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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 31, 2013.

I hereby appoint the Honorable JOSEPH HECK 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.

PANCREATIC CANCER AND BETSY KAPLAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to support cancer victims and also to honor a valiant leader in our community who turns 86 on August 12—Betsy Kaplan.

I will start by asking all of us to support the patients, the families, and victims of a special type of cancer—pancreatic cancer. Pancreatic cancer is the deadliest of all forms of cancer with a 5-year survival rate of just 6 percent. In 2013 alone, pancreatic cancer will affect 45,000 patients—73 percent of whom will die within 1 year of diagnosis. In my home State of Florida, it is estimated that out of the 3,380 new cases, 2,770 people will die from this terrible disease.

Last year, I was proud to help pass the Recalcitrant Cancer Research Act, a bill designed to turn around these horrible statistics. Mr. Speaker, we must continue to make survival from pancreatic cancer a priority, and I urge my colleagues to stand with us in this fight.

A south Floridian who is involved in many worthwhile causes, whether they are related to improving the lives of others or fighting for better treatment for the disabled, is Betsy Kaplan. Betsy is a retired school board member from Miami-Dade County Public Schools. She served there for 16 years and has been recognized in our community for her notable achievements and contributions fostering arts education and student guidance in our public schools.

With an unprecedented 47 years of professional experience in the education field, Betsy retired with many honors from her teaching career to spearheading the adoption of the tobacco-free schools policy and advocating for educational programs that cater to special needs students.

A decorated award winner, Betsy has received numerous honors ranging from the Florida School Board's President's Award to being recognized as a Woman of Impact by the Community Coalition for Women's History. Most recently, Betsy received the Breaking the Glass Ceiling Award from the Jewish Museum of Florida at Florida International University.

It is thanks to Betsy that the Miami-Dade school district is known as an outstanding model of public arts education in the Nation.

As a former Florida certified teacher, I recognize Betsy's commitment to ensuring that our students get the quality education they deserve, and I thank Betsy for her exceptional efforts in creating opportunities for students to learn, to grow, and to succeed in their educational, social, and professional lives.

So congratulations to Betsy Kaplan, and let us all keep up the fight to beat all types of cancer, especially pancreatic cancer.

INFRASTRUCTURE FUNDING

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

Mr. BLUMENAUER. Mr. Speaker, in a few minutes, we will be meeting with President Obama here in the Capitol. While I appreciate the President's commitment to the economy, and I do believe he is passionate about renewing and rebuilding America, there is a certain irony to having the conversation today, because this is the very same day the House is supposed to be completing its work on a woefully inadequate budget bill to fund Transportation, Housing and Urban Development.

By insisting on an increase in defense spending and approving a budget target that is unrealistically low and freezing in the sequestration, we are seeing budgets that bear no relationship to reality: $44.1 billion in transportation discretionary appropriations, down 15 percent from the authorized level. It makes no attempt to deal with the looming collapse of the highway trust fund; it slashes Amtrak a third below the current level—hardly responsible.

Many of the budget reductions in the housing programs and the Community Development Block Grants are even worse. We began those deliberations on the same day the American Society for Civil Engineers released their report card on the state of America's infrastructure. The grade was D-plus. It was

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only that high because we have increased some private investment, some local government funding and, of course, the reviled stimulus funding that helped reduce some of the more egregious shortfalls while putting people to work.

It is ironic that some of the rationale for some of this bizarre budget behavior, which, thankfully, will never be enacted into law, is the need to save taxpayer money and reduce deficits.

In reality, if this budget were approved, it would actually end up costing American taxpayers more. Families will earn even less if we continue this funding level for infrastructure that is inadequate. There will be hundreds of millions of hours of time lost as people are stuck in traffic, and the number of miles of congestion increased over 30 percent. Of course, our businesses will pay almost a half trillion dollars more in transportation costs and repair while business will be underperforming, and that will cost money too.

The path forward is clear. We should provide increased funding for transportation and infrastructure. The gas tax has not been increased in 20 years, which, incidentally, was the last time we had balanced budgets. This is the quickest way to get the new revenues that many feel are necessary to be part of any rational, long-term grand budget agreement and tax reform.

It would be supported by a wide array of business, labor, environmental groups, and local government. Indeed, there is a vast coalition that is saying, tax me so I can do my job better and we can revitalize America's communities and our sagging economy.

It is no longer acceptable for us to talk past one another. By dealing boldly with the infrastructure crisis in the context of realistic budgets and meaningful tax reform, we can put Americans back to work. We can break the logjam here on Capitol Hill. We can strengthen the economy while we make our communities more livable and our families safer, healthier, and more economically secure.

TENTH UNANSWERED BENGHAZI QUESTION

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

Mr. WOLF. Mr. Speaker, over the last 2 weeks, I raised a series of questions focusing on the attack on the U.S. consulate in Benghazi, as well as Washington's response, or lack thereof.

To date, little is known why Ambassador Stevens was in the U.S. consulate in the days leading up to the anniversary of 9/11. Even less known is about the other American facility in Benghazi: the CIA annex. When was the annex established? How many people worked at the annex? Of these, how many were direct agency employees and how many were contractors? What was the ratio of CIA staff to security contractors? Why was there a facility operated by the CIA in Benghazi? Perhaps it was established to assist in U.S. efforts to secure weapons in the wake of the Libyan revolution.

As early as 2011, National Journal reported:

> The U.S. is also planning to ramp up spending to help Libya's interim government secure and destroy the shoulder-fired surface-to-air missiles and weapons looted from Qadhafi's stockpiles. A senior State Department official said Clinton will tell Libyan leaders that the U.S. contribution to these efforts will go up to $40 million.

The same article noted:

> The U.S. has already spent nearly $6 million on its conventional weapons disposal efforts, sending a quick reaction force of weapons experts to Libya by October 2011.

If, indeed, the facility in Benghazi was involved in the collection of these weapons, where are they? The $40 million promised by Secretary Clinton would buy a very large quantity of weapons. Were they shipped out of Benghazi? Are they in warehouses on U.S. soil? Are they in other allied countries? Or did they end up elsewhere?

There has been speculation that some of these weapons may have ended up in Syria.

It is particularly noteworthy that during the same time period that the U.S. engaged in collecting weapons in Libya, respected national security reporter Mark Hosenball wrote on August 1, 2012:

> President Barack Obama has signed a secret order authorizing U.S. support for rebels seeking to depose Syrian President Bashar al-Assad and his government, U.S. sources familiar with the matter said. Obama's order, approved earlier this year and known as an intelligence ''finding,'' broadly permits the CIA and other U.S. agencies to provide support that could help the rebels oust Assad.

The article continued:

> The White House is for now apparently stopping short of giving the rebels lethal weapons, even as some U.S. allies do just that, and precisely when Obama signed the secret intelligence authorization, an action not previously reported, could not be determined.

However, Hosenball also reported this important information:

> A U.S. Government source acknowledged that under provisions of the Presidential finding, the United States was collaborating with a secret command center operated by Turkey and its allies, and NBC said the shoulder-fired missiles, also known as MANPADS, had been delivered to the rebels via Turkey.

Is it possible that the President's intelligence finding included an authorization for the weapons collected in Libya to be transferred to Syrian rebels? Was the CIA annex being used to facilitate these transfers? If so, how did the weapons physically move from Libya to Syria? By plane? By ship?

And, again, I ask, if these weapons were not being transferred to other countries like Syria, where exactly did they end up? Was the CIA annex being used as a logistics center to track and transfer these weapons? Was Ambassador Stevens' visit to the CIA annex on September 10 associated with these operations? And if these activities were taking place, was this consistent with the President's intelligence finding? Was the Congress notified?

Mr. Speaker, I raise these questions knowing that CIA operations anywhere are sensitive and there is an appropriate time and place for the discussions. However, I don't think the American people will ever learn the truth about what happened that night and why—including the questionable U.S. response—unless they understand what exactly was taking place at the annex.

That is why I continue to believe that a House select committee is the most appropriate path forward to investigate this and many other unanswered questions about Benghazi.

□ 1015

IN HONOR OF JAMES WATTS

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

Mr. SCHIFF. Mr. Speaker, I rise, along with my colleague Representative STEVEN PALAZZO, to honor James Watts for his many years of service to community and country.

Born in 1919 in McComb, Mississippi, Mr. Watts has dedicated his career to public service. His children and stepchildren have followed in their parents' footsteps and have been leaders in their own right throughout the United States.

During World War II, Mr. Watts defended his country by tracking German submarines as a member of the United States Coast Guard. Later, in civilian life, he would go on to hold executive board positions in both the Boy Scouts of America and the Girl Scouts of America organizations.

Mr. Watts' passion for volunteerism speaks volumes about his character. While he lived in Grand Junction, Colorado, he volunteered as an EMT and then as a paramedic for what is now St. Mary's Hospital and Regional Medical Center in Grand Junction, Colorado. Upon relocation to Gulfport, Mississippi, Mr. Watts taught CPR and first aid for the American Red Cross and various organizations around the country—a testament to his devotion to the well-being of the communities he has lived in and visited.

Perhaps one of his biggest accomplishments was in 1956 while he worked for the Atomic Energy Commission. As a mine safety engineer in New Mexico, Mr. Watts noticed a uranium boomtown of more than 10,000 residents who were living without access to a local hospital for emergency services. With ambition and selflessness, he took it upon himself to spearhead organizational efforts for the creation of the Cibola General Hospital, which has been committed to serving the medical

needs of the community since 1959. Ever since, patients continue to be saved; the critically ill continue to be treated; and the 24-hour emergency care is still available to the community.

Now at 94 years old, Mr. Watts resides with his wife, Barbara, in Gulfport, Mississippi. Although he is retired, the organizations and community projects developed under his leadership are still in operation today. I believe Mr. Watts' life is a great example of generosity and devotion to the greater good of society. We can all learn from Mr. Watts' inspiring story of public service, and I join my colleague in recognizing and in thanking Mr. Watts for his life of service.

We wish him, his wife, Barbara, and their children—Susan, Rick, who is here with us in the gallery, Jane, Danette, and Paul—all of the best in their future endeavors, and we thank them for continuing their father's legacy of noble service to the community.

The SPEAKER pro tempore. The Chair would remind Members to refrain from referring to occupants of the gallery.

GOVERNMENT WASTE

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

Mr. FITZPATRICK. Mr. Speaker, I rise this morning in strong support of the eight bills before the House today or, more importantly, in support of what they represent, which is commonsense government reform.

As a Representative of the hardworking taxpayers in southeastern Pennsylvania, it is my duty to make sure that they are getting value for every dollar that they send to the Nation's Capital. Right now, our Federal Government seems to find better ways to waste money than to save it. The culture of systemic waste, abuse, and lack of accountability needs to end.

We have the opportunity this week. We can vote to streamline the Federal Government to make it work for the American taxpayer. The Stop Government Abuse legislative package being considered today works to rein in widespread waste and inefficiency throughout Washington. These bills represent commonsense, bipartisan solutions that actually solve problems.

After this week, Members will leave for a month to head back to our districts. Many of us are going to be attending events and hosting town halls to facilitate conversations with our constituents. I am eager to report to them that, despite our differences, this body was able to come together to support so many commonsense reforms. So I urge my colleagues to support the bills being considered here and to vote to begin restoring faith in government.

END HUNGER NOW

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

Mr. MCGOVERN. Madam Speaker, for the 20th time this Congress, I stand here to talk about how we can end hunger now. Hunger is a political condition. We have the food; we have the means; and we have the systems to end hunger now. We know how to do it. We just don't have the political will to make it happen, but that wasn't always the case.

In the late 1960s, America began seriously to confront its poverty problem. President Johnson fought the war on poverty, and his programs, including Medicare, Medicaid, and title I education programs—just to name a few—started to combat the poverty and inequality that were rampant across many parts of this country. President Nixon followed in his footsteps by hosting the first and only White House Conference on Food, Nutrition, and Health, a conference that focused on hunger in America.

The result of that conference was a precipitous drop in the number of hungry people in America. Contrary to Budget Committee Chairman PAUL RYAN's belief, the antipoverty programs from the Johnson administration and the antihunger programs created by the Nixon administration worked. In fact, hunger and poverty would be much worse today if it weren't for these programs.

The truth is we almost eradicated hunger in America thanks to a strengthened food stamp program and the creation of the WIC program in the 1970s, but those gains were erased and hunger increased because of the policies of Ronald Reagan. Since then, we've seen food stamp usage increase during every single administration. We can and we must do better.

One of the highlights of the effort that nearly ended hunger in America in the 1970s was the WIC program, formally titled the Special Supplemental Nutrition Program for Women, Infants, and Children. WIC is an innovative program that provides nutritious food and food counseling for pregnant women, nursing mothers, infants, and children under the age of 5.

Why is this program so critical?

Madam Speaker, prenatal enrollment in WIC is associated with lower infant mortality, in fewer premature births, and in a lower likelihood that infants will have very low or low birth weights; and because an infant's medical costs increase tenfold if he is of low birth weight, every dollar invested in WIC yields between $1.90 and up to $4.20 in Medicaid savings. This is literally about improving the physical well-being of developing children. This program affects these participants for the entirety of their lives. It's just that important, and it's critical that we get it right.

But, unlike SNAP, WIC is a discretionary program. This means that it is subject to the appropriations process; and in this time of budgetary austerity, WIC was included in the across-the-board cuts to defense and non-defense discretionary programs under the sequester. SNAP was excluded because it's an entitlement like Social Security and Medicare, but WIC was included in the sequester because it is not an entitlement.

As if the cuts in sequester were not bad enough, the House Agriculture appropriations bill now cuts the program even further by more than $500 million. The 7.3 percent cut to WIC in this bill could result in over 200,000 pregnant mothers and infants losing nutritious food. Even factoring in the reserve fund, 55,000 moms and kids will go without the nutrition that they need. It is sad that the Republican-controlled House of Representatives is cutting vital health and development programs for pregnant and nursing mothers and their very young children while at the same time they've found billions of dollars to send overseas in a wasteful war in Afghanistan.

Madam Speaker, during my series of End Hunger Now speeches, there has been one unifying theme that, I believe, puts us on the path to end hunger now. That theme is Presidential leadership. We need Presidential leadership to end hunger now. The last White House Conference on Food, Nutrition, and Health nearly ended hunger in America. I know that we can do even better if President Obama would convene such a conference. With a White House conference on food and nutrition, we could focus on ways to reduce hunger and obesity in smart, not arbitrary ways. We could figure out how to treat hunger and obesity as health issues while we work on ways to properly attack these scourges.

Madam Speaker, we desperately need Presidential leadership. We need a comprehensive plan. We need the political will. We need a White House conference on food and nutrition. I urge the President to act now.

THE FACE OF A HERO

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

Mr. HECK of Nevada. Madam Speaker, I come to the floor today with a heavy heart to pay my respects and to bid a solemn farewell to Las Vegas Metropolitan Police Officer David Vanbuskirk. Officer Vanbuskirk was killed in the line of duty on Tuesday, July 23 while participating in a rescue mission outside of Las Vegas. He was 36 years old.

To me, Dave was more than a constituent, and he was more than a public servant. He was one of my medics and a teammate. You see, prior to coming to Congress, I was a member of the LVMPD Search and Rescue team and the department's medical director.

A 13-year veteran of the department and one of only seven commissioned search and rescue officers on this elite force, Officer Vanbuskirk was called

into action on the night of the 22nd to rescue a hiker who was stranded on a rocky ledge above Mary Jane Falls on Mount Charleston. Once he reached the stranded hiker via helicopter, Officer Vanbuskirk secured the man and himself with harnesses to be lifted back into the helicopter. It was at some point during the lift that Officer Vanbuskirk became detached from the harness and fell to the ground below.

The hiker survived. He was saved by the heroic actions of Officer Vanbuskirk.

David's career with the department was marked by many accomplishments, but the notable achievements he would want us to remember cannot be hung on a wall or pinned on a uniform. These achievements can be summed up this way: David Vanbuskirk answered the call when people needed him. This is a man who, when the call came out to rescue a hiker stranded high on Mount Charleston, did not think of himself or of the danger he would be putting himself in. Like so many times before, he climbed into the helicopter and thought only of the person to be rescued, of the life to be saved.

Of course, answering calls like this are what David and the rest of the Las Vegas Search and Rescue team do. The work our law enforcement and search and rescue officers do around the valley and around our Nation to keep our communities safe is dangerous work, and this tragedy is a somber reminder that they put their lives on the line every time they are on duty, every time they answer that call.

Dave's personal courage and selfless dedication to his work and the community he served epitomized the very core of those in the public safety professions—of those who run towards the sound of gunfire or run into a burning building while everybody else is running away.

I remember when Dave first joined the unit. He was ambitious, motivated, professional—and he was always smiling. And he was smart—one of the brightest with whom I've ever had the opportunity to serve. He was always looking to learn more about search and rescue techniques and about emergency medical care.

We spent long hours together on SWAT missions, sitting in the cab of our rescue vehicle or on the rock during training exercises, and he was always asking questions. He was the proverbial sponge for knowledge. It was always, ''Hey, Doc. What about 'this' or 'that'?'' or ''Hey, Doc. What 'if'?'' He always put others first, and nowhere is that more evident than in how he spent his final hours—in the dark of night, with the search and rescue team, finding someone who needed help.

Madam Speaker, I think we use the word ''hero'' so often to describe athletes or celebrities or public figures that we sometimes forget what a real hero looks like. One only needs to look to my left. David Vanbuskirk was a hero, and that was evident by those who eulogized him this past Monday in the outpouring of public support, by the thousands who lined the funeral procession route and attended his services. He touched many hearts in his short time on this Earth, and stories about how he helped so many brought tears to the eyes of everyone who filled the church, even to the toughest cops in attendance.

While the Las Vegas search and rescue community, the metro police family, his friends, family members, wife, and all who knew him mourn his loss, we also celebrate Officer David Vanbuskirk's 13-year career of answering the call to serve the residents of Clark County. He is survived by his wife of 11 years, Adrianna; by his mother, Pat; by his sister, Jennifer; and her two sons, Reid and Griffin.

I extend my most heartfelt condolences to Adrianna and the Vanbuskirk family, and I pray they will be strengthened by friends and family during this difficult time.

Police Officer David Vanbuskirk, P No. 6482. Secure. Final.

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 10 o'clock and 29 minutes 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

Imam Talib Shareef, Masjid Muhammad, Washington, D.C., offered the following prayer:

Almighty God, the Merciful, the Wise, the Most High, the Possessor of Greatness, we stand and humbly beseech Your Divine Providence upon this House of Representatives.

Grant them clear vision and legislative acumen as they navigate the waters of our national issues. Grant them insight and wisdom, and bless them to follow the logic to its logical conclusion. Grant them the quality of excellence in planning both short and long term that focuses on the right thing, the right way, at the right time.

As we pledge ''one Nation under God, indivisible, with liberty and justice for all'' in acknowledging You, God, who created us all and cares about us all equally, bless this House to be reflective of E pluribus unum—the many diverse, wonderful, beautiful expressions of human life that have contributed to the beauty and strength of America; and bless them to have always the right perception of our Nation that, first of all, this Nation is a gift from You, and under You, God, we are responsible for how we treat everything.

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.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Virginia (Mr. WITTMAN) come forward and lead the House in the Pledge of Allegiance.

Mr. WITTMAN 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.

WELCOMING IMAM TALIB SHAREEF

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

There was no objection.

Mr. ELLISON. Mr. Speaker, it is my distinct honor, privilege, and pleasure to introduce Imam Talib Shareef today, who is the resident imam—which is simply a word that means ''leader''—of Masjid Muhammad, which is a Washington, D.C., mosque with a 75-year history.

Imam Talib Shareef is a 30-year veteran of the United States Air Force, and he served our country nobly in uniform for many years. He also holds a master's in business administration from the American InterContinental University and a diploma in the area of Arabic studies and language from the Defense Language Institute Foreign Language Center. I might also add that the imam is a leader in the interfaith movement and regularly works with faith leaders of all faiths, building understanding, cohesion, and unity amongst all people and all Americans.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

REMEMBERING LINDY BOGGS

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

Mr. SCALISE. Mr. Speaker, I rise today to pay tribute to a former Member of the House and a grand lady from Louisiana, Ms. Lindy Boggs.

