified grants specialist, registered meeting planner and certified event planner, served as secretary for March of Dimes, National Capital Area Chapter

Board of Directors; chair for the William E. Doar, Jr. Public Charter School for the Performing Arts in Washington, DC Board of Trustees; president for Pigtown Main Street, Inc. in Baltimore, Maryland Board of Directors and was a member of the 100 Black Men of Maryland, Inc., the Association of Fundraising Professionals and the Rotary Club of Washington, DC. He was also a member of the Executive Committee for the National Pan Hellenic Council; a member of the Eunice Kennedy Shiver National Institute of Child Health & Human Development at NIH Community Ambassadors Council, and board member for the National Coalition on Black Civic Participation. Currently, Marco served as a member of the International Community Ambassadors Network (I! CAN).

Marco was featured as one of 27 interesting personalities in the Who's Who in Black Washington, D.C. inaugural publication and was the recipient of the 2009 Thurgood Marshall Prestige Award presented by the Thurgood Marshall College Fund. He has also been featured in the Who's Who in Black Washington, D.C. second edition and Who's Who in Black Baltimore inaugural publication. The Governor of the Commonwealth of Kentucky, The Honorable Steve Beshear, commissioned Marco as a Kentucky Colonel; the Mayor of Augusta, Georgia, The Honorable Deke Copenhaver, recognized him for his outstanding service to the community; the Mayor of Meridian, Mississippi, The Honorable Cheri Barry, declared September 26, 2010, as Marco McMillian Day and the Mayor of Huntsville, Alabama, The Honorable Tommy Battle, and City Council honored him for his contributions to the Tennessee Valley. Marco was also the recipient of President Barack Obama's Lifetime Volunteer Service Award.

Upon the former life member of Phi Beta Sigma Fraternity, Inc., Jackson State University National Alumni Association, Inc. and the NAACP was bestowed the honor of being the youngest member inducted into the Outstanding Sigmas of the Southern Region Chapter, the highest honor granted to a member of the fraternity by his region. He was the youngest person featured in Phi Beta Sigma Fraternity's 100+ Most Influential Members publication, commemorating the organization's centennial celebration. Marco had received numerous other awards and accolades.

Marco leaves to cherish fond memories: his parents, Patricia (Amos) Unger and Airy McMillian, Jr., Clarksdale, MS; his brother, Darius Jones, Atlanta, GA; his grandmother, Louise Taylor, Clarksdale, MS; a surrogate mother, Bertha (Samuel) Blackburn, Clarksdale, MS; two godmothers, Daisy (John) Burnett, Clarksdale, MS and Bobby (Stanley) Morton, Lincoln, NE; godfather, Carter Womack, Columbus, OH; godson, Rustin Holt, Jackson, MS; two godsisters, Ermalecia Johnson, Fort Worth, TX and Augusta Morton, Lincoln, NE; stepsister, Pamela Unger, Clarksdale, MS; stepbrother, Eligha (Celika) Keaton, New Orleans, LA; three godbrothers, Emanuel, Stanley, Jr. and Le Quan Morton, Lincoln, NE; thirteen aunts, Mary (Jessie) Tate and Annie (Elvin) Todd, Clarksdale, MS; Shirley (Leon) Pettis, Oklahoma City, OK; Ouida Earl, Clarksdale, MS; Vivian Whaley, Goose Creek, SC; Beatrice (Arthur) Sanders, Evans, GA; Diane Marie Brewer, Stone Mountain, GA; Gloria Haynes, Chicago, IL; Bennie Thomas, Baltimore, MD; Shirley, Yvonne, Angela, and Michelle Unger, all of Jackson, MS; ten uncles, Rickey Minor, Clarksdale, MS; Dennis (Jeanea) Butler, Houston, TX; Robert (Gail) Wilkins, Atlanta, GA; Terry Taylor, Chicago, IL; Ernest Taylor, Jr., Seoul, Korea; Donald Taylor, LaPlace, LA; Ronald Taylor, Hattiesburg, MS; Michael Taylor, Atlanta, GA; James Unger, Clinton, MS; Charles Unger, Chicago, IL; a special friend, Tinnia Holt, Jackson, MS; and a host of nieces, nephews, cousins, and friends.

CELEBRATING THE SEVENTIETH ANNIVERSARY OF NAVAL AIR STATION WHITING FIELD

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the 70th anniversary of Naval Air Station Whiting Field.

Rich in its military history, Northwest Florida is home to several military installations that continue to play an essential role in contributing to our Nation's defense, including Naval Air Station Whiting Field located in Santa Rosa County. For seventy years, Whiting Field has provided support and training for some of our military's best aviation warfighters, and Northwest Florida is grateful and proud of its service to our community and our Nation.

In 1943, just months after the death of its namesake, Captain Kenneth Whiting, Whiting Field was already turning into a key naval air training facility. The need to quickly train elite aviators for missions led to Whiting Field becoming an efficient military flight school in a matter of months. The commissioning ceremonies for NAS Whiting Field were held on July 16, 1943, only six days after the invasion of Sicily. Whiting Field then became a leading training facility for our Nation's aviators that helped carry the United States to victory in World War II.

Whiting Field's storied history that includes a pilot training grounds and prisoner-of-war camp for German soldiers during World War II, a once home to the Blue Angels Flight Demonstration Team and the Navy's first jet training unit has today become the busiest Naval Aviation Station in the world where more than twelve hundred service personnel complete their essential flight training annually. It is situated on 12,000 acres, with 13 outlying fields and three separate and fully operational airfields. Whiting Field supports six Training Squadrons and two Instructor Squadrons, which comprises 141 T–6Bs and 124 TH–57s. Eleven percent of all of U.S. Department of Defense's flying hours are flown there, amounting to approximately 1.5 million annual flight operations. In fact, the majority of naval aviators can claim that they performed a substantial portion of their initial flight training at Whiting. Many helicopter students could say the same, resulting in hundreds of flights occurring each day. I am proud to have such a wonderful facility in Northwest Florida that is responsible for producing some of the best aviators in the world.

On behalf of the United States Congress, I am pleased to recognize Whiting Field for reaching this important milestone. My wife Vicki joins me in congratulating the military and civilian personnel at Whiting Field and wishing them continued success in their mission to provide the best services and material support for training U.S. Navy, Marine Corps, Air Force, Coast Guard, and International student aviators.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Mr. TERRY. Mr. Chair, I rise today tell my colleagues this amendment is very simple. It prohibits the Department of Defense (DOD) from spending any appropriated funds in fiscal year 2014 to enforce section 526 of the Energy Independence and Security Act of 2007.

Section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140) states in its entirety:

> No Federal agency shall enter into a contract for procurement of an alternative or synthetic fuel, including a fuel produced from nonconventional petroleum sources, for any mobility-related use, other than for research or testing, unless the contract specifies that the lifecycle greenhouse gas emissions associated with the production and combustion of the fuel supplied under the contract must, on an ongoing basis, be less than or equal to such emissions from the equivalent conventional fuel produced from conventional petroleum sources.

This provision, which prevents the federal government from purchasing alternative and potentially cheaper fuels such as liquid coal, could preclude the U.S. military from using crude oil derived from Canadian oil sands.

This section doesn't make sense when over 650,000 civilians are facing furloughs—including the 4,400 employees, who serve Offutt Air Force Base, in just outside of my district. They shouldn't be used as political footballs when we're spending our limited resources on programs in Section 526.

Section 526 restricts fuel choices. It is vague, ambiguous, and doesn't improve reliability of energy supplies, nor does it help our national security goals. Not to mention, expensive.