She was a pioneer and a trailblazer for the State of Louisiana. She served

Louisiana's Second Congressional District following the death of her late husband, Hale Boggs, who was then the majority leader of the House. She was the first woman elected to represent the State of Louisiana in Congress, and she was a founder of the Congresswoman's Caucus. In tribute to her service as a pioneer for women, the Congressional Women's Reading Room down the hall is rightfully named in her honor. Lindy was the first woman and only Louisianian Ambassador to the Holy See during the tenure of Pope John Paul II.

Lindy effortlessly balanced her role as a respected leader and as a loving mother. She loved her city of New Orleans. In fact, she lived on Bourbon Street in New Orleans for many of her later years. She loved her beloved Tulane University. In fact, just recently, she and her daughter Cokie participated in a fundraiser to benefit Tulane University just a few weeks ago in New Orleans.

She is somebody who will be dearly missed and someone whom we are honored to be able to call a former colleague of ours here in the House.

REMEMBERING LINDY BOGGS

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

Mr. RICHMOND. Mr. Speaker, I join my colleague from Louisiana, Representative SCALISE, and our leader, Leader PELOSI, in recognizing such a great and remarkable woman. It is with a heavy heart that I rise to recognize the loss of a true legend in Louisiana, Ambassador and former Representative Lindsay Boggs.

She was the perfect example of leadership—never afraid to fight for justice and to demand equality. She took the responsibility of service seriously, addressing the plight of everyday people, and the State of Louisiana and our Nation are better for it. She was a first-class woman who enjoyed numerous firsts and was an effective legislator. She loved this body, earning the respect of her colleagues on both sides of the aisle, which is exemplified here today through Congressman SCALISE and me, and she loved her family—a role model for all of us.

During Women's History Month this year, we were able to recognize former Ambassador Boggs on her 97th birthday with a tribute, which was led by our leader, Leader PELOSI.

Mr. Speaker, after words from Leader PELOSI, I would just ask that we have a moment of silence in recognition of the great contribution and sacrifice of a true, remarkable Louisiana citizen who, I think, displayed what was best of the best in Louisiana.

REMEMBERING LINDY BOGGS

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

Ms. PELOSI. Mr. Speaker, I thank the gentlemen for the kind words that they have said about our former colleague, Congresswoman Lindy Boggs, and I associate myself with their remarks.

I will only add that bipartisanship was the nature of how Lindy Boggs led and served in this body. When we would have our heated discussions on the floor, she would call us back and say, ''Darlin', Hale used to always say, 'Don't fight every fight as if it's your last fight.''' We are all friends. We are a resource to each other to do good things for our country. No wonder a room is named for her, a room that has shared bipartisan enjoyment and participation, in which we have come together as Democrats and Republicans to bring about solutions.

It was referenced that we had a bipartisan tribute to her on her birthday, March 13. I think you would find some joy in the fact that, as a devout Catholic, on her birthday, which was when we planned to have the tribute, it was the day that white smoke went up in the chimney in Rome. So, for her birthday, we could also celebrate a new Pope, Pope Francis. What better gift for her than to enjoy that on her birthday?

All of us are mourning and will be in New Orleans for her service tomorrow. Our prayers go to her family. I hope it's a comfort to them to know that so many people loved Lindy Boggs and share their grief and are praying for them at this time.

ECONOMIC IMPACTS OF NATURAL GAS PRODUCTION

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the bipartisan Congressional Natural Gas Caucus convened a congressional field hearing on Friday at the Pennsylvania College of Technology in Williamsport, Pennsylvania. I am proud to have joined Representatives GENE GREEN, TOM REED, and TOM MARINO to hear from State and local officials and leaders on the economic impacts of natural gas production in the Marcellus shale region. The hearing offered an insightful look at the benefits of the 3,551 gas-producing wells in Pennsylvania.

One of those benefits is jobs. Today, 30,752 people in Pennsylvania are employed in the natural gas industry. This is a 164 percent increase since 2009. The average salary is $82,643. Additionally, 214,302 are employed in ancillary industries, a 7.9 percent increase since 2009. In just two rural northern Pennsylvania counties, testimony revealed an increase of 4,832 jobs and 226 businesses between 2006 and 2012. Most importantly, 80 percent of those jobs are now filled by local workers.

Mr. Speaker, the responsible production of natural gas is producing energy security and an economic impact that surpasses all expectations.

MR. SPEAKER, CANCEL THIS RECESS

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

Mr. NOLAN. Mr. Speaker and Members of the House, I am calling on the Speaker to cancel or to postpone the August recess until we get our work done here.

As a businessman, the last thing I would ever consider doing is giving my employees a month or 5 weeks off when we're not getting our job done.

Mr. Speaker, you're the boss. You set the schedule, and you put together the work agenda. The simple truth is that this Congress is being recognized as the least productive or accomplished in the history of this country. We have an appropriations bill; we have budget bills; we have the farm bill; we have immigration; we have the President's jobs bill; we have the debt ceiling limit; we have Members of Congress threatening to shut down the government—and we're going on a recess? It makes no sense whatsoever.

It's time that this Congress goes to work, puts the subcommittees to work, goes to work 5 days a week like everybody else in America, and does its job. Put America back to work. Rebuild the middle class. Get this country moving again.

Mr. Speaker, cancel this recess.

KEEP THE IRS OFF YOUR HEALTH CARE ACT

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

Mr. PITTENGER. Mr. Speaker, I rise today with a few questions:

Should 16,000 IRS bureaucrats have the power to penalize the American people if they don't like your health care decisions?

Will the quality of your health care depend on whether or not you support the President's political views? The IRS has already targeted conservative political groups. Will this intimidation be intensified once the IRS is enforcing ObamaCare?

Is Sarah Hall Ingram, the IRS bureaucrat who previously managed the tax exemption department, really qualified to run the IRS-ObamaCare enforcement division? Abuse of American citizens occurred on her watch. Is anyone worried—at least a little bit—that she now oversees our health care decisions?

Mr. Speaker, the IRS has forfeited any claim to impartiality and has violated the trust of the American people. The IRS must not be involved in the health care decisions of ordinary Americans. On Friday, I urge you to join me in supporting H.R. 2009, the Keep the IRS Off Your Health Care Act.

□ 1215

JOBS, JOBS, JOBS

(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 941 days since I arrived in Congress, and the Republican leadership has still not allowed one single vote on serious legislation to address our unemployment crisis.

According to a new survey by the Associated Press, 80 percent of adults experience either prolonged unemployment, a year or more reliance on government aid such as food stamps, or poverty-level income at some point in their lives. That's four out of five Americans experiencing severe economic insecurity at least once.

Mr. Speaker, is this the land of opportunity? The people demand a remedy.

It's time to bring the American Jobs Act to the floor. It deserves a vote. The American Jobs Act prevents layoffs, invests in long-term job creation, and expands workforce training.

Mr. Speaker, the mantra of this Congress should be: jobs, jobs, jobs.

IN DEFENSE OF FREEDOM

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

Mr. STEWART. Mr. Speaker, I rise today in defense of freedom. I rise in defense of the ideals that our Founding Fathers fought and bled and died for. I believe we are in a fight for the very heart and soul of our country.

We know that IRS agents targeted conservative groups and individuals. No one has been held to account for this. Such arrogance and impunity cannot go unanswered.

We know that Federal regulations are being proposed that will cost trillions of dollars and millions of jobs. These regulations are being proposed without any transparency or accountability to the people. Such arrogance cannot go unanswered.

Thanks to this administration, more and more Americans believe in the idea of Big Government. We have Benghazi. We have ObamaCare. We have the politicization of the Justice Department. We have government snooping on journalists.

The Federal Government was created to serve the people, and it is now standing with its boot on the necks of the people.

Our Founding Fathers would not recognize the Nation that we have become. We can change this. Join with me as we fight to overcome government abuse.

IN OPPOSITION TO CUTTING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

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

Mr. HIGGINS. Mr. Speaker, I rise in strong opposition to the 50 percent cut in the Community Development Block Grant program in the Transportation-Housing and Urban Development bill currently being considered. This cut is reckless and punitive to communities in need.

This year, western New York communities are scheduled to receive a total of $22.2 million, which they plan to use to improve public infrastructure, policing facilities, and fund economic development initiatives. The bill before us cuts that funding in half to $11 million next year.

Cutting Community Development Block Grant funding is completely counterproductive and will cost the country in the long term. These cuts will erode community revitalization and job creation, only adding to the financial burden on our Federal budget in the long run.

I urge the House to reject these cuts to our communities and defeat this shortsighted bill.

VOTE AGAINST ADJOURNMENT

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

Mr. WITTMAN. Mr. Speaker, I rise today with disappointment because Congress plans to adjourn without addressing critical issues important to the American people.

It shouldn't take a government shutdown threat in September each year to will Congress to do its job. It also should not be difficult to achieve an efficient, lean, and functional government with a real budget and appropriations blueprint.

I appreciate that district work periods allow Members to visit with folks back in their community, but this August the work is too important. Unfortunately, Congress has not completed the job it needs to. It has not completed the work of the people. Too much unfinished business requires some overtime and it begs Members to stay and finish.

Let's clear our schedules, vote against the adjournment of Congress for the month of August, and stay in Washington to finish the business of the people.

As I was last August, I'm prepared to stay in Washington as long as it takes. These issues are too important to wait.

IN OPPOSITION TO CUTTING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

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

Mrs. BEATTY. Mr. Speaker, I rise in opposition to the deep and drastic cuts to the Transportation-HUD appropriations bill.

In existence since 1974, the CDBG program has invested $135 billion to local communities. In this Chamber, it is often said that we need to make sure that government is more efficient and reduces wasting taxpayers' dollars. Well, I am happy to report that this program continues to be one of HUD's most efficient programs, with grantees devoting on average 94 percent of CDBG funds directly to efforts that provide benefits to low- and moderate-income families. The Republican chairperson has said, ''Cutting over $7 billion in programs was very challenging.''

Well, Mr. Speaker, I say if this Chamber cuts these programs that provides jobs and infrastructure development, I can assure you that the children, the seniors, and the families helped by these programs will find it much more challenging dealing with $7 billion in cuts.

I urge you to oppose these cuts.

HOLDING ATTORNEY GENERAL HOLDER ACCOUNTABLE

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

Mr. GOSAR. Mr. Speaker, I rise today to address truly disturbing comments President Obama made during his hour-long speech on July 24. He mentioned ''an endless parade of distractions and phony scandals,'' as if to belittle the significance of these stories. Well, there's nothing phony about the deaths linked to Attorney General Holder's Operation Fast and Furious.

Beside me is a photo of blood running through the streets of Mexico, the blood of high school students murdered by guns Holder's DOJ sold to Mexican drug cartels. This massacre is far from phony, Mr. President. Brian Terry, the Border Patrol agent murdered by violent criminals whom Holder's DOJ gave the guns to, is definitely not phony.

These deaths are real.

What else is real? Attorney General Holder's violation of the law, the ramifications of which are far from phony. 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 the Attorney General invited anarchy?

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

THE ANNIVERSARY OF MEDICARE AND MEDICAID

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

Mr. LOEBSACK. Mr. Speaker, today I rise to recognize the 48th anniversary of Medicare and Medicaid.

I grew up in poverty, and my grandmother often relied on Social Security survivor benefits to put food on the table. I know firsthand how important initiatives like Medicare and Medicaid are to seniors and families in America. No senior should have to make the choice between putting food on the table and paying for their medication.

Our country's retirees have paid into Medicare their entire lives. That is why it is so critical that those who have worked hard get their earned benefits.

Medicaid is critical to low-income families and individuals with disabilities that depend on the program for their basic health care needs, many of whom are struggling just to get by.

I look forward to continuing to work to strengthen and protect Medicare and Medicaid to ensure that the promise of health and economic security will be there for generations to come.

THE FATHER OF FRACKING

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

Mr. WEBER of Texas. Mr. Speaker, last week, Texas and America's energy industry lost a friend. George Mitchell, who many knew as the ''father of fracking,'' passed away last week at his home in Galveston, Texas. While his death is a sad occasion, his legacy will live on as the energy industry continues to grow and prosper. Texas now stands ranked as No. 14 in the world in oil and gas production, largely due to Mr. Mitchell's innovation.

Not only was George an energy innovator, he was a community builder. He was a visionary. He developed the Woodlands Master Community when many just saw it as useless swampland. Mr. Mitchell also played an integral role in reviving what I consider a precious gem in my district: the island of Galveston. George and his wife put countless hours and resources into restoring the strand which helped keep the island a popular tourist destination and number one in Texas, for that matter.

It's important that we remember George Mitchell not only for his contribution to Texas business, but also for his zeal and tenacity to give back to the communities where he lived and worked.

I'm RANDY WEBER, and that's the way I see it from where I sit here in America.

RECOGNIZING DR. EMILY RUFFO

(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, I'm proud to recognize Dr. Emily Ruffo, administrator of the Hayward Police Department's Youth and Family Services Bureau, who has been named the California School Resource Officer Association's Law Enforcement Administrator of the Year. She'll be honored with this award today at the School Safety Conference in Anaheim.

She's been helping kids and families for years, joining the Hayward Youth and Family Services Bureau in 2011. Just this year, Dr. Ruffo was promoted to be administrator of the bureau, and her work has been a great help to Hayward and the entire 15th Congressional District.

The bureau Dr. Ruffo leads offers services to youth such as counseling to help keep kids out of trouble. For kids who have violated the law, it offers an alternative to juvenile justice to get them back on the right track. As a former prosecutor in the Alameda County District Attorney's office, I've worked closely with the Hayward Police Department and know how important this program is.

Dr. Ruffo is rightly being recognized for her commitment and care for the children and families of the East Bay. It's people like her willing to dedicate their careers to helping those at risk who are helping to provide us with a brighter future.

On behalf of the people of Hayward and the entire 15th Congressional District, I want to thank Dr. Ruffo for her service, congratulate her on her award, and wish her continued success.

REGULATING THE RABBIT

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, Washington bureaucrats are up to their old tricks again. They're interfering with how we run our businesses, dictating the type of health insurance we have to purchase, and stonewalling tax-exempt status based on political speech. Now they're going so far as to tell magicians how to do their magic shows.

Let me introduce you to Marty Hahne. He's an area magician from Missouri who's been doing magic shows for children in southern Missouri for over 27 years. This summer, he received a chilling letter from the Federal Government requiring him to have a license. Not for himself, but for his rabbit. The Agriculture Department is interpreting a decades-old law on animal exhibitions to now include pet bunnies used in magic shows. In order to continue conveying to children that reading is magic, he has to not only obtain a license, but also write a mandated disaster plan for his rabbit, including provisions for fire, floods, tornados, ice storms, and power failures.

This is just another example of government overreach and loss of freedoms in our country. It is time for this to stop. It is time for common sense to prevail. It's time for Big Government to leave us alone. With the track record of this current administration, that really would be like pulling a rabbit out of a hat.

CANCEL THE RECESS

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

Mr. COURTNEY. Mr. Speaker, I wrote the following letter to the Under Secretary of Defense a few days ago:

> Just this past Saturday, I attended a welcome home event for the 1109th TASMG, the Connecticut National Guard, who spent the last year in Afghanistan providing critical maintenance for our helicopter fleet.
>
> Their joy at being home with family was undermined by the reality that nearly a third of the 100 returning members are dual-status technicians and, therefore, hit by furlough. After serving in a war zone away from family, it was a bitter pill for these patriots to lose 20 percent of their pay almost immediately upon their return.

I do believe that the Department of Defense can do a better job managing the furloughs. However, the real responsibility rests in this Chamber to turn off sequester. It has been 210 days since the governing Republican majority took power, and 81 legislative days that we have not taken up one measure to turn off sequester during that time. Incredibly, in 3 days, we are going on a 5-week recess, and on Friday we're going to vote for the 40th time to repeal the Affordable Care Act. I have a news flash: it's not going anywhere.

We should cancel the recess, and we should focus on making sure that these patriots are not treated so shabbily. We should make sure that the 600,000-plus civilian DOD Federal employees have their furloughs turned off.

Cancel the recess. Let's turn off sequester. Let's stand up for America's middle class.

WASHINGTON NEEDS HOOSIER COMMON SENSE

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

Mrs. WALORSKI. Mr. Speaker, when I was back in the district this week in Indiana, Hoosier requests were pretty simple. They said: work on reforms, create more jobs, and jump-start the economy. In addition they said, We don't trust our government.

They're tired of Big Government policies that are intruding on the lives of American citizens and increasing government abuse. That's why I'm proud today to cosponsor and support bills that rein in Washington, refocus on the priorities to create jobs, and protect our citizens.

Every week we hear chilling reports about the Internal Revenue Service exercising poor judgment, intentionally going after American citizens. So I'm cosponsoring the STOP IRS Act.

While IRS employees are under investigation or forced to take administrative leaves, they continue to receive salaries funded by our taxpayer dollars. So I'm cosponsoring the Government Employee Accountability Act to freeze pay and demand accountability.

It's been reported that the IRS spent $15 million between 2010 and 2012 to hold lavish, indulgent conferences. So I'm cosponsoring the Stop Playing on Citizens' Cash Act to stop wasting our tax dollars.

These same individuals are set to lead a commanding role implementing and enforcing ObamaCare. So I'm cosponsoring the Keep the IRS Off Our Health Care Act to prevent this agency from getting their hands on our health care.

Washington needs a strong dose of Hoosier common sense. I'm proud to stand with the thousands of letters and phone calls from Hoosiers and put the brakes on this reckless government.

□ 1230

ECONOMIC EFFECTS OF IMMIGRATION REFORM

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

Ms. BROWNLEY of California. Mr. Speaker, I rise today to remind my colleagues and the American people just how important passing comprehensive immigration reform is to the growth of our economy.

Study after study has shown that successful implementation of comprehensive immigration reform will strengthen agriculture, cut the deficit, create manufacturing and job opportunities, and put hundreds of thousands of Americans back to work. This will increase our country's GDP and pump billions of dollars into our economy.

Here in Congress we talk a lot about creating jobs and growing the economy, but now it is time to act. I urge my colleagues to join me in supporting comprehensive immigration reform for our economy and for the future of our country.

REPEAL MEDICAL DEVICE TAX

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

Mr. MESSER. Mr. Speaker, the President's $30 billion excise tax on medical device manufacturers is bad for America. The tax is costing jobs, particularly in Indiana, and limiting patient access to lifesaving devices and therapies. We should not be putting American manufacturers at a competitive disadvantage and forcing Americans to look beyond our shores for care simply to pay for the President's broken health care law.

There are more than 26,000 Hoosiers employed by the medical device manufacturing industry and thousands more whose jobs are supported by the industry. The Indiana General Assembly has passed a resolution calling for repeal of the tax. This House should pass H.R. 523, the Protect Medical Innovation Act, to repeal the tax, preserve patient access to care, and save these Hoosier jobs.

COMMUNITY DEVELOPMENT BLOCK GRANTS

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

Mr. VEASEY. Mr. Speaker, I rise today to shed light on the importance of the Community Development Block Grant Program. This program provides urban communities with vital resources needed to address a wide range of community development needs, growing local economies, and improving the quality of life for low- and moderate-income citizens.

Since the start of the program, the Community Development Block Grant program has invested over $135 billion in local economies by helping families, creating jobs, supporting businesses, improving infrastructure, and providing housing to many Americans who are in need.

The program has provided the great State of Texas with over $60 million in direct grants this year alone, with over $28 million going to the Dallas-Fort Worth metroplex. Funding for this program is vital to the constituents of the 33rd Congressional District. It has assisted homeowners with rehabbing their homes, providing downpayment and closing cost assistance to qualified home buyers; funded public improvements; provided public services, including employment training, meals and services to the elderly.

The appropriations bill up for vote this week cuts the fiscal year 2014 budget for these grants nearly in half. This is the lowest level of funding in history. I urge my colleagues to vote ''no'' and save this important program.

STOP GOVERNMENT ABUSE

(Mrs. WAGNER asked and was given permission to address the House for 1 minute.)

Mrs. WAGNER. Mr. Speaker, today the House will vote on a series of bills that aim to stop government abuse. Mr. Speaker, it is extremely disheartening that the Federal Government has acted and continues to act in a manner that cultivates distrust. Unfortunately, there are countless examples of misconduct among the Federal agencies, ranging from the IRS discriminating against conservative groups, to denying American citizens their constitutional rights in administrative proceedings.