At a time when our nation is worried about its fiscal health, we should be advancing more initiatives giving our military real flexibility in fuel choice, rather than having the Department of Defense to commit millions of taxpayers' dollars on more costly, less efficient options.

Section 526 goes against the intent of the Energy Policy Act of 2005, which declared that oil sands and other unconventional fuels are strategically important resources and directed the Department of Defense (DOD) to develop a strategy to use these fuels to reduce the reliance of oil from unstable regions of the world.

The Department of Defense is the government's largest consumer of fuel.

If we do not limit the use of Section 526, it could increase fuel costs for our military and

severely restrict the Pentagon's ability to get energy that originates from our strongest ally and number one trading partner, Canada.

Programs like Section 526 mandate that the Armed Services spend entirely too much money on fuels. If we didn't spend so much money on these fuels, we would be able to reduce the effects of the politically motivated furloughs and give DOD the resources it needs to responsibly implement sequestration.

It is imperative to ensure that our nation, in particular the military, is not inhibited from using cheaper and more abundant fuels produced with oil from our friendly neighbor to the north, Canada, which will reduce our reliance on imports from hostile areas of the world.

True national security rests when we can make sure our DOD civilian employees are on the job by using a secure, diverse fuel supply for our armed forces.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

SPEECH OF

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 23, 2013

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes:

Mr. PASCRELL. Madam Chair, it has been over 10 years since the start of the wars in Iraq and Afghanistan and it is extremely important that we continue to focus on addressing traumatic brain injury, TBI, and psychological health, PH, issues. Congress must properly allocate funds to care for wounded warriors and to improve research in these critical areas.

As you know, TBI continues to be the signature wound of the wars in Iraq and Afghanistan with some 100,000 troops diagnosed since 2003 with mild TBI. This number will only increase as detection becomes more accurate. The Department of Defense has made significant strides in improving assessment and diagnosis, but more needs to be done to evaluate troops' ability to return to duty and to follow them after exposure to blasts. Intensive and innovative rehabilitative care is also needed for those sustaining severe TBIs and left with varying levels of disorders of consciousness.

This year's Defense Health Program receives an increase above last year's level. Specifically, the bill contains $33.6 billion—$858 million above the fiscal year 2013 enacted level—for the Defense Health Program to provide for the health of our troops and retirees. Increases above the request importantly include $125 million for traumatic brain injury and psychological health research, and $20 million for suicide prevention outreach programs.

Our men and women serving in uniform must be given every possible opportunity for the best medical care, rehabilitation and community reentry assistance that we as a nation can provide. It is important these funds be used wisely to ensure that our men and women in uniform are getting timely and proper care. Pre and post deployment testing, as well as long term care and family services are integral parts of preventing and treating TBI and PH. As a Congress, we must live up to our commitment to our troops when they leave the battlefield and in my capacity as co-Chair of the Congressional Brain Injury Task Force, I look forward to working with the DoD to make sure these funds are used effectively to address these invisible wounds.

PERSONAL EXPLANATION

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Ms. FOXX. Mr. Speaker, on the rollcall vote, No. 386, for Rep. POE's amendment to H.R. 2397, I inadvertently voted "no," when I intended to vote "yes."

PERSONAL EXPLANATION

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. BARLETTA. Mr. Speaker, on rollcall No. 399 on the previous question, I am not recorded. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 400 on agreeing to the resolution, I am not recorded. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 401 on agreeing to the Jones amendment, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 402 on agreeing to the LaMalfa amendment, I am not recorded. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 403 on agreeing to the Mulvaney amendment, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 404 on agreeing to the Stockman amendment, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 405 on agreeing to the Walorski amendment, I am not recorded. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 406 on agreeing to the Bonamici amendment, I am not recorded. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 407 on agreeing to the Kilmer amendment, I am not recorded. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 408 on agreeing to the Nadler amendment No. 69, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 409 on agreeing to the Nadler amendment No. 70, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 410 on agreeing to the Schiff amendment, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 411 on agreeing to the Pompeo (for Nugent) amendment, I am not recorded. Had I been present, I would have voted "aye."

Mr. Speaker, on rollcall No. 412 on agreeing to the Amash amendment, I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 413 on the Motion to Recommit with instructions I am not recorded. Had I been present, I would have voted "no."

Mr. Speaker, on rollcall No. 414 on the Final Passage of the Department of Defense Appropriations Act (H.R. 2397) I am not recorded. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mrs. DAVIS of California. Mr. Speaker, on Monday July 22, 2013, I missed the following votes:

H.R. 1542—WMD Intelligence and Information Sharing Act of 2013.

Had I been present, I would have voted: "yes" on rollcall No. 375.

H. Con. Res. 44—Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

Had I been present, I would have voted: "yes" on rollcall No. 376.

PROTECTING AMERICANS' PRIVACY

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 24, 2013

Mr. SHERMAN. Mr. Speaker, I voted for the Amash/Conyers amendment to the Department of Defense Appropriations Act because it is the only means available to the House at this time to seek to prevent the Executive Branch from having sole custody of over a trillion records regarding the phone calls of ordinary Americans. I hope the Administration will soon put forward a proposal that would maintain our national security, while including greater privacy protections. We need more than a promise by the Executive Branch that it will hold records but not look at them except for "relevant" purposes. Possession is 9/10 of the law. Even a credible promise of the Administration may be less credible in future administrations. We cannot necessarily trust unknown future administrations to maintain the privacy commitments of this Administration.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and

any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 25, 2013 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

JULY 30

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nominations of Admiral Cecil E.D. Haney, USN for reappointment to the grade of admiral and to be Commander, United States Strategic Command, and Lieutenant General Curtis M. Scaparrotti, USA to be general and Commander, United Nations Command/Combined Forces Command/United States Forces Korea, both of the Department of Defense.

SD–G50

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine mitigating systemic risk in financial markets through Wall Street reforms.

SD–538

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine S. 37, to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, S. 343, to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, S. 364, to establish the Rocky Mountain Front Conservation Management Area, to designate certain Federal land as wilderness, and to improve the management of noxious weeds in the Lewis and Clark National Forest, S. 404, to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest, S. 753, to provide for national security benefits for White Sands Missile Range and Fort Bliss, S. 1169, to withdraw and reserve certain public land in the State of Montana for the Limestone Hills Training Area, S. 1294, to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, S. 1300, to amend the Healthy Forests Restoration Act of 2003 to provide for the conduct of stewardship end result contracting projects, S. 1301, to provide for the restoration of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon, S. 1309, to withdraw and reserve certain public land under the jurisdiction of the Secretary of the Interior for military uses, H.R. 507, to provide for the conveyance of certain land inholdings owned by the United States to the Pascua Yaqui Tribe of Arizona, H.R. 862, to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960, and H.R. 876, to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho.

SD–366

Committee on the Judiciary

Subcommittee on Antitrust, Competition Policy and Consumer Rights

To hold hearings to examine standard essential patent disputes and antitrust law.

SD–226

10:30 a.m.

Committee on Appropriations

Subcommittee on Department of Defense

Business meeting to markup proposed legislation making appropriations for fiscal year 2014 for the Department of Defense.

SD–192

Committee on the Budget

To hold hearings to examine containing health care costs, focusing on recent progress and remaining challenges.

SD–608

2:15 p.m.