Over the past month, I have heard from 1,187 of my constituents regarding their distrust in government; and as more activities of the agencies and the executive branch come to light, who can blame them. What is even more troubling than the misconduct itself is the fact that the President stands by it. Last week he called such transgressions ''phony scandals.''

These are hardly phony scandals. These are real and unconscionable actions taken by our Federal Government, and these actions are unacceptable. It is past time for us to do something about it.

We must take the necessary steps to start earning the trust of the American people, and that's why I back and have cosponsored several bills to be considered in the House this week. They are commonsense measures that work to begin restoring confidence in the American people.

IMMIGRATION REFORM

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

Mr. GUTIÉRREZ. Mr. Speaker, I did not expect to still be waiting for a vote on immigration reform in August. But here we are, 48 hours from leaving town for 6 weeks, and there has been no definitive House action.

Many of us will spend time with our children and loved ones, whether on vacation or just in the backyard. I urge my colleagues to think about the millions of immigrant families who are no longer able to spend time together—the mother who was deported yesterday; the sister who feared deportation and left last year; the tens of thousands who wait in line for visas; and the ones for whom there is no line available.

For those who are in detention, like the Dream 9 in Arizona, and the many others who, because of their status, a trip to the hospital or getting a traffic ticket could mean they never see their children again. The American Dream will end for 44,400 immigrants who will be deported between now and September 9. I hope they are in your thoughts.

Mr. Speaker, I will be inserting into the RECORD a letter from JARED POLIS of Colorado and myself to the President of the United States asking for the release of the Dream 9 held in detention in Arizona.

REPEAL OBAMACARE AND CUT TAXES

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

Mr. FLEMING. Mr. Speaker, President Obama says he now has serious ideas about taxes and job creation. I'd like to take him seriously, but the truth is that the President has spent the last 4½ years hammering the Nation's businesses with taxes, regulations, and ObamaCare. His business mandate has already forced many small businesses to convert full-time jobs to part-time jobs.

And let's remember the jobs that have already dissipated due to the medical device companies that are reducing employees to pay a new ObamaCare excise tax. One company has already terminated more than 1,000 workers.

As for taxes, the President's fiscal cliff deal pushes taxes up to as much as 45 percent for many small business

owners and investors. That simply diminishes their incentive to move forward with expansions that would create jobs.

So Mr. President, if you'd really like this economy to get going, let's start by repealing ObamaCare and cutting taxes.

The SPEAKER pro tempore. Members are reminded to address all remarks to the Chair.

MEDICARE AND MEDICAID ANNIVERSARY

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

Ms. DUCKWORTH. Mr. Speaker, yesterday marked the 48th anniversary of the establishment of Medicare and Medicaid. Since Medicare was signed into law in 1965, millions of Americans have relied on the crucial programs to live their lives in dignity, and millions more who have paid into the system are counting on Medicare to one day provide them with quality health care.

This historic commitment and pledge from our country is one of our greatest achievements. Seniors like my mother, and those living with disabilities, all understand the essential role Medicare plays in the lives of so many Americans.

In April, I held a roundtable with constituents in Elk Grove Village, Illinois. They all stressed to me the importance of protecting and preserving Medicare, but also on cracking down on abuse and fraud that exists in the program.

I have met with people living with disabilities who rely on these benefits for their health services. As we celebrate and acknowledge the great benefits of Medicare, it is important that we reinforce our commitment to the program, even as we cut down on the waste and fraud. We must continue our fight to strengthen and enhance Medicare and fulfill our 48-year-old promise to millions of hardworking Americans across this great Nation.

STOP OBAMACARE

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

Mrs. ELLMERS. Mr. Speaker, I rise today to speak in favor of H.R. 2009, the Keep the IRS Off Your Health Care Act. ObamaCare has proven to be a terrible law that will continue to hurt individuals, employers, and our health care system.

While accurate information regarding the law has been scarce, what we know for sure is that premiums are skyrocketing, American families are confused, and doctors and nurses are afraid they will not be able to continue to care for their patients.

Businesses across the country are being forced to not only adhere to the onerous paperwork requirements, but have been in a holding pattern for over 3 years waiting for implementation. Recently, we learned that the IRS has been targeting different groups and singling them out for intense scrutiny based on their political views. But as ObamaCare is set to be implemented, Americans are expected to trust the IRS with the responsibility of implementing this destructive law. This has proven to be unworkable and a dangerous path for our health care system and our country to be on.

CALIFORNIA AND RISING SEA LEVELS

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

Mr. LOWENTHAL. Mr. Speaker, climate change is a long-term threat to my home State of California and to all coastal States. Climate change will increase the risk of flooding and eventual submersion of millions of American low-lying homes.

Mr. Speaker, I hold up this article that a group of scientists from Princeton and the University of Arizona recently published, a journal article that quantifies State by State the coastal populations that are exposed to storm surges and sea level rise.

The researchers found that in California there are more than 138,000 housing units and over 325,000 Californians living on land that is below one meter of high tide. And in the entire United States, there are approximately 3.7 million Americans living on land below one meter of high tide.

Mr. Speaker, if Congress and the world does nothing, climate change will have a devastating impact on these 3.7 million Americans who are on the front line of climate change. And that number will only grow.

LETTER FROM A CONSTITUENT

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

Mr. SHIMKUS. Mr. Speaker, I come to the floor with a letter from a constituent, a businessman, and I will just read parts of it:

> I did not need to read about the ObamaCare health insurance tax increase that will be passed on to small businesses. It has already happened to my small firm. Last week I was advised by my insurance agent that Blue Cross and Blue Shield of Illinois is increasing my rates by more than 38 percent.
>
> I want to relay to you that due to a decrease in business, likely caused by uncertainty of our future, I have had to release one employee and have advised all remaining employees that the increase of health insurance premiums will be passed on to them. I was proudly able to pay 100 percent of employees' health care coverage, but after two consecutive 20 percent increases in the last two years, and the latest 40 percent increase, simple business logic requires that I pass on this increase or simply go out of business. My employees will have less take-home pay under ObamaCare. Does anyone in Congress realize that under this still uncertain program, it is more logical for me to shut down my business and take the subsidies on one of the exchanges than to remain open?

□ 1245

THE BIPARTISAN STUDENT LOAN CERTAINTY ACT

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

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in support of H.R. 1911, the Bipartisan Student Loan Certainty Act.

Last month, I urged my colleagues in this House to take up and help our students because the interest rate was going to double on July 1. The Senate has already acted, and this week we have a chance to make things right.

The Bipartisan Student Loan Certainty Act will not only reverse the July 1 student loan interest rate hike, but it actually makes things better for our students.

As students around the world are acquiring higher education, master's and training, it's imperative that our students here in this country also receive the opportunities to compete on a global scale. By making higher education more accessible, H.R. 1911 accomplishes that.

When it is signed by President Obama, it will give $25 billion in debt relief over the next 6 years. It will give students the ability to lock in the interest rate for the life of their loan so they know exactly what they are going to be paying in interest, and it will save thousands of dollars and lower interest payments.

I look forward to sending this bill to our President.

STOPPING GOVERNMENT ABUSE

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

Mr. HECK of Nevada. Mr. Speaker, in our Declaration of Independence, Thomas Jefferson wrote that governments derived their power from ''the consent of the governed.'' Years later, Abraham Lincoln called our American democracy a government ''of the people, by the people, for the people.'' What would these great men think if they saw the waste and abuse so rampant in our government today?

House Republicans are committed to maintaining a government that works for the American people, not against them. That's why this week we're bringing a number of bills to the floor to do just that. We believe in an America with expanded opportunity and a more secure future for all.

There's no place in that America for massive government overreach, and

that's why the House Republicans will continue to fight it.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 31, 2013.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 31, 2013 at 9:45 a.m.:

That the Senate passed without amendment H.R. 2167.

That the Senate passed without amendment H.R. 2611.

That the Senate agreed to without amendment H. Con. Res. 44.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CITIZEN EMPOWERMENT ACT

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2711) to amend title 5, United States Code, to establish certain procedures for conducting in-person or telephonic interactions by Executive branch employees with individuals, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2711

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 ''Citizen Empowerment Act''.

SEC. 2. AMENDMENTS.

(a) IN GENERAL.—Part III of title 5, United States Code, is amended by inserting after chapter 79, the following:

''CHAPTER 79A—SERVICES TO MEMBERS OF THE PUBLIC

''Sec.
''7921. Procedure for in-person and telephonic interactions conducted by Executive Branch employees.

''§ 7921. Procedure for in-person and telephonic interactions conducted by Executive Branch employees

''(a) PURPOSE.—The purpose of this section is to ensure that individuals have the right to record in-person and telephonic interactions with Executive agency employees and to ensure that individuals who are the target of enforcement actions conducted by Executive agency employees are notified of such right.

''(b) DEFINITIONS.—For purposes of this section—

''(1) the term 'telephonic' means by telephone or other similar electronic device; and

''(2) the term 'employee' means an employee of an Executive agency.

''(c) CONSENT OF EXECUTIVE AGENCY EMPLOYEES.—Participation by an employee, acting in an official capacity, in an in-person or telephonic interaction shall constitute consent by the employee to a recording of that interaction by any participant in the interaction.

''(d) NOTICE OF RIGHTS WHEN FEDERAL EMPLOYEES ENGAGED IN CERTAIN ACTIONS.—A notice of an individual's right to record conversations with employees shall be included in any written material provided by an Executive agency to the individual concerning an audit, investigation, inspection, or enforcement action that could result in the imposition of a fine, forfeiture of property, civil monetary penalty, or criminal penalty against, or the collection of an unpaid tax, fine, or penalty from, such individual or a business owned or operated by such individual.

''(e) OFFICIAL REPRESENTATIVE.—Any person who is permitted to represent before an Executive agency an individual under this section shall receive the same notice as required under subsection (d) with respect to such individual.

''(f) NO CAUSE OF ACTION.—This section does not create any express or implied private right of action.

''(g) DISCIPLINARY ACTION.—An employee who violates this section shall be subject to appropriate disciplinary action in accordance with otherwise applicable provisions of law.

''(h) PUBLIC INFORMATION CONCERNING RIGHT TO RECORD.—

''(1) POSTING ON AGENCY WEB SITES.—Within 180 days after the date of the enactment of this Act, each Executive agency shall post prominently on its Web site information explaining the right of individuals to record interactions with employees.

''(2) OMB GUIDANCE.—Within 90 days after the date of the enactment of this Act, the Office of Management and Budget shall issue guidance to Executive agencies concerning implementation of paragraph (1).''.

(b) CLERICAL AMENDMENT.—The analysis for part III of title 5, United States Code, is amended by inserting after the item relating to chapter 79 the following:

''79A. Services to members of the public ..... 7921''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have the author of this legislation before us, a principled Member of Congress who saw a problem and sought to fix it, and we brought it before you today. We brought it before you today because we hear, and hear rightfully, horror stories of harassment that includes Federal officials at the IRS, the EPA, the SEC, the FEC, and a list of other ABCs.

The truth is that in 39 out of 50 States, every Member on a phone, every American has a right to record that conversation without asking permission of that Federal officer on the other end. But in 11 States, States that most people don't know which is which, that is muddied. When a conversation occurs between two States, it is muddied.

The gentlewoman from Kansas (Ms. JENKINS), as the author of this bill, sought, in principle, to fix that, and I'd like to yield 2 minutes to her to explain her bill.

Ms. JENKINS. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his leadership on this very important issue.

Whether I'm talking to Kansans back home or listening to witnesses at Ways and Means hearings, I've heard story after story of Federal regulators abusing their power.

What is worse, many people are afraid to share their stories of harassment or other inappropriate behavior by government officials out of fear of retaliation. The Citizen Empowerment Act will give them certified proof and help to alleviate this fear.

This bill will give Americans a new tool to protect themselves and their businesses from government overreach and abuse by expanding the rights of all citizens to allow them to record meetings and telephone conversations with Federal regulators and officials. The Citizen Empowerment Act will also ensure individuals are made aware of this right by requiring government agencies to notify them of this right.

Not only do Federal agencies get to write rules, they get to enforce them, too. In fact, a citizen is 10 times more likely to be tried by a Federal agency than by an actual court, and citizens have fewer rights during agency proceedings than in a courtroom.

The Citizen Empowerment Act will give Americans a tool to even the playing field with Federal regulators by increasing transparency and accountability within the system.

Americans deserve a government who puts its citizens first, and this is exactly what this bill does. We spend far too much time in this body debating bills to empower the government. This bill empowers Americans.

Enacting the Citizen Empowerment Act and the other nine Stop Government Abuse bills will be a positive step toward getting Big Government out of the way of our economy and rebuilding trust that has been broken by rampant abuse of Federal power.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to H.R. 2711. This legislation

would have a significant impact on law enforcement, and it would interfere with laws in a dozen States.

The Federal Law Enforcement Officers Association sent a letter to Chairman ISSA and me opposing this bill. This is part of what they wrote, and I quote:

As the chair and ranking member with jurisdiction over H.R. 2711, we urge you to ensure that the bill is not considered on the floor unless it is amended to exempt law enforcement in its provisions. Until that time, FLEOA will continue to strongly oppose this legislation.

They also wrote, and I quote:

The legislation puts law enforcement activities at risk and does a disservice to the brave men and women who are asked to put their lives on the line to protect us from terrorists and criminals.

They're not the only law enforcement organizations that oppose the legislation. The National Association of Assistant U.S. Attorneys also sent a letter opposing H.R. 2711. Here's part of what they wrote, and I quote:

The most disturbing aspect of the legislation involves its dramatically negative impact on civil and criminal law enforcement investigative efforts.

They went on to say, and I quote:

The version of legislation approved by the House Committee on Oversight and Government Reform on July 24 did not contain any exceptions. Clearly, this measure raises a magnitude of administrative and legal concerns that should be addressed before the House gives further consideration to approval of this legislation.

The committee held no hearings on the legislation and heard testimony from no law enforcement officials before marking up the bill, and now it is being rushed onto the floor in record speed with apparently no regard to its consequences to law enforcement.

The bill also would interfere with the laws put in place by 12 States to protect their citizens. For example, my home State of Maryland enacted a law in 1977 that made it a felony to record a private conversation unless every party to the conversation consents to the recording or another exception applies. This law was deliberately crafted to provide greater protection to Maryland residents.

H.R. 2711 preempts the laws of Maryland and other States that require all parties to consent to a recording. The bill deems Federal employees to have consented to a recording just by performing their official duties and does not even require that they be notified.

Maryland's statute requires actual consent, not forced or assumed consent. To assume a person consents to having their conversation recorded just by participating in the conversation undermines the State's laws, as well as those in California, Massachusetts, Michigan, Pennsylvania, and other States that require multiple-party consent for recordings.

Mr. Speaker, H.R. 2711 is a dangerous and poorly considered piece of legislation. I oppose this bill, and I urge all of my colleagues to do the same.

I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I would ask what day it is, what day of the month it is.

Mr. Speaker, is it the 31st day of July? Can you verify that for me? Because on the 24th of July, we amended this bill to send it to the House, and the ranking member knows full well, as I'm sure the National Association of Assistant U.S. Attorneys and the Federal Law Enforcement Officers Association know full well; and I'm shocked that they would write and that, in fact, the ranking member would write in a Dear Colleague, citing them, things that just aren't so in this bill.

Before us today we do not preempt States. As the ranking member rightfully so said, we make a statement on behalf of the Federal Government for our employees that we hereby consent that you may record us.

In 39 out of 50 States—there's a little ambiguity in that Montana allows these recordings; it just doesn't broadly allow them, but does recording for a law enforcement officer. But having said that, whether it's 11 or 12, the gentleman cited a portion of that letter from the National Association of U.S. Attorneys, but let me give you a portion that I want to make sure gets on the record.

It says, H.R. 2711 requires any employee of an executive agency, before or at a personal interview or telephonic interchange with an individual, to allow the individual to make an audio recording of the in-person or telephonic interaction.

We'll let that one slide. We'll go to the next sentence.

In addition, the legislation requires the executive branch employee to first provide notice to the individual of their right to make such a recording.

Mr. Speaker, that's just not true. We went through a long markup and, in that markup, in a manager's amendment, we made it very clear that the only notice the Federal Government would give would be a notice in its publications, Web sites, and so on letting Americans know that they no longer had to ask, if they were in Idaho, if, in fact, somebody calling them from Maryland did or didn't need to know that they were recording.

This interstate situation is one in which the American people deserve to know that they have a right to document when someone calls them, and if they trip up in that answer, they could go to jail or get a fine or lose their business.

Thirty-nine out of 50 States recognize it, and all we're saying, very clearly, is the Federal Government gives its approval.

These documents, sadly, were accurate, if you looked at the bill on the 23rd of July. The ranking member knows full well these documents are somewhat inaccurate. And his own letter implies that law enforcement will somehow be crippled by having to give notice. It's just not true.

In 39 out of 50 States, law enforcement would already know that somebody could be recording and not telling them. That's the law of those States.

□ 1300

But, more importantly, we're not affecting the ranking member's Maryland law enforcement. We're affecting Federal officers, such as the EPA, OSHA, and the IRS, when they call and ask you questions. And those questions could lead to real harm to you. And you would be able to document it. And if you're harassed, you'll be able to document it. That's what we're doing here today. We're empowering Americans to know that their Federal Government will never answer the question of, ''May I record this to protect myself? No.''

And in no way, shape, or form are these personal calls. This only affects when a member of our Federal employment is doing their official duty and calling a private citizen. Of course, the private citizen should have the rights since this isn't a personal call and one in which you should expect to be able to say whatever you want. These are not private. These are public conversations. These are public investigations. And the public should have a right to protect itself.

I reserve the balance of my time.

Mr. CUMMINGS. I yield myself such time as I may consume.

The gentleman is inaccurate. The fact is that when the bill came in, at first, we did apparently have certain exceptions for law enforcement, consistent with these concerns. That's not in the bill. As a matter of fact, just today, July 31, 2013, we have a letter from the Federal Bureau of Investigation Agents Association talking about the bill that's on the floor right now:

H.R. 2711 creates a broad right to record conversations with Federal employees and requires that the notices of the right to record conversations be provided to individuals engaged in discussion with Federal employees without any exceptions related to criminal investigations. This proposal risks undermining criminal investigations by reducing the willingness of individuals to cooperate with law enforcement and would result in the creation of recordings of law enforcement conversations that could jeopardize sensitive and important criminal and counterterrorism investigations.

That's from the Federal Bureau of Investigation Agents Association.

I yield 2 minutes to a distinguished member of the committee, the Congressman from the great State of Missouri, LACY CLAY.

Mr. CLAY. I thank the gentleman for yielding.

Mr. Speaker, I rise today in opposition to the bill, also. This bill would compromise the privacy rights of Federal employees and it would negatively impact law enforcement. The bill would assume that every Federal employee consents to having any conversation recorded as long as they are acting in an official capacity. The bill contains no exceptions for law enforcement or military personnel.

This bill is opposed by the National Association of Assistant U.S. Attorneys. In their letter, they said:

> Passage of this legislation, as approved by the House Committee on Oversight and Government Reform on July 24, will disserve the dedicated and brave public servants in United States Attorneys Offices and law enforcement who work tirelessly to pursue justice on behalf of the United States.

The National Treasury Employees Union also wrote in opposition to this bill. They said:

> H.R. 2711 provides that every official interaction by any executive branch employee, whether by telephone or in person, shall be allowed to be recorded by the other party. And in certain circumstances, these executive branch employees must notify the other party of their right to record or be subject to appropriate disciplinary action. No exceptions are made in the bill for law enforcement or other sensitive communications.

The Oversight Committee did not hold a single hearing on this bill. The bill was rushed through just to get it on the floor this week in time to fit the House leadership's message agenda. This is irresponsible legislating and should be defeated.

I urge my colleagues to vote ''no.''

Mr. ISSA. I yield 2 minutes to the gentleman from Pennsylvania (Mr. KELLY), a longtime businessman and someone who knows firsthand about abusive governments.

Mr. KELLY of Pennsylvania. I thank the chairman.