Committee on Foreign Relations

Business meeting to consider the nomination of Joseph Y. Yun, of Oregon, to be Ambassador to Malaysia, Department of State; to be immediately followed by a hearing to examine the nominations of Steve A. Linick, of Virginia, to be Inspector General, Matthew Winthrop Barzun, of Kentucky, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland, Liliana Ayalde, of Maryland, to be Ambassador to the Federative Republic of Brazil, Kirk W.B. Wagar, of Florida, to be Ambassador to the Republic of Singapore, and Daniel A. Sepulveda, of Florida, to be Deputy Assistant Secretary for International Communications and Information Policy in the Bureau of Economic, Energy, and Business Affairs and U. S. Coordinator for International Communications and Information Policy, all of the Department of State.

SD–419

2:30 p.m.

Committee on Commerce, Science, and Transportation

Business meeting to consider S. 134, to arrange for the National Academy of Sciences to study the impact of violent video games and violent video programming on children, S. Res. 157, expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas, S. 267, to prevent, deter, and eliminate illegal, unreported and unregulated fishing through port State measures, S. 269, to establish uniform administrative and enforcement authorities for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, S. 376, to reauthorize the National Integrated Drought Information System, S. 839, to reauthorize the Coral Reef Conservation Act of 2000, S. 921, to amend chapter 301 of title 49, United States Code, to prohibit the rental of motor vehicles that contain a defect related to motor vehicle safety, S. 1068, to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, S. 1072, to ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, S. 1144, to prohibit unauthorized third-party charges on wireline telephone bills, S. 1254, to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, S. 1317, to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2014 through 2016, S. 1344, to promote research, monitoring, and observation of the Arctic, an original bill entitled, ''Cyber'', the nominations of Jannette Lake Dates, of Maryland, Bruce M. Ramer, of California, Brent Franklin Nelsen, of South Carolina, Howard Abel Husock, of New York, and Loretta Cheryl Sutliff, of Nevada, all to be a Member of the Board of Directors of the Corporation for Public Broadcasting, Thomas C. Carper, of Illinois, to be a Director of the Amtrak Board of Directors, Thomas Edgar Wheeler, of the District of Columbia, to be a Member of the Federal Communications Commission, Mark E. Schaefer, of California, to be Assistant Secretary of Commerce for Oceans and Atmosphere, and nominations for promotion in the United States Coast Guard.

SR–253

Committee on Energy and Natural Resources

To hold hearings to examine S. 1240, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.

SD–366

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

JULY 31

10 a.m.

Committee on Health, Education, Labor, and Pensions

Business meeting to consider an original bill entitled, ''Workforce Investment Act of 2013'', and any pending nominations.

SD–430

Committee on Homeland Security and Governmental Affairs

Business meeting to consider an original bill entitled, ''Federal Real Property Asset Management Reform Act'', an original bill entitled, ''Improper Payments Agency Cooperation Enhancement Act of 2013'', S. 994, to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, an original bill entitled, ''BETTER Border Act'', S. 1276, to increase oversight of the Revolving Fund of the Office of Personnel Management, strengthen the authority to terminate or debar employees and contractors involved in misconduct affecting the integrity of security clearance background investigations, enhance transparency regarding the criteria utilized by Federal departments and agencies to determine when a security

clearance is required, H.R. 1162, to amend title 31, United States Code, to make improvements in the Government Accountability Office, S. 1348, to reauthorize the Congressional Award Act, S. 573 and H.R. 1171, bills to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property, S. 643, to strengthen employee cost savings suggestions programs within the Federal Government, S. 1045, to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment, S. 233, to designate the facility of the United States Postal Service located at 815 County Road 23 in Tyrone, New York, as the ''Specialist Christopher Scott Post Office Building'', S. 668, to designate the facility of the United States Postal Service located at 14 Main Street in Brockport, New York, as the ''Staff Sergeant Nicholas J. Reid Post Office Building'', S. 796, to designate the facility of the United States Postal Service located at 302 East Green Street in Champaign, Illinois, as the ''James R. Burgess Jr. Post Office Building'', S. 885, to designate the facility of the United States Postal Service located at 35 Park Street in Danville, Vermont, as the ''Thaddeus Stevens Post Office'', S. 1093, to designate the facility of the United States Postal Service located at 130 Caldwell Drive in Hazlehurst, Mississippi, as the ''First Lieutenant Alvin Chester Cockrell, Jr. Post Office Building'', and the nominations of John H. Thompson, of the District of Columbia, to be Director of the Census, Department of Commerce, and Katherine Archuleta, of Colorado, to be Director of the Office of Personnel Management.

SD–342

Committee on the Judiciary

To hold hearings to examine strengthening privacy rights and national security, focusing on oversight of the Foreign Intelligence Surveillance Act (FISA) surveillance programs.

SD–226

Committee on Veterans' Affairs

To hold hearings to examine preserving the rights of servicemembers, veterans, and their families in the financial marketplace.

SR–418

2 p.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia

To hold hearings to examine how prepared the National Capital Region is for the next disaster.

SD–342

Commission on Security and Cooperation in Europe

To hold hearings to examine implications for economic development in Central Asia, focusing on if the government can create the necessary conditions for more trade and exchange, including infrastructure development, efficient customs regimes and reliable transportation networks.

CHOB–340

Joint Economic Committee

To hold hearings to examine how tax reform can boost economic growth, focusing on lessons from Reagan.

SD–G50

2:30 p.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine energy drinks, focusing on exploring concerns about marketing to youth.

SR–253

Committee on Energy and Natural Resources

Subcommittee on National Parks

To hold hearings to examine S. 398, to establish the Commission to Study the Potential Creation of a National Women's History Museum, S. 524, to amend the National Trails System Act to provide for the study of the Pike National Historic Trail, S. 618, to require the Secretary of the Interior to conduct certain special resource studies, S. 702, to designate the Quinebaug and Shetucket Rivers Valley National Heritage Corridor as ''The Last Green Valley National Heritage Corridor'', S. 781, to modify the boundary of Yosemite National Park, S. 782, to amend Public Law 101–377 to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, S. 869, to establish the Alabama Black Belt National Heritage Area, S. 925, to improve the Lower East Side Tenement National Historic Site, S. 995, to authorize the National Desert Storm Memorial Association to establish the National Desert Storm and Desert Shield Memorial as a commemorative work in the District of Columbia, S. 974, to provide for certain land conveyances in the State of Nevada, S. 1044, to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on D–Day, June 6, 1944, S. 1071, to authorize the Secretary of the Interior to make improvements to support facilities for National Historic Sites operated by the National Park Service, S. 1138, to reauthorize the Hudson River Valley National Heritage Area S. 1151, to reauthorize the America's Agricultural Heritage Partnership in the State of Iowa, S. 1157, to reauthorize the Rivers of Steel National Heritage Area, the Lackawanna Valley National Heritage Area, the Delaware and Lehigh National Heritage Corridor, and the Schuylkill River Valley National Heritage Area, S. 1168, to amend the Foreign Intelligence Surveillance Act of 1978 to limit overbroad surveillance requests and expand reporting requirements, S. 1252, to amend the Wild and Scenic Rivers Act to designate segments of the Missisquoi River and the Trout River in the State of Vermont, as components of the National Wild and Scenic Rivers System, S. 1253, to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, H.R. 674, to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System, H.R. 885, to expand the boundary of the San Antonio Missions National Historical Park, H.R. 1033 and S. 916, bills to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program, and H.R. 1158, to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area.

SD–366

Committee on Finance

Subcommittee on Energy, Natural Resources, and Infrastructure

To hold hearings to examine principles for energy tax reform.