Mr. Speaker, I rise in strong support of H.R. 2711. Let me tell you why.

I hear about protecting rights all the time and how important it is for the government to be able to do the things that they need to do. Let me tell you what it's like as a private citizen to be sitting in your office and getting a phone call from somebody that says, I'm sitting here in Detroit, I'm recording this, and I have a lawyer sitting beside me because we're going to put you out of business today.

And my response was, Give me a little bit of time. Let me get my lawyer, and let me get a tape recorder and tape what you're saying to me.

Now what's right anymore? Boy, have we confused things. Is this a government that works for the people or people that work for the government? My goodness, have we gotten things out of focus here.

We think we are so powerful, we are so intelligent. We have reached a level of arrogance that is unbelievable to the American people. Why do they no longer trust us? I can record you but you can't record me. I can have a whole list of everything that you've done, but God help you if you ever try to look into what I'm doing to you. Baloney. It's time for it to stop.

If we're really going to restore trust in this government, it's going to take both sides. This is not a Republican or a Democrat issue. This is an American issue. My goodness, how can we be so far from what the Founders envisioned when they had absolutely nothing to work for, nothing to work with—nothing but the providence and the hand of God in helping to form a government that is absolutely phenomenal?

We're sitting here today and saying it's not okay for a private citizen to record what this government is saying to them. Now the government can do just the opposite. And I don't want to get mixed up with what's legal, because we all know that what's legal has nothing to do with what's right. We've seen that too many times. We've watched it pushed back and forth.

And while it may be funny to some, I've got to tell you, it may be funny when you sit here, but I would love you to meet me in the private sector and get a phone call from somebody from the government. It is truly not just chilling; it is freezing. You have got to sit back and listen to these folks, and they're recording every single thing you say. God help you if you stumble or stutter. That's what they're looking for.

This gives the private citizens the same rights that they should have. This is a government that's supposed to work for the people and not the people working for the government. It's time to restore trust in this government.

Mr. CUMMINGS. I yield 5 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, I'm going to only speak once, even though there's seven bills. Time is short. We have just a few days left in the legislature until we shut down the government if we don't act. We passed three of the appropriations bills. My understanding is that the one we've had under consideration is not going to be brought to final passage. I may be incorrect in that, but that's the understanding. At least there's some talk about that.

This Congress has been the worst Congress for Federal employees that I have ever served in. The gentleman who spoke before me says he ran a business. If you treated your employees as we're treating our employees, they would have all quit. They would have all walked out. They would talk about the epithets that are used and that ''bureaucrats'' spit out as a pejorative term to the people who make this government run.

I don't know whether the gentleman read this in the paper today, but two of our largest financial institutions were fined very heavily for misconduct. Do people do things wrong? They do. They do them wrong in the private sector. They do them wrong from time to time in the public sector. Should we be concerned about that? We should be. Should we excise that kind of behavior from private and public sectors? Absolutely.

But I will tell you that these bills—and some of them are okay; they're somewhat redundant. The bill the gentleman speaks of—I just got on the floor when the gentleman was speaking so I don't know exactly what the circumstances are in terms of his being, obviously, from his perspective, threatened by the fact that somebody was going to record him. I understand his concern about that. Frankly, if they'd called me and done that, I would have said, very frankly, I'm going to hang up, and I'll talk to you later with my lawyer, and you're welcome to meet with me. I'm a lawyer so I would have advised him to do that.

That does not explain the torrent of antigovernment workers that we have seen from this Congress and, frankly, to some degree, from the last Congress. They can't strike. And because they have to support their families, they can't walk out. They don't have many tools. They have us, of course, who represent many of them, to stand up for their rights. But much more importantly, for respect from their employer, which they're not getting.

I would tell my friend that he can come with me. I was down at Pax River, a big naval base, talking about the 20 percent cut that we've asked people to take. They perceive it's because of our dysfunction and because we can't get our job done here, not because of anything they did wrong, not because of a lack of performance.

And I will tell my friend, Mr. KELLY, that an awful lot of my folks are saying, We want to be at work. We've got guys at the point of the spear relying on it, and we're not able to work on Fridays. But they're still fighting on Fridays. They're still at risk on Fridays.

And so when they see these bills, I tell my friend, it's a ''gotcha'' reaction they have. We'll get 'em. You didn't like being recorded, so your response is to do what you didn't like to them. Now my response, if I were them, is to say, Sorry, Mr. KELLY, I can't talk to you. If you're going to record me, I'm not going to talk to you. We'll put it down on paper, we'll do whatever. As you were concerned about that effort, understand their concern as well.

As I said, out of eight of these bills, four of them aren't too bad. Three of them, obviously, go to undermining due process. The gentleman talks about being concerned. One of the bills says: no due process. You're fired because I think you did something wrong. Not because I proved you did something wrong, not because maybe you did do something wrong. But because I think you did something wrong, you're off—and you're off with no pay.

Maybe the gentleman is asking Mr. ISSA whether in fact that's one of the bills, but I assure him it is.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CUMMINGS. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. HOYER. Mr. Speaker, I would suggest we're the employer, we're the board of directors. And I think, frankly, in the IRS case, we haven't proved

any wrong yet. There's been a lot of assertions but not much proof. We shouldn't go head-over-heels denigrating those folks on whom we rely to carry out the very policies we adopt.

Do we need oversight? Of course. Do we need honesty in performance of public duties? Absolutely. But we also need respect and consideration shown for those who work for America—the best civil service in the world. It's the most competent, best-educated civil service in the world, and we treat them as second-rate citizens. We ought not to do that.

We ought to reject this bill and a number of others of these bills. Let us think of our Federal employees. Because if we don't, we won't have the kind of government that America deserves and wants.

□ 1315

Mr. ISSA. I yield myself 10 seconds simply to say, you know, if two people take the Fifth when asked about their official conduct and there isn't a scandal, I'd be surprised to find that the gentleman from Maryland would find a scandal no matter what we find there.

Mr. HOYER. Will the gentleman yield on that?

Mr. ISSA. My 10 seconds has expired.

Mr. HOYER. I didn't think you would.

Mr. ISSA. Pardon me?

Mr. HOYER. I didn't think you would.

Mr. ISSA. I yield myself an additional 10 seconds and yield to the gentleman from Maryland.

Mr. HOYER. I thank the gentleman.

Her lawyer, or the lawyers, because there was a criminal investigation underway, did what lawyers do in an abundance of caution. That, by the way, is provided for in the Constitution of the United States—I know the gentleman's read it. I've read it as well. So they were availing themselves of their constitutional right.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ISSA. I yield myself such time as I may consume.

Mr. Speaker, the minority whip knows the Constitution. All of us have taken time to understand it. But when we investigate real wrongdoing—wrongdoing like the IRS, wrongdoing that the American people understand, it was just wrong. Even the President started off agreeing with that. Then somehow, whether it's IRS, Benghazi, Fast and Furious, or just somebody at the IRS putting a half-billion-dollar contract out to their buddy and then claiming that, as they got them to contract, that they didn't really know them well, somehow these become phony scandals.

There's only one scandal in Washington, and that's when we find things that are wrong and we don't fix them. We don't have to worry about who at the top is in charge, but we have an obligation to fix them. When people take the Fifth when you're asking simply questions about their official conduct, yes, that's the beginning of a scandal here in Washington—and if not here in Washington, around the rest of America.

I yield 1½ minutes to the gentleman from Texas (Mr. FARENTHOLD) to speak on the bill before us.

Mr. FARENTHOLD. Mr. Speaker, I'm troubled by the assertion that we don't treat our Federal employees right because we're asking them to do their job correctly and give their employers—we, the people, we, the taxpayers—the authority to make sure they're doing their job right when they call us by recording it, by giving us as taxpayers and as citizens the opportunity to avoid a he says-she says when a Federal agency, who has the power to fine us and get us through all kinds of trouble, calls us. We want to keep our evidence and we want to know.

The gentleman on the other side of the aisle talks about not treating the employees the same as the private sector. There are very few large companies I don't call that the first thing I hear is: ''This call is going to be recorded for quality assurance purposes.'' Well, we're giving the employers of the Federal employees—the taxpayers—the power to record those calls for quality assurance purposes.

Federal employees who are doing their job right, who are not intimidating taxpayers, have nothing to hide. We don't want to record their private conversations on their cell phones. We don't even want to get that metadata. We just want to record what the Federal employee is saying to us in the course and scope of his employ at our tax dollars' expense.

Mr. CUMMINGS. Mr. Speaker, may I inquire as to how much time each side has remaining?

The SPEAKER pro tempore. The gentleman from Maryland has 7 minutes remaining, and the gentleman from California has 7½ minutes remaining.

Mr. CUMMINGS. I yield myself 10 seconds.

Just listening to the arguments, this is why, Mr. Speaker, it would have been quite helpful to have had a hearing on the bill so that we could flesh through some of these concerns.

With that, I yield 2 minutes to my distinguished colleague, a member of the committee, the gentleman from the great State of Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my friend and colleague from Maryland.

Mr. Speaker, I want to echo what the distinguished minority whip had to say. These bills were rushed to the floor. They've been long in the planning on the Republican side of the aisle. They passed out of our committee on a party-line vote. Hearings were not held. And little niceties like the fact that there wasn't a law enforcement exemption on this particular bill get overlooked in drafting when you rush to the floor like this.

But of course the purpose of these bills is not really to protect American citizens, though we could have done that. Because I would say to my friend from Pennsylvania (Mr. KELLY), I'm deeply sympathetic to the plight he found himself in. I think we probably could have worked out a bipartisan set of proposals today that would have protected people like Mr. KELLY, now a Member of Congress and my friend from Pennsylvania. What he described is not acceptable and we do need to protect people from it, but that's not the purpose of these bills today.

The purpose of these bills is cynically political. It is to allow one side of the aisle, the majority, to go home and talk about an abusive government that they're standing up to. And in that narrative, you do terrible damage to the courageous men and women, the diligent men and women who serve our constituents, known as Federal employees.

It is part of a relentless—and I think reckless and inexcusable—attack on Federal employees, on public servants because it serves a political agenda. But the long-term cost is the disparagement of public service and the difficulty we are going to have in the outyears in recruiting and retaining talent for the workforce of the future. That's why I oppose these bills, because of the context.

We could have made them better. We could have made them bipartisan. We could have actually worked together. But there was a cynical calculation not to do that, because the purpose of these bills is to continue to use Federal employees as a political punching bag and to make some cheap, short-term political gains.

I thank the Ranking Member for yielding me time . . . and I appreciate his comments in support of our dedicated Federal workforce.

Mr. Speaker, I rise today in opposition to H.R. 2711, 2579, and 1541.

These misguided, anti-Federal workforce bills are just the latest partisan jab at the dedicated Federal employees who serve on the front lines, protecting and helping our constituents every day.

Yet, House Republicans routinely use them as a punching bag—chipping away at their pay and benefits; stripping them of due process rights and Constitutional Protections; while denigrating the very concept of public service on behalf of our fellow citizens.

Take H.R. 2711, the so-called Citizen Empowerment Act. This hastily drafted measure was introduced a mere 14 days ago, and is now being rushed to the floor without a single hearing examining the bill, or the issue it purports to address.

It is ironic that on a day when Republicans are pushing an anti-Federal Government message, they are seeking to ram through a partisan messaging bill that would actually empower the Federal Government to pre-empt 12 existing State privacy laws.

Further, it is simply inexcusable that in the Republicans' rush to produce a political press release, they have slapped together a measure that does not contain any law enforcement or sensitive information exemptions that may be necessary to protect ongoing law enforcement or intelligence investigations.

To be clear, I do not oppose the principle of allowing citizens to record conversations with Federal employees in the course of official business—in fact, in many situations that can already be done today.

What I am certain of is that this measure—which is opposed by the Federal Law Enforcement Officers Association and the National Association of Assistant United States Attorneys—is not ready for prime time.

Of course, this is not even the worst bill the majority is attempting to jam through. H.R. 2579, or as I call it, the "Fire First and Ask Questions Later Act," is even more egregious and indefensible than H.R. 2711.

Republicans are intent on pushing one's tolerance for cruel irony when one considers that again, under the auspices of an anti-Obama Administration messaging effort—Republicans have carelessly drafted provisions in this bill that would vastly strengthen the power of Obama agency leaders to unilaterally, and arbitrarily, fire career civil servants under a "guilty until you prove yourself innocent" construct.

H.R. 2579 makes a mockery of our Nation's long-held principles embodied in the Due Process Clause of the Fifth Amendment, and no Member of Congress would dare hold him or herself to a similar Kangaroo Court procedure that presumes an American is guilty until proven innocent.

It is the height of hypocrisy that some of my colleagues are willing to foist such a disgraceful system on our civil servants to score political points.

And finally, last, but certainly not least damaging, we have H.R. 1541, the Preventing Government from Acting Like a Business Act.

As I noted at last week's markup, if this bill were purely standing on its own merits, it may make sense in tough times.

However, H.R. 1541 must be seen in the context of the relentless assault on Federal employees that commenced when Republicans assumed the majority in the House.

My colleagues on the other side of the aisle appear unaware that SES pay is discretionary under a Republican-instituted pay-for-performance system.

Contrary to the Republican rhetoric of lavish, unearned bonuses for undeserving members of the SES—the reality is that Senior Executives receive performance awards, and do not receive guaranteed annual increases, cost-of-living increases, locality pay, or overtime compensation.

Almost across the board, members of the SES receive significantly lower compensation than their private sector counterparts. For example, the maximum salary for a Federal VA hospital director is $179,900, while the average salary of a private sector hospital director is $800,000.

This bill is a slap in the face to thousands of career Senior Executives who excel in their fields and serve our Nation with distinction. From winning Nobel prizes, to hunting down Osama bin Laden, members of the SES are an incredibly valuable resource that our Nation should cultivate—not demean and tear down.

And for my colleagues who would profess a concern for the deficit, I would, simply close by noting that in 2012, the 46 winners of the Presidential Distinguished Rank award collectively saved American taxpayers $94 billion in cost-savings and avoidances. Their bonuses were most definitely merited.

I urge House Republicans to finally relent in scoring cheap political points at the expense of our dedicated Federal workforce.

I hope all my colleagues will join me in standing up for our civil servants and opposing these cynical bills.

Mr. ISSA. I yield myself 15 seconds.

Mr. Speaker, there was only one amendment offered by the minority, and this bill passed unanimously on a voice vote. The gentleman on the other side could have asked for a recorded vote if he objected to it; he did not.

We are trying to give the 2 million men and women who are Federal workers the right to record when they're called. This is a right every American gets, including the Federal worker.

I reserve the balance of my time.

Mr. CUMMINGS. I yield 2 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the ranking member for yielding me this time.

I rise in strong opposition to H.R. 2711, the so-called Citizen Empowerment Act, that has been brought to this floor without a hearing.

While I do understand that the legislation purports to address accountability and transparency in the Federal Government, I am greatly concerned that H.R. 2711, in its current form, will actually have quite the opposite effect.

In particular, this bill would allow the recording of any telephonic or in-person conversation with a Federal employee that is conducted in an official capacity. Regrettably, however, the bill does not include critical exemptions pertaining to the discussion of classified information or conversations relating to sensitive Federal law enforcement or public safety investigations.

In light of this significant flaw in the bill, our Federal Law Enforcement Officers Association has underscored that, rather than enhance accountability in government, this bill would actually have a chilling effect on the ability of Federal law enforcement officers to perform their duties.

According to the association—and I'll quote them:

> Put simply, this legislation does not work in the context of Federal law enforcement and does a disservice to the brave men and women who are asked to put their lives on the line to protect us from terrorists and criminals.

For this same reason, the bill is also opposed by the National Association of Assistant United States Attorneys. Moreover, this legislation actually is evidence of a shift away from a greater transparency by failing to include a requirement that Federal employees receive fair notice that their official conversations are being recorded.

Importantly, 12 States, including my home State of Massachusetts, have enacted State laws requiring the consent of both parties to a conversation to give their consent. These States' efforts have been undertaken in the interest of government transparency. Regrettably, this legislation would unfortunately serve to undermine them and preempt them.

In addition, I would note that this bill would also serve to promulgate the severely misguided notion that our Federal workforce is not to be trusted.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CUMMINGS. I yield the gentleman an additional 45 seconds.

Mr. LYNCH. I thank the gentleman.

Let us remember that our Federal employees are dedicated public personnel who work at our veterans hospitals. I have three hospitals in my district. I know how hard they work. They protect our borders. They research cures for deadly diseases and provide key services in support of our Departments of Defense, State, and Treasury. They deserve better than this, Mr. Speaker. They deserve better than this legislation. I hope my colleagues vote against it.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

I will read from the actual language, as amended, the bill before us today that says, ''Notice of rights when Federal employees engage in certain actions.'' It says:

> A notice of an individual's right to record conversations with employees shall be included in any written material provided by an executive agency.

Mr. Speaker, that's the only notice that's required in this bill. And that's simply, quite frankly, to let people know that it's a 50-State right, where today it's a 39-State right.

I appreciate the fact that unions and associations representing Federal employees have made statements. I just don't appreciate the fact that they've gotten the details of the actual bill wrong—and knowingly wrong, based on the dates of their letter.

More importantly, let's understand, this bill does not require verbal notice of a right to record given by a Federal official. It does not compromise that. More importantly, in 39 States, the public has this right; and in the other States, in most cases, the worst that would happen would be, if a person pulled it out, they might not be able to use it when trying to defend themselves.

But most important, this bill does not override existing Federal wiretap laws. Of course, if somebody's talking classified on an open telephone, yes, I'd like it recorded because I'd like them to be able to make the case that classified information is being inappropriately talked for. But it does not override the right to go into a classified session. But that better not be with the public generally. If you're discussing classified information, please understand that's a secure location.

So I won't accept these canards, these false statements as to what could happen, because it simply isn't in the four squares of the bill.

Mr. LYNCH. Will the gentleman yield?

Mr. ISSA. I yield to the gentleman from Massachusetts.

Mr. LYNCH. The gentleman misunderstands. The Federal employee doesn't know what is going to come out of the caller's mouth next, so classified information can come without notice.

Mr. ISSA. Reclaiming my time, classified information said by a Federal employee has an obligation to be said in a secure location. Of course, under the law, they can say no recording devices can be here in this secure location. But of course you go into a classified briefing, one, because you're cleared, and two, you go there knowingly. So let's not accept these kinds of things.

And let's understand, in 39 States, law enforcement is recording without the permission of the public—and more importantly, so is the IRS, the EPA, OSHA, Fish and Wildlife in many cases, or they're simply taking notes and holding you accountable. Remember, in America, if you answer the IRS wrong over the phone, you might very well get a bill; and your only ability to appeal that bill is to the IRS, and you must pay that bill before you can then go to the courts.

Let's understand, we're dealing in all kinds of agencies, and there are good people, lots of good people there. But on behalf of the 2 million Americans who work for the Federal Government, I want them to have the right to protect themselves by being able to have a right to record in all 50 States.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, as I close, let me say this. The chairman has made some allegations that things were not true—and I guess he's not talking about us, but I guess he's talking about the Federal Bureau of Investigation Agents Association in a letter that, just today, referring to what he just talked about, says—and I further quote from this letter of July 31, 2013:

> Also, by requiring written notices under the threat of disciplinary action, H.R. 2711 would create new administrative and bureaucratic requirements for agents conducting investigations. The time and the resources available to agents are already stretched too thin, and new administrative burdens make it more difficult for agents to protect the public.

That's from them.

By the way, the letters from the Association of Assistant U.S. Attorneys and the Federal Law Enforcement Officers Association, their opposition to this bill goes to the bill that is on the floor right now, so they have their concerns.

Again, I wish that this was something that we could have had testimony so that we could hear from those law enforcement agencies so that we could come to some type of agreement with regard to their concerns, but we did not have that opportunity.

□ 1330

Mr. Speaker, based upon the arguments that we've already made, I would urge Members to vote against this legislation.

I yield back the balance of my time.

Mr. ISSA. In closing, Mr. Speaker, we hold these truths to be self-evident: one of them clearly is our right of free speech; another, free association. But protecting from our government is what our Constitution is all about.

My Democratic friends want to talk about the good workers; but the ranking member knows well there are good workers, and there are some that aren't good. There are workers who would never call and harass somebody, and there are people who have threatened Americans repeatedly. We have whistleblowers, and we have proof of that. We have wrongdoing.