SD–215

Committee on Indian Affairs

To hold hearings to examine S. 235, to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium, S. 920, to allow the Fond du Lac Band of Lake Superior Chippewa in the State of Minnesota to lease or transfer certain land, and S. 1352, the Native American Housing Assistance and Self-determination Reauthorization Act of 2013.

SD–628

AUGUST 1

9:30 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the November 6, 2012 referendum on the political status of Puerto Rico and the Administration's response.

SD–366

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters.

SH–219

SEPTEMBER 11

10:30 a.m.

Committee on Appropriations

Subcommittee on Financial Services and General Government

To hold hearings to examine proposed budget estimates and justification for fiscal year 2014 for the Federal Communications Commission.

SD–138

Daily Digest

HIGHLIGHTS

Senate passed H.R. 1911, Smarter Solution for Students Act, as amended.

The House passed H.R. 2397, Department of Defense Appropriations Act, 2014.

Senate

Chamber Action

Routine Proceedings, pages S5851–S5924

Measures Introduced: Thirteen bills were introduced, as follows: S. 1349–1361. **Page S5907**

Measures Reported:

S. 960, to foster stability in Syria, with amendments. (S. Rept. No. 113–79)

S. Res. 156, expressing the sense of the Senate on the 10-year anniversary of NATO Allied Command Transformation, with an amendment in the nature of a substitute and with an amended preamble.

S. 375, to require Senate candidates to file designations, statements, and reports in electronic form. **Page S5907**

Measures Passed:

Smarter Solutions for Students Act: By 81 yeas to 18 nays (Vote No. 185), Senate passed H.R. 1911, to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, by the order of the Senate of Tuesday, July 23, 2013, 60 Senators having voted in the affirmative, after taking action on the following amendments proposed thereto: **Pages S5863–94**

Adopted:

Harkin (for Manchin) Amendment No. 1773, to establish student loan interest rates. (A unanimous-consent agreement was reached providing that the requirement of a 60 affirmative vote threshold, be vitiated.) **Pages S5866, S5893–94**

Rejected:

By 46 yeas to 53 nays (Vote No. 183), Reed Amendment No. 1778 (to Amendment No. 1773), to provide for interest rate caps for certain Federal student loans. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S5870–74, S5891–92**

By 34 yeas to 65 nays (Vote No. 184), Sanders Amendment No. 1774 (to Amendment No. 1773), to provide a sunset date. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, the amendment was not agreed to.) **Pages S5866–70, S5892–93**

Patricia Clark Boston Air Route Traffic Control Center: Senate passed H.R. 1092, to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center''. **Page S5923**

Measures Considered:

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act—Agreement: Senate continued consideration of S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, taking action on the following amendments proposed thereto: **Pages S5856–63**

Adopted:

Portman Modified Amendment No. 1749, to prioritize certain projects under the bridges in critical corridors program. **Pages S5857–58**

Pending:

Murray (for Cardin) Amendment No. 1760, to require the Secretary of Transportation to submit to Congress a report relating to the condition of lane miles and highway bridge deck. **Pages S5858–61**

Coburn Amendment No. 1750, to prohibit funds from being directed to federal employees with unpaid Federal tax liability. **Page S5861**

Coburn Amendment No. 1751, to prohibit Federal funding of union activities by Federal employees. **Page S5861**

Coburn Amendment No. 1754, to prohibit Federal funds from being used to meet the matching requirements of other Federal Programs. **Pages S5861–63**

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m. on Thursday, July 25, 2013. **Page S5924**

Tennessee Wilderness Act—Bill Referral: A unanimous-consent agreement was reached providing that the Committee on Energy and Natural Resources be discharged from further consideration of S. 1294, to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, and the bill then be referred to the Committee on Agriculture, Nutrition, and Forestry. **Page S5923**

Nominations Received: Senate received the following nominations:

3 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, and Navy. **Page S5924**

Messages from the House: **Page S5901**

Measures Referred: **Page S5901**

Measures Placed on the Calendar: **Pages S5851–52, S5901**

Executive Communications: **Pages S5901–03**

Petitions and Memorials: **Pages S5903–07**

Executive Reports of Committees: **Page S5907**

Additional Cosponsors: **Pages S5907–08**

Statements on Introduced Bills/Resolutions: **Pages S5908–16**

Amendments Submitted: **Pages S5916–22**

Notices of Hearings/Meetings: **Page S5922**

Authorities for Committees to Meet: **Pages S5922–23**

Privileges of the Floor: **Page S5923**

Record Votes: Three record votes were taken today. (Total—185) **Pages S5892, S5894**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:22 p.m., until 9:30 a.m. on Thursday, July 25, 2013. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5924.)

Committee Meetings

(Committees not listed did not meet)

FHA SOLVENCY ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the "Federal Housing Administration (FHA) Solvency Act of 2013", after receiving testimony from Carol Galante, Assistant Secretary of Housing and Urban Development for Housing, and Federal Housing Administration Commissioner.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nomination of Mark E. Schaefer, of California, to be Assistant Secretary of Commerce for Oceans and Atmosphere, after the nominee, who was introduced by Senator Nelson, testified and answered questions in his own behalf.

CRUISE INDUSTRY OVERSIGHT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine cruise industry oversight, focusing on the need for a stronger focus on consumer protection, after receiving testimony from Rear Admiral Joseph Servidio, Assistant Commandant for Prevention Policy, United States Coast Guard, Department of Homeland Security; Ross A. Klein, Memorial University of Newfoundland, St. John's, Newfoundland, Canada; Mark Rosenker, Cruise Lines International Association, McLean, Virginia; and Gerald Cahill, Carnival Cruise Lines, and Adam M. Goldstein, Royal Caribbean International, both of Miami, Florida.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee announced the following subcommittee assignments:

Subcommittee on Energy: Senators Franken (Chair), Johnson (SD), Landrieu, Cantwell, Sanders, Stabenow, Udall (CO), Manchin, Heinrich, Baldwin, Risch, Heller, Flake, Alexander, Portman, and Hoeven.

Subcommittee on Public Lands, Forests, and Mining: Senators Manchin (Chair), Johnson (SD), Landrieu, Cantwell, Udall (CO), Franken, Schatz, Heinrich, Baldwin, Barrasso, Risch, Lee, Heller, Flake, Scott, Alexander, and Hoeven.

Subcommittee on National Parks: Senators Udall (CO) (Chair), Landrieu, Sanders, Stabenow, Schatz, Heinrich, Baldwin, Portman, Barrasso, Lee, Alexander, and Hoeven.

Subcommittee on Water and Power: Senators Schatz (Chair), Johnson (SD), Cantwell, Sanders, Stabenow, Manchin, Franken, Lee, Barrasso, Risch, Heller, Flake, and Scott.

Senators Wyden and Murkowski are ex officio members of each subcommittee.

TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine implementation of Moving Ahead for Progress in the 21st Century's (MAP–21) ''Transportation Infrastructure Finance and Innovation Act'' (TIFIA) program enhancements, after receiving testimony from Anthony Foxx, Secretary of Transportation; James Bass, Texas Department of Transportation Chief Financial Officer, Austin; Geoffrey S. Yarema, Nossaman LLP, and Arthur T. Leahy, Los Angeles County Metropolitan Transportation Authority, both of Los Angeles, California; Jim Roberts, Granite Construction Inc., Watsonville, California, on behalf of The Associated General Contractors of America; and DJ Gribbin, Macquarie Capital, New York, New York.