When you get harassed by the government or you simply want to make sure that you know what you said, you have the right to do it in 39 States. You have the right to do it in your State, but you may or may not have the right to do it in the other State which the Federal agency is calling you from. If you are a rancher—Fish and Wildlife, EPA, OSHA—these are not just names on a board; these are people who really affect your life and your liberty and your very commerce, your very ability to feed your family.

The minority whip talked about the Federal workforce not having a choice except to keep working because they need the money and they can't strike. We are not going to that issue. In the vast majority of States, this is already the law. They don't need the Federal Government's approval to record.

When we look at harmonizing how people in every State in the Union look to their government and expect their government to look to them, that is a solemn responsibility. We don't preempt States in any way, shape, or form. We simply make it clear that Americans have a relationship with their government that they can count on. One of them is if they get a harassing call from somebody, somebody who is out of line, or they're asked inappropriate questions, it won't be a ''he said, he said, she said, he said.'' They'll have the ability to record it if they choose.

Around here, we know that fact-based documentation and recordings have made a huge difference in finding out the truth about things that have happened. We also know that what people say is often discounted here, even when they're talking about horrific things that happened to them.

If we didn't have documents, not coming very quickly and usually blacked out, about the IRS's abuse of Americans simply trying to teach the Constitution or in some other way assert their rights of free speech, if we didn't have any documentation, it would just be a ''he said, she said.'' It shouldn't be a ''he said, he said.'' It should be absolutely something where you have that right.

I want all 2 million American Federal workers, I want State workers, I want everyone to know that they have this ability. And, yes, I want Federal workers to have an understanding that when they send an email out on the government email system, they, in fact, are sending out a public document, and it is going to be discovered potentially and used and they should be careful what they say or do, because they represent us, they represent the American people.

So, Mr. Speaker, this is a bill that didn't need a long set of hearings. I suspect that the same groups would object to it no matter how many hearings we had about Americans' right to life and liberty, their ability to assert what people would consider to be unalienable rights. We are not talking about a complex issue. We are talking about the vast majority of States have one rule, a few have a different rule, and as to Federal workers we are making the statement that we, their government, have decided that the answer if you're asked if you can record is, yes, and you don't even have to be asked.

Mr. Speaker, I thank you for your consideration, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 2711, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CUMMINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

GOVERNMENT SPENDING ACCOUNTABILITY ACT OF 2013

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 313) to amend title 5, United States Code, to institute spending limits and transparency requirements for Federal conference and travel expenditures, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 313

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 ''Government Spending Accountability Act of 2013'' or the ''GSA Act of 2013''.

SEC. 2. LIMITS AND TRANSPARENCY FOR CONFERENCE AND TRAVEL SPENDING.

(a) AMENDMENT.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5711 the following:

''§ 5712. Limits and transparency for conference and travel spending

''(a) CONFERENCE TRANSPARENCY AND SPENDING LIMITS.—

''(1) PUBLIC AVAILABILITY OF CONFERENCE MATERIALS.—Each agency shall post on the

public website of that agency detailed information on any presentation made by any employee of that agency at a conference (except to the extent the head of an agency excludes such information for reasons of national security or information described under section 552(b)) including—

''(A) the prepared text of any verbal presentation made; and

''(B) any visual, digital, video, or audio materials presented, including photographs, slides, and audio-visual recordings.

''(2) LIMITS ON AMOUNT EXPENDED ON A CONFERENCE.—

''(A) IN GENERAL.—Except as provided under subparagraph (B), an agency may not expend more than $500,000 to support a single conference.

''(B) EXCEPTION.—The head of an agency may waive the limitation under subparagraph (A) for a specific conference after making a determination that the expenditure is justified as the most cost-effective option to achieve a compelling purpose. The head of an agency shall submit to the appropriate congressional committees a report on any waiver granted under this subparagraph, including the justification for such waiver.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a private entity to pay or defray the costs of a conference the total cost of which exceeds $500,000.

''(b) INTERNATIONAL CONFERENCE RULE.—An agency may not pay the travel expenses for more than 50 employees of that agency who are stationed in the United States, for any international conference, unless the Secretary of State determines that attendance for such employees is in the national interest, or the head of the agency determines that attendance for such employees is critical to the agency's mission. The Secretary of State and the head of an agency shall submit to the appropriate congressional committees a report on any waiver granted under this subsection, including the justification for such waiver.

''(c) REPORTING ON TRAVEL AND CONFERENCE EXPENSES REQUIRED.—At the beginning of each quarter of each fiscal year, each agency shall post on the public website of that agency a report on each conference that costs more than $10,000 for which the agency paid travel expenses during the preceding 3 months that includes—

''(1) the itemized expenses paid by the agency, including travel, lodging, and meal expenses, and any other agency expenditures to otherwise support the conference;

''(2) the primary sponsor of the conference;

''(3) the location of the conference;

''(4) the date of the conference;

''(5) a brief explanation of how the participation of employees from such agency at the conference advanced the mission of the agency;

''(6) the title of any employee, or any individual who is not a Federal employee, whose travel expenses or other conference expenses were paid by the agency;

''(7) the total number of individuals whose travel expenses or other conference expenses were paid by the agency; and

''(8) in the case of a conference for which that agency was the primary sponsor, a statement that—

''(A) describes the cost to the agency of selecting the specific conference venue;

''(B) describes why the location was selected, including a justification for such selection;

''(C) demonstrates the cost efficiency of the location;

''(D) provides a cost benefit analysis of holding a conference rather than conducting a teleconference; and

''(E) describes any financial support or other assistance from a private entity used to pay or defray the costs of the conference, and for each case where such support or assistance was used, the head of the agency shall include a certification that there is no conflict of interest resulting from such support or assistance.

''(d) FORMAT AND PUBLICATION OF REPORTS.—Each report posted on the public website under subsection (c) shall—

''(1) be in a searchable electronic format; and

''(2) remain on that website for at least 5 years after the date of posting.

''(e) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given that term under section 5701, but does not include the government of the District of Columbia.

''(2) CONFERENCE.—The term 'conference' means a meeting, retreat, seminar, symposium, or event that—

''(A) is held for consultation, education, discussion, or training; and

''(B) is not held entirely at a Government facility.

''(3) INTERNATIONAL CONFERENCE.—The term 'international conference' means a conference occurring outside the United States attended by representatives of—

''(A) the Government of the United States; and

''(B) any foreign government, international organization, or foreign nongovernmental organization.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5711 the following:

''5712. Limits and transparency for conference and travel spending.''.

(c) ANNUAL TRAVEL EXPENSE LIMITS.—

(1) IN GENERAL.—In the case of each of fiscal years 2014 through 2018, an agency (as defined under section 5712(e) of title 5, United States Code, as added by subsection (a)) may not make, or obligate to make, expenditures for travel expenses, in an aggregate amount greater than 70 percent of the aggregate amount of such expenses for fiscal year 2010.

(2) EXEMPTIONS.—The agency may exclude certain travel expenses from the limitation under paragraph (1) only if the agency head determines that inclusion of such expenses would undermine national security, international diplomacy, health and safety inspections, law enforcement, or site visits required for oversight or investigatory purposes.

(3) REPORT TO CONGRESS.—In each of fiscal years 2014 through 2018, the head of each agency shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing—

(A) the justification for any expenses excluded (under paragraph (2)) from the limitation under paragraph (1); and

(B) the positive or negative impacts, if any, of the limitation under paragraph (1) on the agency's mission, cost-effectiveness, efficiency, and ability to perform core functions.

(4) IDENTIFICATION OF TRAVEL EXPENSES.—

(A) RESPONSIBILITIES.—Not later than September 30, 2013, and after consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts, the Director of the Office of Management and Budget shall establish guidelines for the determination of what expenses constitute travel expenses for purposes of this subsection. The guidelines shall identify specific expenses, and classes of expenses, that are to be treated as travel expenses.

(B) EXEMPTION FOR MILITARY TRAVEL.—The guidelines required under subparagraph (A) shall exclude military travel expenses in determining what expenses constitute travel expenses. Military travel expenses shall include travel expenses involving military combat, the training or deployment of uniformed military personnel, and such other travel expenses as determined by the Director of the Office of Management and Budget, in consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. MEADOWS. Mr. Speaker, I yield myself such time as I may consume.

Last year, the public became aware of the now-infamous GSA Las Vegas conference that cost taxpayers some $820,000.

In the wake of that public outcry, the Office of Management and Budget issued a May 2012 memo outlining new policies and procedures for Federal travel and conferences. In the memo, OMB told agency heads to reduce travel spending for fiscal year 2013 to 70 percent of the fiscal 2010 levels. Senior-level review was instituted for all events, with senior-level approval and public reporting for events costing some $100,000 or more, and a general prohibition on events costing half a million or more, unless the agency signed a waiver.

The Oversight Committee learned that in fiscal year 2012 alone, nearly 900 Federal conferences costing in excess of $100,000 were held. The total cost of these events exceeded $340 million.

H.R. 313 codifies OMB's travel and conference guidelines with some important changes. While exempting military travel, the bill eliminates loopholes in the OMB guidance in order to ensure that agencies actually achieve a 70 percent reduction in nonmilitary-related travel.

The bill also mandates transparency by requiring agencies to post online, on a quarterly basis, detailed, itemized reports of all conference spending. And it requires that materials presented at the conference by a Federal employee be made available online.

Last year, the House approved unanimously substantially similar legislation that was also reported from the Oversight Committee. I would like to thank Mr. FARENTHOLD for his leadership on this bill, and Mr. POCAN for

working with us at the committee markup to help make important improvements to this bill.

I urge all Members to support this good government and commonsense legislation, and I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 313, as amended. I support the intent of this legislation to reduce wasteful travel and conference spending and to shine light on the Federal Government expenditures in those areas.

The recent instances of excessive spending at a 2010 Las Vegas conference held by the General Services Administration and two 2011 Orlando conferences hosted by the Veterans Affairs Department gave good cause for the introduction of this measure. I believe that safeguards and heightened congressional and public scrutiny are needed to prevent incidents like those from happening again.

This bill is similar to legislation that passed the House in the last Congress and similar to administration guidance issued to agencies. Legislation would require agencies to reduce travel spending by 30 percent below fiscal year 2010 levels in each of the next 5 fiscal years and limit expenditures on any single conference to $500,000.

I also thank Chairman ISSA for working with us to make some changes to the bill to address some of our major concerns. We added language to the bill to allow agency heads or the Secretary of State to waive the 50 percent limit on the number of employees who may attend international conferences. This change was made to address concerns raised by Representatives RUSH HOLT, EDDIE BERNICE JOHNSON, and others in the scientific community about the potential negative effect of the limit on the free and open exchange of scientific and technical knowledge.

We also established $10,000 as the minimum threshold amount a conference would have to cost before agencies would be required to provide cost information in their quarterly reporting.

Lastly, we appreciate the addition of the language in the bill exempting travel expenses from the required 30 percent reduction when the reduction would undermine national security, international diplomacy, health and safety inspections of law enforcement, or site visits required for oversight investigations.

I believe that H.R. 313 has been greatly improved by the exchanges. I offer my support for this legislation, and I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield as much time as he may consume to my distinguished colleague from the State of Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Speaker, I appreciate the ranking member's support of this bill.

This is not an anti-travel, anti-conference bill. This is a commonsense transparency and good government bill. It was designed to stop wasteful spending.

You hear a lot of talk here around Washington, D.C., about we've got to stop the waste, fraud, and abuse. Well, we are doing that here today with H.R. 313. What we are doing is saying if there is a government conference, it needs to be for government purposes and real work needs to be done.

We are not asking the taxpayers to foot the bill for a vacation for Federal employees. We don't need clowns, we don't need mind readers, we don't need a Star Trek video, we don't need pictures of agency representatives in a bathtub with a glass of wine.

We need Federal employees conducting Federal business and doing what the taxpayers are paying them to do. Many of these conferences are great opportunities for training, great opportunities in the scientific community to move forward with advancements. But what we've got to do is make sure taxpayers' money is not wasted, that it is spent wisely. We need a culture in this government where Federal employees, each and every one of them, know it is not their money they're spending; it's the hardworking American taxpayers' money that they are spending.

That's what we are doing here today. We are putting limits on the amount that can be spent. In certain cases, you can go over these limits, but we need to have someone held accountable for these conferences. So when you get into the big-dollar amounts, an agency head, somebody who is politically accountable, has to sign off for it, somebody who actually is thinking all the time about what is the public going to think about this.

This is a great solution we've crafted in a bipartisan manner that doesn't end conferences, but promotes responsible conferences.

I urge my colleagues to vote ''yes'' on H.R. 313.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the gentlelady from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I thank the ranking member for the time.

I would first respectfully correct the record because the GAO conference was not in Las Vegas; it was in Henderson, Nevada, which is in District 3.

Like my colleagues, I believe that government agencies should spend every cent in the most careful and responsible way possible, and it is our job as Members of Congress to ensure that all government spending is effective and efficient.

While there are still improvements that can be made, and I agree with many of the comments that have been issued on the floor already, Congress and the administration have already taken many steps to eliminate excessive travel, require transparency, and improve oversight.

I rise today, however, because I believe that H.R. 313 sends the wrong message about business travel. I am proud to represent Las Vegas, one of the premier business destinations in the United States. Last year, we hosted some 21,000 meetings and conventions attended by almost 5 million business travelers. These business meetings supported 60,000 jobs with an economic impact of $6.7 billion.

Business travel is an important aspect of the economy, with over $250 billion in direct spending by business travelers, which supports 2.2 million jobs nationwide. Even in this age of technology, where lots of business is conducted via the Internet, small businesses across Nevada tell me all the time that the opportunity to meet face-to-face to discuss new programs, cultivate business at a trade show, or learn about new products and designs is just irreplaceable.

I look forward to continuing to work with my colleagues to cultivate this important aspect of our economy while also ensuring that our tax dollars are well spent.

□ 1345

Mr. MEADOWS. Mr. Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. HECK).

Mr. HECK of Nevada. Mr. Speaker, I rise in support of reining in excessive government spending and waste, and I thank my colleague from Texas for his work on this important matter.

As the Representative who represents Henderson, Nevada, I am pleased Congress and the administration worked together to reduce wasteful government spending and to prevent flagrant abuses of taxpayer funds on lavish conferences and travel. These efforts will certainly increase oversight and transparency. However, I urge my colleagues to avoid those unnecessary restrictions on government travel which could significantly affect conference cities like Las Vegas and Henderson.

Despite the inexcusable actions of a few, government conferences can benefit the public and private sectors and contribute to our economic health. Cancelling conferences outright solves nothing. The cancellation of a 2013 Military Health System Conference to train military medical personnel actually cost the government more than $800,000 in replacement expenses and lost revenue. I am concerned that those approving government conferences under these new standards may limit agency travel to specific geographic locations solely to avoid the perception of the misuse of taxpayer funds.

These decisions should not be about perception but should be based on cost-effectiveness, efficiency, and the best interests of taxpayers. That's why I cosponsored H.R. 1880, the Protecting Resort Cities from Discrimination Act, to prohibit Federal agencies from implementing policies that discourage travel to perceived resort or vacation destinations. Cities like Las Vegas, Henderson, and Orlando are equipped with an abundance of affordable rooms and conference spaces, and independent studies

confirm that the per attendee cost of government conferences is nearly half that of similar private sector conferences, but these cities should not suffer from poor judgment by a handful of government workers.

Again, I strongly support the efforts to eliminate the waste and abuse of taxpayer funds. Federal travel and conference participation benefits our economy when done appropriately and responsibly. So I support this legislation, and I ask to continue to work together to encourage accountability and transparency for government travel to ensure conference cities like Las Vegas, Henderson, and others can continue to provide their valuable services.

Mr. CUMMINGS. Mr. Speaker, I urge Members to support the legislation, and I yield back the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield 2 minutes to my distinguished colleague from the State of Florida (Mr. ROSS).

Mr. ROSS. Mr. Speaker, I rise today in support of the Government Spending Accountability Act, which will rein in out-of-control government spending by providing much-needed reforms and transparency for Federal employee travel and government-sponsored conferences.

As someone who introduced similar legislation last year, I want to thank Chairman FARENTHOLD for his continued work on this important issue.

Mr. Speaker, reports of lavish and out-of-control spending by various Federal agencies, most notably by the General Services Administration, have highlighted the need for serious reform for these types of fiscally irresponsible practices. However, other agencies have been responsible for carelessly wasting taxpayer funds as well.

One example of this waste took place an hour from my home in Lakeland, Florida. In 2011, the Department of Veterans Affairs held two human resources training conferences in Orlando, Florida, at a cost of $6.1 million to the taxpayers. Last year, an inspector general report published within the Department of Veterans Affairs found that the Department conference planners allowed up to $762,000 in unauthorized or wasteful spending. This included gifts, spa treatments, tickets for helicopter rides, and golf packages.

Mr. Speaker, the men and women in uniform are some of the best and proudest that America has to offer. They take an oath to uphold not only the Constitution of this United States but also to give the ultimate sacrifice of their lives. Here, the veterans administration agency, which is charged with making sure that their benefits are adequately and appropriately provided, has been indicted with wasting these taxpayer dollars. Unfortunately, at a time when veterans are waiting in line for benefits they fought and sacrificed to earn, taxpayers should not be subsidizing lavish hotel bills and golf outings.

Once again, I want to thank the chairman for introducing this legislation, and I encourage all of my colleagues to join me in passing this good government legislation.

Mr. MEADOWS. I want to thank the ranking member for his support of this legislation, and I urge all Members to support the passage of H.R. 313, as amended.

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

Mr. HOLT. Mr. Speaker, I thank the Chairman and the Ranking Member for making small changes to this legislation to address concerns that I raised about this bill last year. However, the premise of the bill remains the same and for that reason, I oppose H.R. 313, the so-called "Government Spending Accountability Act". H.R. 313 is fundamentally flawed because it would make significant changes to federal employees' ability to travel to conferences and meetings.

This bill institutes prohibitions and impediments that would hinder American scientists' ability to collaborate and communicate with scientists at other institutions and laboratories.

Although I appreciate the sponsors' efforts to ensure oversight on travel expenditures, I'm not sure they realize the impact that this legislation would have on science and technology, which is the engine of American innovation. The informal conversations, as well as the formal presentations and everything else that goes on between scientists from different institutions, from different countries, lead to new collaborations that have the promise of new discoveries. These are not fancy junkets.

Scientific conferences are critically important. For example, the American Chemical Society and, the American Physical Society have stated that the development of an anticancer drug was the result of collaboration between a team of scientists from three laboratories that took place at one of these conferences. This bill would hinder that kind of collaboration. In a time when the federal government should be making science a priority, passing a bill that would make scientists jump through hurdles and get around impediments would, in fact, weaken American scientists, weaken American science, and impede the ability of American scientists to innovate.

That is not wise. This is not the way to build our economy and to foster advancements in innovation. We should be investing more in research and development, which means, of course, investing in scientists, but also investing in their ability to pursue science.

Would Congress do better if we did not meet in person, if we stayed home and got on conference calls every once in a while? I don't think so. I think the gains that are made in good legislation that come from conferences, from working together as colleagues as we gather for votes, or in committees, are invaluable. The same can be said for scientific conferences—better innovation can occur when scientists meet together, face-to-face.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 313, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GOVERNMENT EMPLOYEE ACCOUNTABILITY ACT

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2579) to amend title 5, United States Code, to provide for investigative leave requirements with respect to Senior Executive Service employees, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2579

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 "Government Employee Accountability Act".

SEC. 2. SUSPENSION FOR 14 DAYS OR LESS FOR SENIOR EXECUTIVE SERVICE EMPLOYEES.

Paragraph (1) of section 7501 of title 5, United States Code, is amended to read as follows:

"(1) 'employee' means—

"(A) an individual in the competitive service who is not serving a probationary or trial period under an initial appointment or who has completed 1 year of current continuous employment in the same or similar positions under other than a temporary appointment limited to 1 year or less; or

"(B) a career appointee in the Senior Executive Service who—

"(i) has completed the probationary period prescribed under section 3393(d); or

"(ii) was covered by the provisions of subchapter II of this chapter immediately before appointment to the Senior Executive Service;".

SEC. 3. INVESTIGATIVE LEAVE AND TERMINATION AUTHORITY FOR SENIOR EXECUTIVE SERVICE EMPLOYEES.

(a) IN GENERAL.—Chapter 75 of title 5, United States Code, is amended by adding at the end the following:

"SUBCHAPTER VI—INVESTIGATIVE LEAVE FOR SENIOR EXECUTIVE SERVICE EMPLOYEES

"§ 7551. Definitions

"For the purposes of this subchapter—

"(1) 'employee' has the meaning given such term in section 7541; and

"(2) 'investigative leave' means a temporary absence without duty for disciplinary reasons, of a period not greater than 90 days.

"§ 7552. Actions covered

"This subchapter applies to investigative leave.

"§ 7553. Cause and procedure

"(a)(1) Under regulations prescribed by the Office of Personnel Management, an agency may place an employee on investigative leave, without loss of pay and without charge to annual or sick leave, only for misconduct, neglect of duty, malfeasance, or misappropriation of funds.

"(2) If an agency determines, as prescribed in regulation by the Office of Personnel Management, that such employee's conduct is flagrant and that such employee intentionally engaged in such conduct, the agency may place such employee on investigative leave under this subchapter without pay.

"(b)(1) At the end of each 45-day period during a period of investigative leave implemented under this section, the relevant agency shall review the investigation into the employee with respect to the misconduct, neglect of duty, malfeasance, or misappropriation of funds.

''(2) Not later than 5 business days after the end of each such 45-day period, the agency shall submit a report describing such review to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

''(3) At the end of a period of investigative leave implemented under this section, the agency shall—

''(A) remove an employee placed on investigative leave under this section;

''(B) suspend such employee without pay; or

''(C) reinstate or restore such employee to duty.

''(4) The agency may extend the period of investigative leave with respect to an action under this subchapter for an additional period not to exceed 90 days.

''(c) An employee against whom an action covered by this subchapter is proposed is entitled to, before being placed on investigative leave under this section—

''(1) at least 30 days' advance written notice, stating specific reasons for the proposed action, unless—

''(A) there is reasonable cause to believe that the employee has committed a crime for which a sentence of imprisonment can be imposed; or

''(B) the agency determines, as prescribed in regulation by the Office of Personnel Management, that the employee's conduct with respect to which an action covered by this subchapter is proposed is flagrant and that such employee intentionally engaged in such conduct;

''(2) a reasonable time, but not less than 7 days, to answer orally and in writing and to furnish affidavits and other documentary evidence in support of the answer;

''(3) be represented by an attorney or other representative; and

''(4) a written decision and specific reasons therefor at the earliest practicable date.

''(d) An agency may provide, by regulation, for a hearing which may be in lieu of or in addition to the opportunity to answer provided under subsection (c)(2).

''(e) An employee against whom an action is taken under this section is entitled to appeal to the Merit Systems Protection Board under section 7701.

''(f) Copies of the notice of proposed action, the answer of the employee when written, and a summary thereof when made orally, the notice of decision and reasons therefor, and any order effecting an action covered by this subchapter, together with any supporting material, shall be maintained by the agency and shall be furnished to the Merit Systems Protection Board upon its request and to the employee affected upon the employee's request.

''SUBCHAPTER VII—REMOVAL OF SENIOR EXECUTIVE SERVICE EMPLOYEES

''§ 7561. Definition

''For purposes of this subchapter, the term 'employee' has the meaning given such term in section 7541.

''§ 7562. Removal of Senior Executive Service employees

''(a) Notwithstanding any other provision of law and consistent with the requirements of subsection (b), the head of an agency may remove an employee for serious neglect of duty, misappropriation of funds, or malfeasance if the head of the agency—

''(1) determines that the employee knowingly acted in a manner that endangers the interest of the agency mission;

''(2) considers the removal to be necessary or advisable in the interests of the United States; and

''(3) determines that the procedures prescribed in other provisions of law that authorize the removal of such employee cannot be invoked in a manner that the head of an agency considers consistent with the efficiency of the Government.

''(b) An employee may not be removed under this section—

''(1) on any basis that would be prohibited under—

''(A) any provision of law referred to in section 2302(b)(1); or

''(B) paragraphs (8) or (9) of section 2302(b); or

''(2) on any basis, described in paragraph (1), as to which any administrative or judicial proceeding—

''(A) has been commenced by or on behalf of such employee; and

''(B) is pending.

''(c) An employee removed under this section shall be notified of the reasons for such removal. Within 30 days after the notification, the employee is entitled to submit to the official designated by the head of the agency statements or affidavits to show why the employee should be restored to duty. If such statements and affidavits are submitted, the head of the agency shall provide a written response, and may restore the employee's employment if the head of the agency chooses.

''(d) Whenever the head of the agency removes an employee under the authority of this section, the head of the agency shall notify Congress of such termination, and the specific reasons for the action.

''(e) An employee against whom an action is taken under this section is entitled to appeal to the Merit Systems Protection Board under section 7701 of this title.

''(f) Copies of the notice of proposed action, the answer of the employee when written, and a summary thereof when made orally, the notice of decision and reasons therefor, and any order effecting an action covered by this subchapter, together with any supporting material, shall be maintained by the agency and shall be furnished to the Merit Systems Protection Board upon its request and to the employee affected upon the employee's request.

''(g) A removal under this section does not affect the right of the employee affected to seek or accept employment with any other department or agency of the United States if that employee is declared eligible for such employment by the Director of the Office of Personnel Management.

''(h) The authority of the head of the agency under this section may not be delegated.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 75 of title 5, United States Code, is amended by adding after the item relating to section 7543 the following:

''SUBCHAPTER VI—INVESTIGATIVE LEAVE FOR SENIOR EXECUTIVE SERVICE EMPLOYEES

''7551. Definitions.
''7552. Actions covered.
''7553. Cause and procedure.

''SUBCHAPTER VII—REMOVAL OF SENIOR EXECUTIVE SERVICE EMPLOYEES

''7561. Definition.
''7562. Removal of Senior Executive Employees.''.

SEC. 4. SUSPENSION OF SENIOR EXECUTIVE SERVICE EMPLOYEES.

Section 7543 of title 5, United States Code, is amended—

(1) in subsection (a), by inserting ''misappropriation of funds,'' after ''malfeasance,''; and

(2) in subsection (b), by amending paragraph (1) to read as follows:

''(1) at least 30 days' advance written notice, stating specific reasons for the proposed action, unless—

''(A) there is reasonable cause to believe that the employee has committed a crime for which a sentence of imprisonment can be imposed; or

''(B) the agency determines, as prescribed in regulation by the Office of Personnel Management, that the employee's conduct with respect to which an action covered by this subchapter is proposed is flagrant and that such employee intentionally engaged in such conduct;''.

SEC. 5. MISAPPROPRIATION OF FUNDS AMENDMENTS.

(a) REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE.—Section 3593 of title 5, United States Code, is amended—

(1) in subsection (a)(2), by inserting ''misappropriation of funds,'' after ''malfeasance,''; and

(2) in subsection (b), by striking ''or malfeasance'' and inserting ''malfeasance, or misappropriation of funds''.

(b) PLACEMENT IN OTHER PERSONNEL SYSTEMS.—Section 3594(a) of title 5, United States Code, is amended by striking ''or malfeasance'' and inserting ''malfeasance, or misappropriation of funds''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. MEADOWS. Mr. Speaker, I yield myself such time as I may consume.

From Jeff Neely at the GSA to Lois Lerner at the IRS, the Oversight and Government Reform Committee has uncovered numerous examples of high-ranking government employees engaging in behavior contrary to the principles of public service.

In the private sector, these behaviors would be grounds for serious disciplinary action or termination. In some cases, these employees could face civil or criminal penalties—but not in the Federal bureaucracy. Only in Washington would these employees not be terminated but, instead, be placed on administrative leave with pay.

H.R. 2579 helps ensure Senior Executive Service employees are held accountable for their actions while maintaining existing due process rights. This legislation was unanimously approved by the Oversight Committee last week, and a similar version of this bill was passed by the House by a vote of 402–2 last Congress.

I want to commend the gentleman from Pennsylvania (Mr. KELLY) for his work on this bill, and I urge all Members to support its adoption.

I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

I am no longer surprised, but I am saddened that the Republicans are

wasting the last few days before the August recess to vote on bills to repeal the Affordable Care Act for the 40th time and to continue their campaign to blame our country's civil servants for the challenges we face. We could be addressing the many serious and important issues facing our country, such as appointing conferees to negotiate a balanced budget to replace the harmful sequester, or passing legislation that would create jobs for the middle class, or voting on comprehensive immigration reform. Instead, Republicans are more interested in playing partisan games and in advancing political messaging bills.

Americans want Congress to focus on creating jobs and on growing our economy. The Democrats have put forward a responsible budget that invests in the future and in the middle class while taking a balanced approach to deficit reduction. Yet, Republicans refuse to listen, with a record defined more by what they have failed to do than what they have actually achieved.

It has been 209 days since the start of this Congress, and the Republicans have failed to pass a single jobs bill. It has been 129 days since the Senate passed a budget, and the Republicans have refused to appoint conferees to complete negotiations and resolve final legislation. Now Senators JOHN MCCAIN, SUSAN COLLINS, LAMAR ALEXANDER, and BOB CORKER have joined House Democrats in our calls to go to conference. Yet, here we are today debating on H.R. 2579, a bill that would strip due process protections from Senior Executive Service employees accused of wrongdoing.

This bill would give a politically appointed agency head broad discretion to fire Senior Executive Service employees without advance notice. The bill would provide no opportunity for a proper investigation or for employees to address the agency's concerns before such action is taken. H.R. 2579 would eliminate due process protections that were put in place precisely to protect civil servants from partisan, political influence. It would shift the burden onto employees to prove their innocence and seek reinstatement. This is contrary to the core legal principle of the American justice system—the presumption that one is innocent until proven guilty.

My Republican colleagues would have you believe that this is a bill needed to hold senior executives in our Federal Government agencies accountable. Although abuses committed by government employees certainly need to be addressed, denying due process rights to employees is not the appropriate way to do it.

There are existing procedures in place to deal with these challenges. Under current law, agencies may take action against senior executives for misconduct, neglect of duty, malfeasance, or the failure to accept a reassignment or a transfer of function. However, current law requires agencies to give Senior Executive employees 30 days' advance notice, among other rights, before disciplinary action is commenced unless there is reasonable cause to believe that the employee has committed a crime.

I believe that we need to strengthen and improve the agency implementation of existing disciplinary procedures rather than pass legislation that would abridge the fundamental rights of our public servants. This bill would fire accused employees first, then ask questions later. I am afraid agency heads could feel undue pressure in particularly high-profile cases to terminate employees without first conducting a thorough investigation to determine the facts. For these reasons, I strongly oppose H.R. 2579, and I urge my colleagues to join me in opposing this legislation.

With that, I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. For those of you up in the gallery, please put on your seatbelts. Again, this room is spinning so fast right now that it's hard to determine what's being said or why it's even being said. So, please, put them on. I don't want you to fall out of the gallery in trying to keep up with what's being said.

The SPEAKER pro tempore. Members are advised to address their remarks to the Chair and to refrain from referring to occupants of the gallery.

Mr. KELLY of Pennsylvania. My comment, Mr. Speaker, is I'm concerned about the safety of those watching today from the gallery. I just wanted them to be aware that there is a definite turntable here, and I'm really surprised that anybody can walk straight when they leave this room because of the spin that's put on everything. So my concern is for the safety of those watching today.

In going back to February 6, 1788, James Madison said to us, ''If angels were to govern men, neither external nor internal controls on government would be necessary.''

I've got to tell you that Madison is still alive, and he is alive on both sides of the aisle. What amazes me sometimes is how we get so far away from what it is that we are trying to do and who it is we are trying to protect. Now, I've heard the terms that—do you know what?—we're not protecting those who work for America. Let me tell you about those who work for America.

When I come out of my church on Sunday morning—out of St. Paul's, the 8 o'clock mass—I see all kinds of people who work for America. When I'm down at the Kmart, doing my shopping, I see all kinds of people who work for America. When I'm in Erie, Pennsylvania, I see all kinds of people who work for America—the same in Meadville, Pennsylvania, and the same in Butler, Pennsylvania. So I'm sometimes confused about who it is we're trying to protect. If it's truly those who work for America, it is those who work for America.

All of these folks behind me work for America. All of the people at our homes work for America, do they not?

Now the question is: Who looks after those people, those American taxpayers? When there is an abuse, my goodness, have we gotten to the point at which our only concern is for those who get a check that says it came from the United States Government?

I know who funds America. It is hardworking American taxpayers. That is why it's so unbelievable for me to sit here and listen to how we're not protecting those who work for America.

□ 1400

This is not about the men and women, the guys and gals that go to work every day for the government. The ranking member knows that this is not about stripping them of their rights. It truly is not. In fact, if you go to page 8, lines 15 through 17:

> An employee against whom an action is taken under this section is entitled to appeal to the Merit Systems Protection Board under section 7701 of this title.

Nobody is being stripped of anything. What we're doing is taking care of all those people who elected us to come here. I've got to tell you, I wasn't just elected as a Republican to come and take care of only those folks in my district that are registered Republican. I was sent here to represent everybody. I've never sat back and said, You know what? This isn't in the best interest of my Republican constituents. It helps my Democrat constituents. Since I'm a Republican, I'll game it, I'll spin it so that I can't vote that way. That's absolutely stupid.

Again, how far have we gotten from the initial message of what it is we're trying to do? The Government Employee Accountability Act—when we had the GSA hearing and the ranking member sat there, I said, Why is Mr. Neely on leave with pay when you know the IG had him under investigation? In fact, you bonused him money for the very same event that he's being investigated for. You bonused him, and then you let him go home to do what he wants to do. He's on leave with pay.

When I go back home, people ask me all the time, and I see their faces, and I can't look at them and say, You know what? What you don't understand is that in Washington, you can do the wrong thing and there's no accountability. Now, if you're back home in the private sector and you do the wrong thing, you're held accountable. What you have to understand is that you work in the private sector, not the public sector. They cry out for equal treatment. Not special treatment, not to be handled differently than anybody else. But they say, Mr. KELLY, if it's good for the goose, it's good for the gander.

Should not both sides of this aisle be concerned with what's right for the

American taxpayer? Should we not be concerned with what's right for American citizens? Should we not say to these same people who run these agencies, Look, we know you don't have the tools that you need—and that's what I was told by the GSA, that they put Mr. Neely on leave because they don't have any mechanism to do otherwise.

I don't want to keep beating up Jeff Neely, but by the same token, I refuse to keep beating up American taxpayers. If I don't have the stomach, if I don't have the backbone to do what's right, and if I can't walk a straight line when I leave here—this is not about taking the rights away from people who work for the government. Come on, guys. You know that.

Oh, my goodness. We've got to get together on this because this is not making sense to me. This looks like the back end of a frat party where everybody's kind a walking crooked coming out, trying to figure out what it is they did for the last 3 or 4 hours. I've got to tell you that this is common sense for America. If we cannot protect those who sent us here, if we cannot restore the trust of those who sent us here, if we're going to come here and debate and make a mockery and spin it to the point where it confuses the American people—this is not about taking anybody's rights away. This is about reinforcing the responsibilities of those who work for the American taxpayer, and that is all of us, both Republican and Democrat.

I've got to tell you what I've said before. There is no way I'll ever go back to northwest Pennsylvania and tell them, You just don't get it. See, the problem with you people is you're so busy working trying to make ends meet, you don't understand how government works. We can twist it. We can turn it. We can say anything we want. What we ask you is to believe. You know what the American people are telling us? I don't believe you any more. I don't trust you any more. I don't understand why I can be held accountable for everything I do, but other folks that work for me can do pretty much anything they want. Then we'll redeploy them. We'll push them off to another area. They won't lose a penny. We'll bring them back in under some other title, some other agency. All I want to do is give those managers of those agencies the tools that they have requested of us in Congress, give them the ability to hold people accountable.

Who am I talking about? I'm talking about the senior executives. I'm not talking about every gal and guy who walks into an office every day that does great work for the American people. Let's not get confused. So, please, don't spin it. My days of riding a merry-go-round are over, and so should yours be. We can fix this. We have to put things in there that make it possible to hold people accountable. The people that raised me, the people that I've worked for, the people that I have played under as coaches, hold you accountable for everything you do, and there are repercussions for doing the wrong thing. You don't give them a pat on the back and say, You know what? Go home for a while. Don't worry about your pay. The American taxpayer is going to pick up the tab on that. We'll keep you safe. We'll keep you covered.

Senior executive, this is the creme de la creme, This is the top of the bunch. This isn't all those people you see walking in and out. I don't want to get it confused with the gentleman from Maryland about sequestration. This is about what's fair for this Nation. I'm sick and tired of having everyone else throwing in and saying, No, you don't understand. Let's all put it in a blender, we'll pour it out, and they'll drink it. No, they won't. The American people are choking now on the rhetoric that comes out of this House because we don't talk straight. We talk Washingtonese, which nobody understands. We wouldn't allow it in our public sector, and we shouldn't allow it here.

If it's about accountability, listen, I will tell you what, I would like to see accountability not just in the government employee, but also in Members of this great legislature. My goodness, if we don't understand what Madison said and we are truly not ruled by angels, as we know, we are obliged to put in elements that force us—because we won't do the right thing on our own—force us to do the right thing for the American taxpayers and those men and women who get up every day, throw their feet out over the bed, and go to work. Do you know why they do it? Because they love their families and they love their country, and they know they have to do it.

Mr. Speaker, thank you so much for allowing this piece of legislation to come forward. I can't tell you how proud I am to be a Member of this body. We may disagree on some things, but people tell me, Kelly, you don't understand. I say, No, no, no. The problem is I do understand; I just don't agree. I understand it so well that if we don't right these wrongs, this great country will never be what it was supposed to be. For us to sit here as a body and allow it to happen and say, Too tough a vote. Man, some people are not going to like me for this. I may not get elected the next time. I just say, Get a stomach, get a stronger back, and do what's right for America. This is about what's right for the true Americans that keep this great organization going. That is the American taxpayer.

So having said that, Mr. Speaker, I thank you so much for allowing me to get up and speak, and please, ''If angels were to govern men, neither external nor internal controls on government would be necessary.'' Isn't it amazing that over 225 years ago, the same thing rings true today? If it were really angels that were running the organization, we wouldn't be having these conversations, and we would just go ahead with every day and say it's all right.

We're not. We're ruled by men. Men make mistakes. Men need to be held accountable when they make a mistake. I want to make sure that each of us, no matter what party you represent, is able to go to their home district and say, I did what was right for you today. I did what was right for you, your children, and your grandchildren. I did what was right for America.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Before yielding to Mr. LYNCH, I just want to say one thing. I listened to the gentleman, and I have the utmost respect for him. But I remind him that this is American jurisprudence that has had the concept of ''innocent until proven guilty'' for as long as he just talked about.

Mr. KELLY. Will the gentleman yield?

Mr. CUMMINGS. I just want to finish this. I listened to you very carefully. You had an outstanding speech, but I want to just make sure we're clear on something.

The senior executives suspected right now of criminal activity may already be removed or placed in indefinite suspension without pay. We need to focus on improving agency implementation.

You talk about the Neely case. Rather than passing legislation that would deprive employees of their due process rights—I do want to keep in mind that there is a little thing called the Constitution of the United States of America that every 2 years we come and swear we're going to uphold. Part of that Constitution is about due process, and that's what we are trying to adhere to here.

I think we have to be very careful when we start looking at just individual cases. We're making legislation for Federal employees throughout this country, and I just want to provide some caution there.

I now yield such time as he may consume to the distinguished gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman for yielding.

Mr. Speaker, first of all, I want to say that I have the utmost affection and respect for the gentleman from Pennsylvania. He and I are friends. But I must say that he's wrong on this case.

It's ironic that you choose James Madison as the one person that you rely upon in your argument, because it was James Madison that actually drafted the due process clause. He was the one that took the recommendations from the delegates from New York and actually drafted the text. He made his own amendments to the due process clause that we today rely upon to protect constitutional rights.