ECONOMIC REVITALIZATION

Committee on Environment and Public Works: Subcommittee on Superfund, Toxics and Environmental Health concluded a hearing to examine cleaning up and restoring communities for economic revitalization, after receiving testimony from Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency; Debbie O'Malley, Bernalillo County Commissioner, Albuquerque, New Mexico; Kendra Kenyon, Idaho Council of Governments, Garden City; and Geoff Anderson, Smart Growth America, Washington, D.C.

HEALTH INFORMATION TECHNOLOGY

Committee on Finance: Committee concluded a hearing to examine health information technology, focusing on using it to improve care, after receiving testimony from Janet M. Marchibroda, Bipartisan Policy Center, Washington, D.C.; John P. Glaser, Siemens Healthcare, Malvern, Pennsylvania; Marty Fattig, Nemaha County Hospital, Auburn, Nebraska; and Colin Banas, Virginia Commonwealth University Medical Center, Richmond.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Linda Thomas-Greenfield, of Louisiana, to be Assistant Secretary for African Affairs, who was introduced by Senators Schumer and Nelson, James F. Entwistle, of Virginia, to be Ambassador to the Federal Republic of Nigeria, Patricia Marie Haslach, of Oregon, to be Ambassador to the Federal Democratic Republic of Ethiopia, Stephanie Sanders Sullivan, of New York, to be Ambassador to the Republic of the Congo, Patrick Hubert Gaspard, of New York, to be Ambassador to the Republic of South Africa, who was introduced by Senator Schumer, and Reuben Earl Brigety, II, of Florida, to be Representative of the United States of America to the African Union, with the rank and status of Ambassador, all of the Department of State, after the nominees testified and answered questions in their own behalf.

REBALANCE TO ASIA

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine rebalance to Asia III, focusing on protecting the environment and ensuring food and water security in East Asia and the Pacific, after receiving testimony from Daniel A. Reifsnyder, Deputy Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs; Gregory Beck, Deputy Assistant Administrator for Asia, U.S. Agency for International Development; Carter Roberts, World Wildlife Fund, Washington, D.C.; and Elizabeth C. Economy, Council on Foreign Relations, New York, New York.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the nominations of Kent Yoshiho Hirozawa, of New York, and Nancy Jean Schiffer, of Maryland, both to be a Member of the National Labor Relations Board.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Cornelia T. L. Pillard, to be United States Circuit Judge for the District of Columbia Circuit, Landya B. McCafferty, to be United States District Judge for the District of New Hampshire, who was introduced by Senator Shaheen, Brian Morris, and Susan P. Watters, both to be a United States District Judge for the District of Montana, who were both introduced by Senator Baucus, and Jeffrey Alker Meyer, to be United States District Judge for the District of Connecticut, who was introduced by Senator Murphy, after the nominees testified and answered questions in their own behalf.

CLOSING GUANTANAMO

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Human Rights concluded a hearing to examine closing Guantanamo, focusing on the national security, fiscal, and human rights

implications, after receiving testimony from Representatives Adam Smith and Pompeo; Lieutenant Josh Fryday, United States Navy, Department of Defense; Major General Paul D. Eaton, USA (Ret.), Fox Island, Washington; Brigadier General Stephen N. Xenakis, USA (Ret.), Arlington, Virginia; and Frank J. Gaffney, Jr., Center for Security Policy, and Elisa Massimino, Human Rights First, both of Washington, D.C.

NOMINATIONS

Committee on Rules and Administration: Committee concluded a hearing to examine the nominations of Ann Miller Ravel, of California, and Lee E. Goodman, of Virginia, both to be a Member of the Federal Election Commission, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported the following business items:

S. 375, to require Senate candidates to file designations, statements, and reports in electronic form; and

The nomination of Davita Vance-Cooks, of Virginia, to be Public Printer, Government Printing Office.

IMPLEMENTATION OF THE AFFORDABLE CARE ACT

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine implementation of the ''Affordable Care Act'', focusing on understanding small business concerns, after receiving testimony from J. Mark Iwry, Senior Advisor to the Secretary of the Treasury, and Deputy Assistant Secretary for Retirement and Health Policy; Chiquita Brooks-LaSure, Deputy Director, Policy and Regulation, Center for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Meredith K. Olafson, Small Business Administration; Nancy Clark, Glen Group, Inc., North Conway, New Hampshire; Jim Houser, Hawthorne Auto Clinic, Portland, Oregon; Lawrence K. Katz, Dots Diner, Metairie, Louisiana; Jamal Lee, Breasia Studios, Laurel, Maryland; Kevin Settles, Bardenay Restaurant and Distillery, Boise, Idaho, on behalf of the National Restaurant Association; and William J. Dennis, Jr., National Federation of Independent Business, Washington, D.C.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the following business items:

S. 944, to amend title 38, United States Code, to require courses of education provided by public institutions of higher education that are approved for purposes of the All-Volunteer Force Educational Assistance Program and Post-9/11 Educational Assistance to charge veterans tuition and fees at the in-State tuition rate, with an amendment in the nature of a substitute;

S. 893, to provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans;

S. 572, to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes;

S. 373, to amend titles 10, 32, 37, and 38 of the United States Code, to add a definition of spouse for purposes of military personnel policies and military and veteran benefits that recognizes new State definitions of spouse, with an amendment in the nature of a substitute;

S. 287, to amend title 38, United States Code, to expand the definition of homeless veteran for purposes of benefits under the laws administered by the Secretary of Veterans Affairs, with an amendment in the nature of a substitute;

S. 131, to amend title 38, United States Code, to improve the reproductive assistance provided by the Department of Veterans Affairs to severely wounded, ill, or injured veterans and their spouses, with an amendment in the nature of a substitute;

S. 6, to reauthorize the VOW to Hire Heroes Act of 2011, to provide assistance to small businesses owned by veterans, to improve enforcement of employment and reemployment rights of members of the uniformed services, with an amendment in the nature of a substitute; and

S. 851, to amend title 38, United States Code, to extend to all veterans with a serious service-connected injury eligibility to participate in the family caregiver services program.

PAYDAY LOANS

Special Committee on Aging: Committee concluded a hearing to examine payday loans, after receiving testimony from David M. Silberman, Associate Director for Research, Markets, and Regulation, Consumer Financial Protection Bureau; Mark Pearce, Director, Division of Depositor and Consumer Protection, Federal Deposit Insurance Corporation; Eric E. Wright, Maine Bureau of Consumer Credit Protection, Augusta; Rebecca Borne, Center for Responsible Lending, and Richard Hunt, Consumer Bankers Association, both of Washington, D.C.; W. Dennis Shaul, Community Financial Services Association of America, Alexandria, Virginia; and Annette Smith, Rocklin, California.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 public bills, H.R. 2804–2821; and 5 resolutions, H.J. Res. 52–54; and H. Res. 316–317 were introduced. **Pages H5049–51**

Additional Cosponsors: **Pages H5051–52**

Report Filed: A report was filed today as follows: H.R. 1961, to amend title 46, United States Code, to extend the exemption from the fire-retardant materials construction requirement for vessels operating within the Boundary Line (H. Rept. 113–175). **Page H5049**

Speaker: Read a letter from the Speaker wherein he appointed Representative Webster to act as Speaker pro tempore for today. **Page H4981**

Recess: The House recessed at 11:01 a.m. and reconvened at 12 noon. **Page H4988**

Chaplain: The prayer was offered by the guest chaplain, Reverend John Reynolds, Volusia County Baptist Church, Orange City, Florida. **Page H4988**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Page H4988**

Member Resignation: Read a letter from Representative Jo Bonner, wherein he resigned as Representative for the First Congressional District of Alabama, effective 11:59 p.m., August 2, 2013. **Page H4988**

Coal Residuals Reuse and Management Act of 2013 and Energy Consumers Relief Act of 2013—Rule for Consideration: The House agreed to H. Res. 315, the rule that is providing for consideration of H.R. 2218, to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment and H.R. 1582, to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules that are estimated to cost more than $1 billion and will cause significant adverse effects to the economy, by a recorded vote of 232 ayes to 188 noes, Roll No. 400, after the previous question was ordered by a yea-and-nay vote of 224 yeas to 191 nays, Roll No. 399. **Pages H4995–H5002**

Department of Defense Appropriations Act, 2014: The House passed H.R. 2397, making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, by a yea-and-nay vote of 315 yeas to 109 nays, Roll No. 414. Consideration of the measure began yesterday, July 23rd. **Pages H5002–31**

Rejected the Frankel (FL) motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 192 ayes to 231 noes, Roll No. 413. **Pages H5029–30**

Agreed to:

LaMalfa amendment (No. 51 printed in H. Rept. 113–170) that was debated on July 23rd that provides that none of the funds made available in this act may be used to pay any fine assessed against a military installation by the California Air Resources Board (by a recorded vote of 235 ayes to 188 noes, Roll No. 402); **Page H5003**

Mulvaney amendment (No. 55 printed in H. Rept. 113–170) that was debated on July 23rd that reduces funds made available in the Overseas Contingency Operations budget by $3,546,000,000 to better correspond with the President's request. Protects all amounts made available for the National Guard and Reserve Component Equipment modernization shortfalls for homeland defense and emergency response (by a recorded vote of 215 ayes to 206 noes, Roll No. 403); **Pages H5003–04**

Walorski amendment (No. 62 printed in H. Rept. 113–170) that was debated on July 23rd that prohibits any funds made available by this Act from being used to transfer or release detainees from Guantanamo Bay to Yemen (by a recorded vote of 238 ayes to 185 noes, Roll No. 405); **Page H5005**

Bonamici amendment (No. 65 printed in H. Rept. 113–170) that was debated on July 23rd that prevents the retirement, divestment, transfer, or preparation to do so of C–23 aircraft used by the National Guard and to designate $34 million for the sustainment and operation of the C–23 aircraft in a viable state (by a recorded vote of 264 ayes to 154 noes, Roll No. 406); **Page H5006**

Brooks (AL) amendment (No. 72 printed in H. Rept. 113–170) that prohibits funds from this Act from being used to implement or execute any agreement with the Russian Federation concerning the missile defenses of the United States; **Pages H5011–12**

Speier amendment (No. 74 printed in H. Rept. 113–170) that provides funds to identify individuals who were separated from the military on the grounds of a disorder subsequent to reporting a sexual assault and, if appropriate, correcting their record; **Pages H5013–14**

Speier amendment (No. 75 printed in H. Rept. 113–170) that provides $10 million in additional funds to increase training for investigators to properly investigate sexual assault related offenses; **Pages H5014–15**

Radel amendment (No. 97 printed in H. Rept. 113–170) that prohibits the use of any funds with respect to military action in Syria to the extent such action would be inconsistent with the War Powers Resolution; **Pages H5015–17**

Massie amendment (No. 98 printed in H. Rept. 113–170) that provides that no funds made available by this Act may be used to fund military or paramilitary operations in Egypt; **Pages H5017–19**

Kilmer amendment (No. 67 printed in H. Rept. 113–170) that protects DoD civilians' security clearances (by a recorded vote of 277 ayes to 142 noes, Roll No. 407); **Pages H5006–07, H5019**

Terry amendment (No. 24 printed in H. Rept. 113–170) that was debated on July 23rd that increases Defense-wide O/M by $1 billion, while reducing funding in the Afghanistan Security Forces Fund by $2.6 billion. The reduction would be in order to give DoD more flexibility to offset civilian furloughs (agreed by unanimous consent to withdraw the earlier request for a recorded vote to the end that the amendment stand adopted in accordance with the previous voice vote thereon); and **Page H5027**

Pompeo amendment (No. 99 printed in H. Rept. 113–170) that ensures none of the funds may be used by the NSA to target a U.S. person or acquire and store the content of a U.S. person's communications, including phone calls and e-mails (by a recorded vote of 409 ayes to 12 noes, Roll No. 411). **Pages H5021–23, H5027–28**

Rejected:

Jones amendment (No. 48 printed in H. Rept. 113–170) that was debated on July 23rd that sought to restrict the use of funds approved by this Act from being used to carry out activities under the United States-Afghanistan Strategic Partnership Agreement, without being approved by Members of Congress (by a recorded vote of 177 ayes to 246 noes, Roll No. 401); **Pages H5002–03**

Stockman amendment (No. 60 printed in H. Rept. 113–170) that was debated on July 23rd that sought to prohibit participation by the People's Republic of China in joint U.S. military exercises (by a recorded vote of 137 ayes to 286 noes, Roll No. 404); **Pages H5004–05**

Nadler amendment (No. 69 printed in H. Rept. 113–170) that sought to prevent the further detention of Guantanamo Bay detainees that have already been cleared for release (by a recorded vote of 176 ayes to 242 noes, Roll No. 408); **Pages H5007–09, H5019–20**

Nadler amendment (No. 70 printed in H. Rept. 113–170) that sought to prevent further construction or expansion of existing facilities at Guantanamo Bay, Cuba (by a recorded vote of 187 ayes to 237 noes, Roll No. 409); **Pages H5009–10, H5020–21**

Schiff amendment (No. 73 printed in H. Rept. 113–170) that sought to prohibit funding the use of force pursuant to the Authorization for Use of Military Force (AUMF, PL 107–40) effective on December 31, 2014—concurrent with the end of our combat role in Afghanistan (by a recorded vote of 185 ayes to 236 noes, Roll No. 410); and **Pages H5012–13, H5021**

Amash amendment (No. 100 printed in H. Rept. 113–170) that sought to end authority for the blanket collection of records under the Patriot Act. Bars the NSA and other agencies from using Section 215 of the Patriot Act to collect records, including telephone call records, that pertain to persons who are not subject to an investigation under Section 215 (by a recorded vote of 205 ayes to 217 noes, Roll No. 412). **Pages H5023–27, H5028–29**

Withdrawn:

Pierluisi amendment (No. 71 printed in H. Rept. 113–170) that was offered and subsequently withdrawn that would have enabled the Department of Defense to respond to significant public safety hazards and fulfill its environmental restoration responsibilities under CERCLA by removing unexploded ordnance from the Northwest Peninsula of the island of Culebra in Puerto Rico, which is a formerly used defense site where U.S. Navy ship-to-shore bombing and weapons training occurred from 1903 until 1975. **Pages H5010–11**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H5031**

H. Res. 312, the rule providing for consideration of the bills (H.R. 2397) and (H.R. 2610) was agreed to yesterday, July 23rd.

Moment of Silence: The House observed a moment of silence in honor of Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police who were killed in the line of duty defending the Capitol against an intruder armed with a gun on July 24, 1998. **Page H5011**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, July 25th. **Page H5031**

Senate Message: Message received from the Senate today appears on page H5031.

Quorum Calls—Votes: Two yea-and-nay votes and 14 recorded votes developed during the proceedings of today and appear on pages H5000–01, H5001–02, H5002–03, H5003, H5003–04,

H5004–05, H5005, H5006, H5019, H5019–20, H5020–21, H5021, H5027–28, H5028, H5030 and H5031. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:55 p.m.