Let me also talk about the Senior Executive Service in our Federal government. Those are the employees that rise to the top. They do after years of serving in many cases because of their expertise in protecting our veterans at

the VA hospitals. But the Senior Executive Service is an experienced corps of dedicated Federal employees who provide institutional stability and continuity across administrations, and they serve as a vital link between political appointees, frontline managers, and the Federal workforce. We don't want each administration coming in and saying for no reason, Well, I'm a Republican. I'm going to fire all the Democratic executives in the Senior Executive Service. We don't want a Democrat coming in and saying, I'm going to fire all these Republicans who are in senior positions.

One of the protections we provide is due process of law. Despite the important role that Senior Executive Service employees play in the Federal Government, this bill that's on the floor today would deprive these employees of the basic due process rights available to them under existing law. The legislation would give agency heads the broad discretion to just fire people, fire senior executives that are suspected of misconduct, and employees would bear the burden of proving their reinstatement. This is called ''ready, fire, aim.'' It would allow firing employees for basically any reason that in the discretion of the senior management is required. As the gentleman from Maryland and I—and I congratulate him on his advocacy here—it presumes guilt before we get all the facts. That is completely inconsistent with the principles of our Constitution.

I am deeply concerned that this legislation may cause irreparable reputational damage if an individual is wrongly accused and forced to seek reinstatement. The person may eventually be vindicated, but the damage to the individual's reputation, their financial stability, and their career may be beyond repair. Moreover, there are effective tools already existing to hold senior executives accountable for performance and conduct issues. These disciplinary procedures provide very simply, 30 days' notice. You have to have notice why you're fired in writing. That's not a lot to ask, 30 days' notice of why you're being fired. This is what you're eliminating from the law right now. It gives that person 30 days to scramble to get a representative to put a case together to say, No, these aren't the facts. It allows them, if they are able, to get an attorney or a representative, which includes the right to that written decision and the right to appeal to the Merit Systems Protection Board.

Those are the basic due process rights that James Madison has supported. You're right, James Madison is still here today. He's on this side. He's on the side of due process. He doesn't want a kangaroo court. He wanted protections for constitutional rights, and he thought it was so important that he incorporated those in the text of the Constitution.

During committee consideration of H.R. 2579, I offered an amendment to apply these existing due process protections to the expedited removal provisions in the bill, but my amendment was rejected. For these reasons—and I say again I have great respect for the gentleman from Pennsylvania—I urge my colleagues to vote against this measure in support of due process, in support of the principles that James Madison advocated. Also, I want to say the previous bill that the gentleman talked about earlier that we voted on, 410 votes, that had the ''ready, aim, then fire'' provision.

□ 1415

It gave the due process rights. The bill that we supported in the previous session, it wasn't exactly the same, as the gentleman acknowledged; it had due process rights. It allowed employees to have 30 days to have a written decision to know what the charges were against them and to respond. So this is a very, very different bill than passed the House overwhelmingly in the previous session.

This bill does not allow the employee the 30 days' notice of what they did wrong. It does not allow them to defend themselves against the charges. It does not allow them to have a representative. It does not allow them the ability to protect their reputation in real-time. This bill fires them first and then asks questions later. For those reasons, it should be rejected.

Mr. MEADOWS. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore (Mr. MARCHANT). The gentleman has 8½ minutes remaining.

Mr. MEADOWS. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Speaker, my colleagues on the other side, I do have great respect for both of the gentlemen. It is not a question of respect for other Members of Congress. The question is: How much respect do we have for American taxpayers?

I think sometimes we get too confused right here about the collegial atmosphere that has to exist. You know, if you don't talk nicely to each other, it can cause a problem. And I understand that. But we know each other. I have shared some very emotional moments with Mr. CUMMINGS when he lost his nephew. I understand that. Steve—Mr. LYNCH—and I know each other. It's not about the spin. Nobody is losing their due process under this. You know that.

Again, I refer back to page 8, lines 15 through 17:

> An employee against whom an action is taken under this section is entitled to appeal to the Merit Systems Protection Board under section 7701 of this title.

There is no reason for us to be having a conversation that again divides the Nation; and it divides people because we constantly want to make sure that everybody understands that one party is for one type of philosophy, the other party is not. You know, they don't ever want to take care of everybody.

I'm talking about the American taxpayer here. I'm talking about the agencies.

Mr. CUMMINGS and I sat and listened to the people from the GSA; and when we asked them why are they placed on leave with pay when there is obviously an investigation going on, you knew about it. The IG came to you and told you that, in spite of that, you still bonused this gentleman. They gave him extra money for doing exactly what he was being investigated for.

And we said: My goodness, why would you do that?

And they said: Because we don't have any tools to do anything about it. We don't have the mechanism to do that.

Why is it that we have to constantly widen the gap between what's right for America and what's just flat out right?

This isn't about Democrats and Republicans trying to protect our friends who work here in the government. Of course I want to protect them. And I will guarantee you that if this is going to pass today, I guarantee you will not see a mass exodus of people who work for the government saying, oh, my gosh, let me get my resume together; I've got to get out of here.

They're not leaving. And why aren't they leaving? Because these are good jobs. We're talking about the senior executives. We're not talking about every gal and guy. We're not talking about those in uniform who protect us. We're talking about the senior executives, those to whom we have given the most responsibility and authority. We're talking about giving them a tool to hold those who work under them responsible. They don't have it now.

I don't want to walk away or turn my back on people who work every day for this government. These are darn good jobs. Please tell me, if it's such a terrible place to work, why do so many people apply for work?

Mr. LYNCH. Will the gentleman yield?

Mr. KELLY of Pennsylvania. No, I will not yield.

Mr. LYNCH, we've been yielding for far too long, and I will be glad to yield to you when I'm done here, and that's up to the chairman.

But I have to tell you, why do we constantly put this spin on to divide this body?

If I were a manager and I were put in charge and given the responsibility to do things, but then told, Look, you have the responsibility, you better perform to the right level here, but by the way, when you have people who are not acting appropriately, you don't have any tool to change that. You don't have any way to reprimand them, to call them forward.

It just doesn't make sense. And I'll tell you who it doesn't make sense to. It doesn't make sense to all those folks I described before. I've got people back in western Pennsylvania working two jobs. This is mom and dad working a

job. Why? Because they have this tremendous ability to self-reliance, and they know they have children they've got to take care of. They want to feed them, they want to clothe them, they want to educate them. They want to be part of the system that has made sense to so many people for so long.

Why do people come to this country? My goodness, they come across the ocean in inner tubes to try to get here. They crawl across the desert to get here. They don't get here because they don't like us. They get here because they love the opportunity.

All I want to do is give the managers of these agencies the same tools that everybody else has. This is not about trying to make an employee look bad. This is about holding an employee accountable. When is it that we got to the point that accountability is a political agenda? Really? Really?

And we're going to take any time we can get to try and make the other party look bad, because I've watched here for 2½ years. It's not enough to win the vote. You've got to make the other side look really, really bad. It's not enough to say we just didn't agree on this and we moved to something else. No, the point is to say, you know what, this is how horrible these people are. They don't care about you. They don't care about your kids or your grandchildren. They really want to hurt you.

No, we've shared too much time together. I don't sit in any committee with anybody, whether from our party or from your party, that says, I came here to destroy America. They don't say that. They don't say, I came here to divide America. They don't say that. They say, I came here because I thought I had a calling and I want to make a difference.

This bill is so simple. It is so much common sense. Really, this is a problem, to hold people accountable for a job they're not doing right? We didn't strip them of anything in due process. They still have their rights, everything. And it's not for everybody; it's for the senior executives at the top. The top. That's all it's about.

So, Mr. Chairman, I've got to tell you, this is so common sense. It's what we do in the private sector every day. I don't want it to become a political battle over something that makes sense to the American people.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. CUMMINGS. Mr. Speaker, how much time do we have?

The SPEAKER pro tempore. The gentleman from Maryland has 8 minutes remaining.

Mr. CUMMINGS. I yield 3 minutes to the distinguished gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentleman from Maryland for yielding.

You know, it has been sad to have to sit here for so long and hear the Kafkaesque understanding of due process by the gentleman from Pennsylvania. In a word, due process has to come before the sanction, not after; before the loss of job, not after, or it means nothing.

Today, of course, I rise in strong opposition to H.R. 2579 that would eliminate due process protections for senior executive servicemembers by allowing agency heads, political appointees, for the first time since the passage of the great civil service reforms in the early part of the 20th century, to fire Federal employees without giving them advance notice or an opportunity to address allegations against them before they are dismissed.

This bill, in particular, gives real credence to the view that the series of bills on the floor today are an attack on Federal employees. H.R. 2579 would reverse the long-settled principle of ''innocent until proven guilty'' to ''guilty until proven innocent.''

Employees could be immediately fired by the politically appointed agency head. They could get their job back only by accepting the burden of proof to prove their innocence. It's not enough that employees would be notified of the reasons of their removal and would have 30 days to respond. They're gone. They're fired immediately. No due process rights like those currently in place: at least 30 days notice; representation by an attorney; a written decision; a right to appeal to the Merit Systems Protection Board.

The absence of due process and of standards that the political appointee must use in making the decision to fire is nothing short of breathtaking. Under this bill, the agency head, one person, one political appointee, determines whether the employee knowingly acted in a manner that—get this—''endangers the interest of the agency mission.'' What could be broader than that? You could be fired for anything under that standard.

One person decides whether the employee's removal is ''necessary in the interest of the United States.'' Wow, let's rein that in somewhat.

One person decides that other procedures prescribed in other provisions of law just can't be invoked; they're not good enough. There you have it—judge and jury—exactly what the civil service system was developed to avoid, exactly what the Constitution says we must avoid. If you believe in the Constitution, it is important not to demagogue, but rather to explain to the public why every State, local, and Federal government puts employees—

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CUMMINGS. I yield an additional 2 minutes to the gentlelady.

Ms. NORTON. I thank the gentleman.

Why is it that every unit of government puts employees they want to fire, they know they want to fire them, on administrative leave with pay while due process proceeds, even when the person is accused of serious offenses? Because the employer, my friends, is the government. That's the difference. The employee has certain due process rights that the same employee would not have if the employer were a private business. That is civics 101, gentlemen.

Justice Powell, writing in Arnett v. Kennedy about due process rights of employees said:

> Due process is conferred not by legislative grace, but by constitutional guarantee.

This bill comes from a Republican House that requires that Members state the constitutional basis for every bill introduced in this House. This bill expresses a Republican frustration that Lois Lerner of the IRS was placed on administrative leave with pay. Sorry folks, you're not allowed to support the Constitution only when you like the results. Let's defeat this ''prove your innocence'' departure from the Constitution of the United States.

Mr. MEADOWS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I just want to say first of all that I associate myself with the words of the gentlelady from the District of Columbia. I think she said it quite well.

Mr. Speaker, we must be about the business of guarding this thing we call the Constitution. We are here only for a moment—only for a moment—and in that moment we have already been given a document by which we should govern ourselves. It has been interpreted by courts over and over again, and one of the things that has stood the test of time is due process. That very due process, I have said many a time, has allowed me to be a Member of this Congress of the United States and so many others who would have never had an opportunity. And so no matter when we are here, no matter what time we are here for, we must guard it.

□ 1430

Mr. LYNCH was very clear when he talked about how we are in a situation where we fire somebody first, and then suddenly we say, okay, we're going to give them some due process.

Going back to Ms. NORTON, due process comes before the firing. That's the way it's supposed to be.

And we all care about every employee. We care about how every American is treated, and that's what this argument is all about—fairness.

Mr. Speaker, I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. CUMMINGS. How much time do we have, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Maryland has 2 minutes remaining.

Mr. CUMMINGS. I yield 1¼ minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. I thank the gentleman, and I appreciate his advocacy.

Mr. Speaker, I do want to point out some inconsistencies in the argument

by my friend from Pennsylvania. In the case of Mr. Neely and in the case of Lois Lerner, under existing law, all that was required before they fired either of those individuals is to give them 30 days' notice, 30 days' written notice of the charges against them, give them the 30 days to put together a defense or to offer their version of the facts.

That's all that was required, and then we could have fired them or put them on administrative leave without pay. That was within the discretion of GSA.

So when GSA tells Mr. KELLY they can't do anything, there's plenty they could do. They could have taken both those employees, put them on administrative leave without pay—talk about protecting the taxpayer. I'm for that. They had the power to do that in these cases.

They could have taken both those employees, under current law, with due process in place, put them both on administrative leave without pay, and we could have protected the taxpayer. That was the discretion on the part of the administration and the folks that made the decision in that place. It was not a fault of the law.

But interestingly enough, it also protected us to have the second version of the facts put forward to bring more light to this.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CUMMINGS. Mr. Speaker, I'm going to yield the 45 seconds we have remaining to Mr. LYNCH to close.

Mr. LYNCH. Think about this. That due process right would allow an employee who might be the fall guy, it might be a person that they're trying to fire to shut them up, it gives them an opportunity to come before the public and say, while they're still in their job, to say, no, that's not the way it went down.

Now, it might be to the benefit of the Republican, it might be to the benefit of the Democrat, whatever position you have, whoever that individual might be. But it brings truth, it brings facts, and it brings the ability of that individual employee to protect themselves.

That's what we're asking for here, that 30 days' opportunity. And it can be without pay. We can protect the taxpayer and still give due process rights to our employees. This bill should be opposed for all those reasons.

I thank the gentleman from Maryland (Mr. CUMMINGS) for yielding.

Mr. CUMMINGS. Mr. Speaker, I yield back the balance of my time.

Mr. MEADOWS. Mr. Speaker, facts are a stubborn thing, and what we are hearing today are a number of assertions that truly are not the facts.

Let me read from the bill, because the opposing arguments would be that we can fire them for any particular reason, but that's not what the bill says. The bill says we may remove an employee for serious neglect of duty, misappropriation of funds—which, I might add, was the case in point that we were just talking about—or malfeasance. And the head of the agency has to know that it was knowingly done.

This gives just another tool in the toolbox. It doesn't do away with due process. It doesn't do away with a number of the facts that we already have today, but it adds another tool.

What it really does is allow our managers to manage. What a novel concept. We're going to actually allow and trust Federal employees to manage the people under them.

We have been in hearing after hearing that says, Well, why didn't you do something about it? Why did you not address this? And they said, Well, our hands are tied. We didn't have the tools to do it.

This bill, as Mr. KELLY has so eloquently put it, gives them the tool to do exactly that. It doesn't do away with due process.

We've accepted amendments, three different amendments that protect the rights of employees—they are embedded in this bill—and yet we still find that my colleagues opposite want to say that they're not in support of this.

I just find it just appalling that we can continue to allow employees to stay on the taxpayers' dollars when we know that there has been malfeasance, misappropriation of funds, and the neglect of duty.

With that, I encourage all my colleagues to support this particular piece of legislation.

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

Mr. GINGREY of Georgia. Mr. Speaker, I rise today as a proud cosponsor of H.R. 2579, the Government Employee Accountability Act, offered by my good friend Mr. KELLY of Pennsylvania.

I applaud this commonsense legislation that was initially developed in response to a senior GSA employee orchestrating the infamous GSA conference in Las Vegas that cost taxpayers $800,000. He was placed on administrative leave with pay. Under current law, this is not only permitted, but there is little other recourse. There is no current mechanism for agencies to take away the pay of Senior Executive Service (SES) employees under investigative review for misconduct. Rather, employees can be placed on administrative leave or suspension, both with the opportunity for pay.

Mr. Speaker, the necessity of the legislation before us today is again highlighted by the recent scandals plaguing the IRS and its targeting of conservative groups. Despite the continued emergence of compelling facts detailing Ms. Lerner's involvement with discriminatory targeting and her refusal to cooperate with Congressional investigations, Ms. Lerner continues to draw a $180,000 salary from the federal government. When she refused to resign, she was placed on administrative leave, so rather than being punished for targeting Americans based on their political beliefs, she is taking a well-paid vacation on the taxpayer dime.

H.R. 2579 would authorize all federal agencies to place an employee on investigative leave without pay if the employees conduct was serious or flagrant. I believe that this legislation is critical in regaining the trust of Americans. Paid leave is a slap on the wrist, and simply does not sufficiently restore the public's trust that the federal government will hold those responsible for serious misconduct accountable.

Mr. Speaker, Americans deserve real answers and solutions to ensure that high-ranking federal employees are reprimanded and held responsible for unacceptable behavior. For that reason, I urge my colleagues to join me in supporting H.R. 2579.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 2579, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CUMMINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

COMMON SENSE IN COMPENSATION ACT

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1541) to establish limitations, during any sequestration period, on the total amount in awards or other discretionary monetary payments which may be paid to any Federal employee, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1541

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 ''Common Sense in Compensation Act''.

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term ''employee'' means an employee (as defined by section 2105(a) of title 5, United States Code) holding a position in or under an Executive agency;

(2) the term ''Executive agency'' has the meaning given such term by section 105 of title 5, United States Code;

(3) the term ''discretionary monetary payment'' means—

(A) any award or other monetary payment under chapter 45, or section 5753 or 5754, of title 5, United States Code; and

(B) any step-increase under section 5336 of title 5, United States Code;

(4) the term ''covered compensation'', as used with respect to an employee in connection with any period, means the sum of—

(A) the basic pay, and

(B) any discretionary monetary payments (excluding basic pay),

payable to such employee during such period;

(5) the term ''basic pay'' means basic pay for service as an employee; and

(6) the term ''sequestration period'' means a period beginning on the first day of a fiscal year in which a sequestration order with respect to discretionary spending or direct

spending is issued under section 251A or section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 and ending on the last day of the fiscal year to which the sequestration order applies.

SEC. 3. LIMITATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law—

(1) no discretionary monetary payment may be made to an employee during any sequestration period to the extent that such payment would cause in a fiscal year the total covered compensation of such employee for such fiscal year to exceed 105 percent of the total amount of basic pay payable to such individual (before the application of any step-increase in such fiscal year under section 5336 of title 5, United States Code) for such fiscal year; and

(2) except as provided in subsection (b), during any sequestration period, an agency may not pay a performance award under section 5384 of title 5, United States Code, to the extent that such payment would cause the number of employees in the agency receiving such award during such period to exceed 33 percent of the total number of employees in the agency eligible to receive such award during such period.

(b) WAIVERS.—For the purposes of any sequestration period—

(1) the head of any agency may, subject to approval by the Director of the Office of Personnel Management, waive the requirements of subsection (a)(2); and

(2) the head of any agency may waive the requirements of subsection (a)(1) with respect to any employee if the requirements of such subsection would violate the terms of a collective bargaining agreement covering such employee, except that this paragraph shall not apply to any employee covered by a collective bargaining agreement that is renewed on or after the date of enactment of this Act.

(c) NOTIFICATION.—In the case of an agency for which the Director of the Office of Personnel Management grants a waiver under subsection (b)(1), the agency shall notify the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of the percentage of career appointees receiving performance awards under section 5384 of title 5, United States Code, and the dollar amount of each performance award.

(d) APPLICATION.—This section shall apply to any discretionary monetary payment or performance award under section 5384 of title 5, United States Code, made on or after the date of enactment of this Act.

SEC. 4. REGULATIONS.

The Office of Personnel Management may prescribe regulations to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. MEADOWS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my bill, H.R. 1541, brings common sense to the policies governing Federal employee bonuses while still providing agencies flexibility to recognize outstanding performance.

In fiscal year 2011, 75 percent of Senior Executive Service employees throughout the Federal Government received bonuses at an average of nearly $11,000 per person. The government's decision to furlough hundreds of regular, often blue-collar, Federal workers while senior employees cash in is unacceptable.

Americans are rapidly losing trust in government as the list of abuses by Federal agencies grows, but bureaucrats continue collecting large bonuses at the expense of hardworking taxpayers.

The IRS is a prime example. Between the years of 2006 to 2012, IRS Director of Exempt Organizations, Lois Lerner, was paid a combined total of $110,035 in bonuses.

Faris Fink, the senior IRS official best known for his starring role as Mr. Spock in a ''Star Trek'' parody at the IRS conference received some $149,506 in bonuses between 2007 and 2012.

The Federal Aviation Administration is another example. It threatened 90-minute delays for airline passengers in the weeks leading up to sequestration. However, the FAA handed out more than $12 million in bonuses during fiscal year 2012 despite knowing that sequestration was likely to occur.