Committee Meetings

THE FUTURE OF THE CFTC: END-USER PERSPECTIVES

Committee On Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing entitled ''The Future of the CFTC: End-User Perspectives''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURE

Committee on Appropriations: Full Committee held a markup on State and Foreign Operations, and Related Programs Appropriations Bill, FY 2014. The bill was ordered reported, as amended.

REBALANCING TO THE ASIA/PACIFIC REGION AND IMPLICATIONS FOR U.S. NATIONAL SECURITY

Committee on Armed Services: Full Committee held a hearing entitled ''Rebalancing to the Asia-Pacific Region and Implications for U.S. National Security''. Testimony was heard from public witnesses.

WOMEN IN SERVICE REVIEWS

Committee on Armed Services: Subcommittee on Military Personnel held a hearing entitled ''Women in Service Reviews''. Testimony was heard from Juliet Beyler, Director, Office and Enlisted Personnel Management, Department of Defense; Lieutenant General Gina M. Grosso, Director of Force Management Policy, Deputy Chief of Staff for Manpower, Personnel and Services, United States Air Force; Lieutenant General Robert E. Milstead, Jr., Deputy Commandant, Manpower and Reserve Affairs, United States Marine Corps; and Rear Admiral Barbara Sweredoski, Reserve Deputy, Military Personnel Plans and Policy, United States Navy.

MISCELLANEOUS MEASURE

Committee on Education and the Workforce: Full Committee held a markup on H.R. 2637, the ''Supporting Academic Freedom through Regulatory Relief Act''. The bill was ordered reported, as amended.

OVERVIEW OF THE RENEWABLE FUEL STANDARD: STAKEHOLDER PERSPECTIVES

Committee on Energy and Commerce: Subcommittee on Energy and Power concluded a hearing entitled ''Overview of the Renewable Fuel Standard: Stakeholder Perspectives''. Testimony was heard from public witnesses.

DEPARTMENT OF ENERGY OVERSIGHT: WHAT IS NECESSARY TO IMPROVE PROJECT MANAGEMENT AND MISSION PERFORMANCE?

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Department of Energy Oversight: What is Necessary to Improve Project Management and Mission Performance?''. Testimony was heard from Daniel B. Poneman, Deputy Secretary, Department of Energy; Gregory H. Friedman, Inspector General, Department of Energy; and David C. Trimble, Director, National Resources and Environment Team, Government Accountability Office.

U.S.-E.U. FREE TRADE AGREEMENT: TIPPING OVER THE REGULATORY BARRIERS

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled ''The U.S.-E.U. Free Trade Agreement: Tipping Over the Regulatory Barriers''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Subcommittee on Communications and Technology began a markup on the ''Federal Communications Commission Process Reform Act of 2013''; and the ''Federal Communications Commission Consolidated Reporting Act of 2013''.

MISCELLANEOUS MEASURE

Committee on Financial Services: Full Committee concluded markup on H.R. 2767, the ''Protecting American Taxpayers and Homeowners Act of 2013''. The bill was ordered reported, as amended.

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Full Committee concluded markup on the following: H.R. 1409 to amend the Export Enhancement Act of 1988 to further enhance the promotion of exports of United States goods and services, and for other purposes; H.R. 1926, to further enhance the promotion of exports of United States goods and services, and for other purposes; and H.R. 2449, to authorize the President to extend the term of the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Korea Concerning Civil Uses of Nuclear Energy for a period not to exceed March 19, 2016; and S. 793, to support revitalization and reform of the Organization of American States, and for other

purposes. The following bill was ordered reported, without amendment: H.R. 2449. The following bills were ordered reported, as amended: H.R. 1409; H.R. 1926; and S. 793.

MISCELLANEOUS MEASURES

Committee on Homeland Security: Subcommittee on Transportation Security held a markup on H.R. 1204, the "Aviation Security Stakeholder Participation Act of 2013"; H.R. 2719, the "Transportation Security Acquisition Reform Act". The following bills were forwarded, as amended: H.R. 1204; and H.R. 2719.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on H.R. 1493, the "Sunshine for Regulatory Decrees and Settlements Act of 2013"; and H.R. 2122, the "Regulatory Accountability Act of 2013". The following bills were ordered reported, without amendment: H.R. 1493; and H.R. 2122.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on the following: H.R. 555, the "BLM Live Internet Auctions Act; H.R. 586, the "Denali National Park Improvement Act"; H.R. 638, the "National Wildlife Refuge Review Act of 2013"; H.R. 1394, the "Planning for American Energy Act of 2013"; H.R. 1410, the "Keep the Promise Act of 2013"; H.R. 1459, the "Ensuring Public Involvement in the Creation of National Monuments Act"; H.R. 1513, to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station and certain land along Plum Run in Cumberland Township, to limit the means by which property within such revised boundaries may be acquired, and for other purposes; H.R. 1965, the "Federal Lands Jobs and Energy Security Act"; H.R. 2197, the "York River Wild and Scenic River Study Act of 2013"; H.R. 2337, the "Lake Hill Administrative Site Affordable Housing Act"; H.R. 2640, the "Central Oregon Jobs and Water Security Act"; S. 130, the "Powell Shooting Range Land Conveyance Act"; S. 157, the "Denali National Park Improvement Act"; S. 304, the "Natchez Trace Parkway Land Conveyance Act of 2013"; S. 459, the "Minuteman Missile National Historic Site Boundary Modification Act". The following bills were ordered reported, without amendment: H.R. 555; H.R. 586; H.R. 638; H.R. 1394; H.R. 1410; H.R. 1459; H.R. 1513; H.R. 2197; H.R. 2337; H.R. 2640; S. 130; S. 157; S. 304; and S. 459. The following bill was ordered reported, as amended: H.R. 1965.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a markup on the following: H.R. 2711, the "Citizen Empowerment Act"; H.R. 1541, the "Common Sense in Compensation Act"; H.R. 1660, the "Government Customer Service Improvement Act of 2013"; H.R. 2579, the "Government Employee Accountability Act"; H.R. 899, the "Unfunded Mandates Information and Transparency Act of 2013"; H.R. 1423, the "Taxpayers Right-To-Know Act"; and H.R. 2748, the "Postal Reform Act of 2013". The following bills were ordered reported, as amended: H.R. 2748; H.R. 1541; H.R. 2579; H.R. 1423; H.R. 2711; H.R. 1660. The following bill was ordered reported, without amendment: H.R. 899.

LESSONS LEARNED: EPA'S INVESTIGATIONS OF HYDRAULIC FRACTURING

Committee on Science, Space, And Technology: Subcommittee on Environment; and Subcommittee on Energy held a hearing entitled "Lessons Learned: EPA's Investigations of Hydraulic Fracturing". Testimony was heard from Fred Hauchman, Director, Office of Science Policy, Office of Research and Development, Environmental Protection Agency; David A. Dzombak, Chair, Environmental Protection Agency, Science Advisory Board, Hydraulic Fracturing Research Advisory Panel; John Rogers, Associate Director, Oil and Gas, Division of Oil and Gas, and Mining, Utah Department of Natural Resources; and a public witness.

IMPROVING TECHNOLOGY TRANSFER AT UNIVERSITIES, RESEARCH INSTITUTES AND NATIONAL LABORATORIES

Committee on Science, Space, And Technology: Subcommittee on Research and Technology held a hearing entitled "Improving Technology Transfer at Universities, Research Institutes and National Laboratories". Testimony was heard from public witnesses.

REDUCING RED TAPE: THE NEW OIRA ADMINISTRATOR'S PERSPECTIVE

Committee on Small Business: Full Committee held a hearing entitled "Reducing Red Tape: The New OIRA Administrator's Perspective". Testimony was heard from Howard Shelanski, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

Joint Meetings

AMERICA'S CRUMBLING INFRASTRUCTURE

Joint Economic Committee: Committee concluded a hearing to examine America's crumbling infrastructure, and how to fix it, after receiving testimony from former Pennsylvania Governor Edward G. Rendell, Building America's Future, Robert Puentes, Brookings Institution, and Chris Edwards, Cato Institute, all of Washington, D.C.; and Robert W. Poole, Jr., Reason Foundation, Los Angeles, California.

COMMITTEE MEETINGS FOR THURSDAY, JULY 25, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: business meeting to consider the nominations of Krysta L. Harden, of Georgia, to be Deputy Secretary, and Robert Bonnie, of Virginia, to be Under Secretary Natural Resources and Environment, both of the Department of Agriculture, Time to be announced, Room to be announced.

Committee on Appropriations: business meeting to markup proposed legislation making appropriations for fiscal year 2014 for State, Foreign Operations, and Related Programs and Financial Services and General Government, 10 a.m., SD–106.

Committee on Armed Services: to hold hearings to examine the nominations of Stephen Woolman Preston, of the District of Columbia, to be General Counsel, Jon T. Rymer, of Tennessee, to be Inspector General, Susan J. Rabern, of Kansas, to be Assistant Secretary of the Navy for Financial Management and Comptroller, and Dennis V. McGinn, of Maryland, to be Assistant Secretary of the Navy for Energy, Installations, and Environment, all of the Department of Defense, 9:30 a.m., SH–216.

Committee on Commerce, Science, and Transportation: Subcommittee on Communications, Technology, and the Internet, to hold hearings to examine the state of wireline communications, 10:15 a.m., SR–253.

Full Committee, to hold hearings to examine improving cyber security, focusing on the partnership between National Institute of Standards and Technology (NIST) and the private sector, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine supplemental funding options to support the National Park Service's efforts to address deferred maintenance and operational needs, 9:30 a.m., SD–366.

Subcommittee on Water and Power, to hold hearings to examine the issues associated with aging water resource infrastructure in the United States, 2:30 p.m., SD–366.

Committee on Finance: business meeting to consider the nominations of Michael B. Thornton, of Virginia, and Joseph W. Nega, of Illinois, both to be a Judge of the United States Tax Court, and F. Scott Kieff, of Illinois, to be a Member of the United States International Trade Commission, Time to be announced, Room to be announced.

Committee on Foreign Relations: to hold hearings to examine the crisis in Egypt, 10:30 a.m., SD–419.

Full Committee, to hold hearings to examine the nominations of David D. Pearce, of Virginia, to be Ambassador to Greece, John B. Emerson, of California, to be Ambassador to the Federal Republic of Germany, John Rufus Gifford, of Massachusetts, to be Ambassador to Denmark, Denise Campbell Bauer, of California, to be Ambassador to Belgium, and James Costos, of California, to be Ambassador to Spain and to serve concurrently and without additional compensation as Ambassador to Andorra, all of the Department of State, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nomination of Alejandro Nicholas Mayorkas, of the District of Columbia, to be Deputy Secretary of Homeland Security, 11 a.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 987, to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, and the nominations of Patricia Ann Millett, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, Gregory Howard Woods, to be United States District Judge for the Southern District of New York, Elizabeth A. Wolford, to be United States District Judge for the Western District of New York, and Debra M. Brown, to be United States District Judge for the Northern District of Mississippi, 9:30 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Armed Services, Subcommittee on Seapower and Projection Forces, hearing entitled "Acquisition and Development Challenges Associated with the Littoral Combat Ship", 9:30 a.m., 2212 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, markup on the "Federal Communications Commission Process Reform Act of 2013"; and the "Federal Communications Commission Consolidated Reporting Act of 2013", 9 a.m., 2123 Rayburn.

Committee on Foreign Affairs, Subcommittee on Europe, Eurasia, and Emerging Threats, hearing entitled "Emerging Threat of Resource Wars", 10 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Courts, Intellectual Property and the Internet, hearing entitled "Innovation in America: The Role of Copyrights", 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, hearing on the "Protecting States' Rights to Promote American Energy Security Act", 9:30 a.m., 1334 Longworth.

Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, hearing on H.R. 358, the "Strategic Response to Asian Carp Invasion Act"; H.R. 709, the "Upper Mississippi Conservation and River Protection Act of 2013";

H.R. 1818, the ''Polar Bear Conservation and Fairness Act of 2013''; H.R. 2158, the ''Expedited Departure of Certain Snake Species Act''; and H.R. 2463, the ''Target Practice and Marksmanship Training Support Act'', 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Government Operations, hearing entitled ''Data Centers and the Cloud, Part II: The Federal Government's Take on Optimizing New Information Technologies Opportunities to Save Taxpayers Money'', 9:30 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Energy, hearing entitled ''The Future of Coal: Utilizing America's Abundant Energy Resources'', 9:30 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Investigation, Oversight and Regulations, hearing entitled ''Examining the Small Business Investment Company Program'', 10 a.m., 2360 Rayburn.

House Permanent Select Committee on Intelligence, Full Committee, hearing entitled ''Ongoing Intelligence Activities'', 9 a.m., HVC–304.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine improving cyber security, focusing on the partnership between National Institute of Standards and Technology (NIST) and the private sector, 2:30 p.m., SR–253.

Next Meeting of the SENATE

9:30 a.m., Thursday, July 25

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will continue consideration of S. 1243, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, July 25

House Chamber

Program for Thursday: Consideration of H.R. 2218—Coal Residuals Reuse and Management Act of 2013 (Subject to a Rule) and H.R. 1582—Energy Consumers Relief Act of 2013 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Barletta, Lou, Pa., E1130
Blumenauer, Earl, Ore., E1127
Boehner, John A., Ohio, E1121
Coffman, Mike, Colo., E1125, E1126, E1126, E1128
Cole, Tom, Okla., E1126
Cotton, Tom, Ark., E1121
Crenshaw, Ander, Fla., E1123
Davis, Susan A., Calif., E1130
Edwards, Donna F., Md., E1128
Eshoo, Anna G., Calif., E1127
Esty, Elizabeth H., Conn., E1123, E1124
Farr, Sam, Calif., E1122
Fitzpatrick, Michael G., Pa., E1121
Foxx, Virginia, N.C., E1130
Gingrey, Phil, Ga., E1123
Guthrie, Brett, Ky., E1122
Hahn, Janice, Calif., E1127
Hastings, Alcee L., Fla., E1125
Kuster, Ann M., N.H., E1125
McClintock, Tom, Calif., E1121
Miller, Jeff, Fla., E1129
Nunes, Devin, Calif., E1124
Pascrell, Bill, Jr., N.J., E1130
Pittenger, Robert, N.C., E1122
Poe, Ted, Tex., E1126
Reed, Tom, N.Y., E1125, E1126
Ryan, Paul, Wisc., E1127
Serrano, José E., N.Y., E1126
Sherman, Brad, Calif., E1130
Terry, Lee, Nebr., E1129
Thompson, Bennie G., Miss., E1124, E1128
Van Hollen, Chris, Md., E1123
Wolf, Frank R., Va., E1126
Young, Todd C., Ind., E1121, E1122

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office, at *www.fdsys.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.