These bonuses exemplify Washington's spending problem. A national debt of $17 trillion and an unemployment rate at 7.5 percent should not add up to millions of dollars in bonus payouts.

Following the President's decision to impose a 2-year pay freeze at the end of 2010, the administration issued a memo limiting the amount available to pay bonuses for fiscal years 2011 and 2012. This past February, the administration issued a memo limiting bonuses to those legally required, and in June, you, the administration, suspended rank awards for senior leaders.

This bill builds on the administration's initiatives, limiting the amount and number of bonuses paid to Federal workers in periods of sequestration. It is time for the government to stop furloughing workers who depend on paychecks from week to week while awarding hundreds of thousands of dollars in bonuses to senior employees.

I urge all Members to support the Common Sense in Compensation Act.

Mr. Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very disappointed that the Republican leadership is wasting the few days we have remaining before the August recess with political message bills like this one instead of dealing with the major challenges the American people want us to address.

The American people care about jobs. Let me say that again. The American people care about jobs. And the Democrats have introduced a Make It in America agenda that would create good-paying jobs by rebuilding America's infrastructure, investing in innovation and education, and reducing the deficit through a balanced approach.

But the Republican leadership apparently has chosen a No Jobs Agenda. It has been 7 months since the start of this Congress, and we have not passed a single jobs bill on the floor of this House. Instead, the Republican sequestration plan is expected to cost up to 1.6 million American jobs through next year.

The American people also want the Congress to pass a budget for our country. More than 4 months ago, both the Senate and the House passed their respective budgets, but the House Republicans are now refusing to appoint conferees to complete negotiations. For years, Republicans complained about not having a budget, yet now they are actively blocking it by refusing to negotiate with the Senate.

Rather than dealing with these critical issues, we're being asked to vote on H.R. 1541, which is one of many bills that are a part of a relentless campaign to demonize Federal employees.

H.R. 1541 would impose an arbitrary, across-the-board cap of 5 percent of basic pay on the amount of bonuses that Federal workers can receive and limit the number of senior executives who may receive performance awards to 33 percent of those eligible in each agency.

These employees carry out our critical missions that serve and protect the American people. Among these awards are Presidential Rank Awards for senior executives who saved the Federal Government more than $95 million last year, quality step increases for our highest Federal employee performers, awards to law enforcement officers for foreign language capabilities, and recruitment, retention, and relocation incentives to fill critical gaps in such fields as nursing, information technology, and cybersecurity.

I'm very concerned about the Federal Government's recruitment and retention efforts if Congress eliminates agency discretion to provide awards to our best performers.

In an analysis of the Best Places to Work in the Federal Government, the Partnership for Public Service and Deloitte found that only 4 out of 10 Federal workers believed they will be rewarded or promoted for doing a good job. This is the definition of counterproductive.

I don't understand how Republicans can call for pay for performance and then eliminate the very performance awards they said they supported.

Last Congress, our committee chairman, Representative ISSA, and committee member DENNIS ROSS sent a letter to the Government Accountability Office proposing that we replace the

Federal Government's General Schedule system with a ''merit-based, market-sensitive system that recognizes and rewards individual employee performance.''

How can we take such proposals seriously if we are being asked at the same time to slash the very awards that are supposed to incentivize performance? Of course, we cannot.

□ 1445

For these reasons, I urge my colleagues to join me in opposing H.R. 2579, and I reserve the balance of my time.

I ask unanimous consent for the gentleman from Massachusetts (Mr. LYNCH) to manage the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Massachusetts will control the remaining time.

There was no objection.

Mr. MEADOWS. I yield 3 minutes to my distinguished colleague from the State of Michigan (Mr. BENTIVOLIO).

Mr. BENTIVOLIO. I thank the gentleman from North Carolina for yielding.

Mr. Speaker, common sense is something often discussed here but it is rarely put into practice. It's time for that to change. That's why we need the Common Sense in Compensation Act.

While the administration plays political games with the sequestration by forcing hardworking Americans to take a furlough, they continue to hand out bonus checks to highly paid bureaucrats. Between 2008 and 2011, the Federal Government spent $340 million on cash bonuses for Senior Executive Service employees. Some of these bureaucrats have used their time to attack the average American through regulations and the Tax Code. The American people are not getting what they paid for from many of these Federal regulators and senior staff.

The Common Sense in Compensation Act brings much-needed reform to the bonus system for Federal employees. Under this legislation, employee discretionary bonuses are limited to no more than 5 percent of their base salary while the sequestration is in effect. Additionally, it limits the total amount of Senior Executive Service performance awards to 33 percent of all SES employees in a given agency. Both of these changes prevent the most wealthy in the Federal system from becoming richer while those actually engaging and serving the general public are getting laid off.

Opponents of the bill may claim that limiting Federal Government employee bonuses may be an unsound business move. Here's what I think: it is an unsound business move being $17 trillion in debt and shackling our grandchildren with a Nation worse off than how we received it from our parents. When a business is struggling, they don't pass out bonuses. They cut waste. It's time to rein in spending. And this practice of excessive bonuses for the very top of our bureaucracy must stop while we're all trying to tighten our belts.

If we truly want to rein in our spending, we need to fix not just the amount of money we choose to spend, but how effectively we spend it as well. Making sure that those who provide the actual services to the public aren't being furloughed at the expense of luxurious bonuses for upper management is a good way to start.

Mr. LYNCH. Mr. Speaker, I yield myself such time as I may consume.

The tailored use of incentive awards, such as performance-based bonuses, help agencies recruit, develop, and retain employees who have the knowledge, skill, and ability to help agencies accomplish their critical missions. Such incentives also allow agencies to compete with the private sector for talent. Right now, we have incredible doctors, nurses, therapists, and staff at the VA hospitals all across America, that I'm sure—at least in my district—they could walk out that door and earn sometimes twice or three times as much at a private hospital as they do at the VA. The incentive programs that we have in place allow us to rebalance a little bit of what they might be compensated, but for the fact that they are committed to caring for our veterans.

It's a similar situation with the SEC. Obviously, many of our securities analysts that we use at the SEC could go to Wall Street tomorrow and earn multiples of what their salary is and have great success and incredible rewards financially. But they work at the SEC because they're committed to protecting the taxpayer and working on behalf of their country.

We have similar examples of banking supervisors at the FDIC that have such knowledge and such capability that they could go out tomorrow and work for one of these big banks like Citibank or Bank of America and go to work tomorrow at multiples of their salary. We have derivative analysts over at the CFTC that do such great work on our behalf, that I'm sure that—because that's such a hot area of employment—with their expertise and their resumes, they could demand tremendous resources. As well, we have scientists at NIH and lawyers over at the Department of Justice that we're lucky to have working on behalf of the government because we're trying to keep up with the changes in industry and in these areas of commerce that require excellent talent.

For example, a 2010 Rand Corporation study found that the Department of Defense's increased use of bonuses had positive effects on recruitment and retention in the Armed Forces. Notably, the study found that without the increase in bonuses, Army enlistments would have been 20 percent lower between 2004 and 2008 when the war in Iraq was at its peak. Further, the study found that bonuses were generally a cost-effective measure.

Despite the importance of performance awards, this bill, H.R. 1541, as amended, would prohibit Federal workers from receiving discretionary bonuses that exceed 5 percent of their base pay during sequestration. This bill couldn't happen at a worse time. H.R. 1541 would undermine the Federal Government's ability to recruit and retain its most talented employees in the midst of a 3-year Federal pay freeze and ongoing furloughs.

Right now, we have over 700,000 Federal employees at DOD that have taken 11-day furloughs. I sat with a group of firefighters on an Air Force base that are concerned about the safety protocols at that base because of the number of employees that are affected by furloughs. We've got 90,000 employees in other agencies that are taking between 2- and 5-day furloughs. And those furloughs are going to continue.

H.R. 1541 would undermine the Federal Government's ability to recruit and retain our most talented employees in the midst of all these cutbacks. This bill would simply continue to demoralize the Federal workforce. By removing agency flexibility, the legislation would also impede managers in their efforts to keep employees committed and motivated to excel and to provide superior service.

It is understandable that these employees do accept less pay because they work for the government, in many of these industries that I mentioned. Further, these awards are exactly the type of individual merit-based performance management tools that the committee chairman and other committee members have embraced in the past.

During committee consideration, I offered an amendment that would exempt collective bargaining agreements from the caps on awards. But the majority modified my amendment so the caps would still apply to future agreements. I believe that determining by law or statute the terms of future bargaining agreements with the recognized representatives of those employees improperly interferes with the management and labor contract negotiations.

This legislation would restrict agency flexibility at a time when it is critically needed for ensuring that the Federal workforce attracts and retains the best and brightest.

For these reasons, I ask my colleagues to join me in opposing H.R. 1541, and I reserve the balance of my time.

Mr. MEADOWS. I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise in strong support of H.R. 1541, the Common Sense in Compensation Act.

I thank the gentleman from North Carolina for yielding me this time. I also want to commend him for coming up with this very sensible, reasonable, moderate response in legislation to a problem that's been growing bigger and bigger with each passing year.

As the previous speaker, the gentleman from Michigan, mentioned, in one recent 3-year period there were over $340 million worth of Federal bonuses given out. I didn't know about that figure but I have seen some other figures which relate to this legislation that I would like to mention at this time.

A couple of years ago, the Commerce Department's Bureau of Economic Analysis completed a study showing that the average Federal employee received a salary and benefits totaling $119,982, while the average private sector employee made a salary and benefits of $59,909. In other words, the Federal salaries and benefits were approximately twice or double what people in the private sector were receiving.

The Washington Examiner newspaper, in a lead editorial after that report came out, described these Federal salaries as ''scandalously higher'' than private salaries, and added:

> With the Federal deficit and national debt heading into the stratosphere, taxpayers can no longer afford to support such lucrative government compensation.

Certainly, it's already been mentioned that our national debt is now approximately $17 trillion—a figure that almost no human being can really comprehend.

At the height of the recession there was a front-page story in USA Today, which said:

> Federal workers are enjoying an extraordinary boom time—in pay and hiring—during a recession that has cost $7.3 million jobs in the private sector.

The report in USA Today said that the ''highest-paid Federal employees are doing best of all.''

I read a report a few months ago that said 6 of the 10 wealthiest counties in this country were all suburban counties to Washington, D.C.

In addition to much higher Federal salaries and benefits, Federal employees have the best pension plans in this country, while fewer than 20 percent of employees in the private sector even have any employer-provided pension plan other than Social Security. These very high pensions were started many years ago when Federal salaries often were lower than in the private sector. But that is certainly not the case today, when Federal salaries are averaging about twice what the average salary is in the private sector. Also, Federal employees are allowed to retire at younger ages.

Almost everyone, I realize, Mr. Speaker, feels underpaid when you hear about these obscene, ridiculous salaries of CEOs and athletes and movie stars. But Federal employees need to realize that you're talking about just one-tenth of 1 percent of the people. Compared to about 96 to 97 percent of the American people, Federal employees are very fortunate to have their jobs, and are very well paid.

I know from my experience with the Tennessee Valley Authority, where they've given out many bonuses in the hundreds of thousands of dollars range, this situation will spiral completely out of control because Big Government can justify or rationalize almost anything.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MEADOWS. I yield the gentleman an additional 1 minute.

Mr. DUNCAN of Tennessee. I will simply say that this is a good bill. This is good legislation to limit these bonuses to about 5 percent of these very high salaries. I hope all of my colleagues will support H.R. 1541, the Common Sense in Compensation Act.

Mr. LYNCH. Could I ask the Speaker how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 10 minutes remaining.

Mr. LYNCH. I yield myself such time as I may consume.

Mr. Speaker, I just wanted to address a couple of issues the gentleman has raised and say that I have enormous respect for the previous speaker as well.

Oftentimes, these studies look at the average employee in the Federal Government versus the average employee in the private sector. In recent decades, the Federal Government has privatized a lot of our common labor rather than employing them directly. We have become a much more specialized and much more professionalized workforce, between the doctors and nurses we hire at the VA; the scientists that we have at the National Institutes of Health and the EPA; the lawyers we have at the Department of Justice; financial analysts that we have at the CFTC and FDIC, as well as the SEC and other banking industries. Those are more professionalized employees.

□ 1500

So naturally, if you look at a retail clerk, compare their salary to a scientist, there will be a drastic disparity between what an attorney is making or a financial analyst is making versus a secretary in the private sector. So that's a very crude way of comparison.

One way of comparison is required in the Federal Pay Comparability Act. That's a statute that we passed here in Congress. It requires that we compare the levels of Federal doctors versus private sector doctors; federally employed scientists versus private sector scientists; finance analysts at the SEC versus those at Goldman Sachs. So we compared job to job. At the end of that analysis, the studies showed that Federal employees are making 26 percent less than their comparable job in the private sector; just a point that I wanted to raise.

I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I wanted to address a few of the items that have been brought up because we seem to talk about these in abstract ways, but the truth of the matter is is that bonuses have gotten way out of hand. You know, when we start to give out bonuses as a way to bypass the payment structure that we have established for the Federal Government employees, that is not what it was intended to do.

You know, the ranking member earlier, Mr. Speaker, mentioned a survey, which was the Federal Employee Viewpoint Survey. He used that data as evidence of, really, about performance pay, but I'd like to quote from that same study, that same survey.

A recent survey found that only 22 percent of Federal employees believe that performance and pay are linked. And I would like to point out that this bill certainly would cover that.

We are not saying do away with all bonuses; quite the contrary. We believe that people need to be incentivized. We believe in merit pay. We believe in bonuses for those that work. But I can say this, that when you start paying out bonuses to 75 percent of all senior executive employees, the people back home don't understand. Maybe the people in Massachusetts understand, but I can tell you the people in North Carolina don't understand.

We've got some 7,000 Senior Executive Service employees that make an average of $168,500 every year. So when you go back home and you say, Well, they're making $168,000 a year, and on top of that we're going to pay them a $30,000 bonus, those people don't understand. Whether they work for the Federal Government or whether they are in the private sector, they don't understand.

I've got single moms, Mr. Speaker, that said, You know what? I'd be glad to go to work just for the bonus pay that you're paying some of those Federal workers.

We go on a lot and we start talking about it, but it's interesting, because many times my colleagues on the opposite side of the aisle want to go ahead and talk about what is fair. Well, this is not fair, Mr. Speaker, when we start to look at that. The rich, indeed, are getting richer at the expense of the hardworking American taxpayers, and that is not what we should be doing.

I also want to go on a little bit further, because when we start to look at these bonuses, it is the Federal employees in my district that have a problem with it as well. I have two of them, Paula and Martha. I won't give their last names, but Paula and Martha. I was there talking to them, and they said, You know, we are sacrificing under this pay freeze. We're having to give up. Why in the world are you awarding such bonuses to these people when we're having to suffer?

Now, I know the gentleman from Massachusetts has a real heart for Federal employees, as do I. I look here and there are a number of people that I would call my friends. There are a number of people that are watching this perhaps even on TV right now that are Federal employees that I enjoy being with. This is not about them. This is about being fair. What it is is, when we start to pick the winners and

losers with bonuses and bypass the payment structure that we have, you know, it's not right, Mr. Speaker, and we have to adjust that.

I would be glad to work in a bipartisan way. If we're having a hard time retaining scientists and doctors, I would be glad to work in a bipartisan way with my friend opposite here to come up with a structure that works on pay and merit pay to that and address it, but why do we allow the bonuses that we have today to bypass the very fundamental reason that we have it set up?

With that, I reserve the balance of my time.

Mr. LYNCH. I appreciate the gentleman's comments.

Mr. Speaker, I do want to point out, though, if we're talking about what's fair and what's not fair, I think the Federal employees have taken it on the chin recently. They're in year three of their pay freeze. A lot of them say that's not fair because as costs keep going up, their pay has been frozen for the past 3 years. Now, on top of the third-year pay freeze, they're being asked—at least 700,000 employees in the Department of Defense, including civilian employees that we rely on for a lot of key services—are being asked to take 11 days on furlough without pay. About 100,000 other Federal employees are being asked to take between 2 and 5 days right now. The first year of sequestration I think we cut $37 billion. This year we will cut $52 billion, next year is 60. And this is just year 2 in a 10-year furlough schedule. So if you want to talk about unfair, I think that they're being asked to do more than their share.

I do want to remind the gentleman that the bonuses and awards limited by this bill, H.R. 1541, are based on performance. The quality step increases are given to rank-and-file employees who achieve superior performance. The Presidential Rank Awards are given to senior employees who achieve extraordinary results or who are able to sustain superior accomplishments.

Recruitment bonuses, now, they can't be paid to employees who work for the Federal Government, but someone who's done a very good job in the private sector, you know, running a hospital might come onto the Federal payroll to do that, and we might have to recognize that person's prior service. An individual's performance rating is based on how well they met or exceeded their expectations.

In addition, I know that my friends across the aisle are eager to cap Federal employee and senior executive pay, but they're completely silent on capping Federal contractor pay. Under current law, Federal contractor executives can be reimbursed by the Federal Government for their salaries up to $950,000—Federal contractors. This is the private side. These are not the folks that are being capped. These are not employees. These are private contractors, $950,000 for 2013. Not a word, not a word in print or speech to cap those individuals. Contracting employees at the Department of Defense, Coast Guard, and NASA can also have their salaries reimbursed up to $950,000 as well in this current year, 2013.

But just a comparison, the maximum salary for a senior executive in the Federal Government is $179,700. For example, the VA Administration head, the hospital director at one of my hospitals, he makes $179,700, while the average salary in my district for a hospital director in the private sector is $800,000. That's for the private hospitals in my area. So my VA director earns about 25 percent of what they make in the private sector.

By the way, the maximum salary for a General Schedule step 10 employee at the top of the ladder is $155,500. That's what we're talking about here. And they are blown away by the salaries paid—as I mentioned, $950,000 in 2013—for Federal contract executives who are not Federal employees but are on the Federal payroll, about which this bill says zero. Completely silent. Zip.

I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I would like to address a few of the comments that the gentleman opposite made.

When he said not a word has been mentioned about bonuses for contractors, I would remind the gentleman that in the NDAA we addressed this very subject. So that was addressed, which I'm sure the gentleman was here for that particular vote; but as we've looked at this, we have addressed that particular thing. I will go ahead and talk about a couple of other things, though.

We talk about this pay freeze and how we're asking so many people to suffer. I'm not talking about the normal pay that we would give employees. I'm talking about the excessive bonuses that have failed to be an incentive anymore.

When you give a bonus to 75 percent of the employees, it ceases to be an incentive; in fact, quite the opposite. All you have to do is make sure that you are not in the bottom quartile. It says all I have to do is perform better than only a few people to get my bonus. So if I'm just better than the worst 25 percent, I get a bonus. That's not an incentive. That's why we're looking at 33 percent. It rewards those people who rise to the top, the cream of the crop, and we need to do that.

I also want to mention that we were talking about all these pay freezes. Where is a pay freeze not a pay freeze? Only in Washington, D.C. Mr. Speaker, 99.4 percent of Federal employees got an increase in salary during this pay freeze. That's the only ones we denied were 6 out of every 1,000 employees. So the gentleman opposite making comments that they've sacrificed, indeed, they have, but it's not as if they have not gotten pay increases.

What do I tell my constituents back home who are dealing with double-digit unemployment? They would love just to have a job. Many of them would take a job at 10 to 15 to 20 percent less than what they were making if they could just go to work. Yet here we are talking about people who continue to get raises as if they are suffering. You know, we've got to make sure that we're clear on the subject and we need to make sure that we're fair.

I keep coming back to the word ''fair,'' because when we are not fair with the government responsibility that we have, the American people lose trust in their government; and it is time that we hold it accountable, give tools to those managers that reward good behavior and good performance, but yet not continue to dole it out at the expense of every American taxpayer.

With that, I reserve the balance of my time.

Mr. LYNCH. Just one final point before I yield. The gentleman is correct, we did address contractor caps on pay in the NDAA, but we capped it at $950,000 a year. That's a far cry from anything that any Federal employee is earning here.

As I mentioned before, the head of our VA hospitals makes $179,700. That's the max. Meanwhile, private contractors working for the Federal Government are making $950,000 this year, in 2013, with the NDAA caps in place. I'm just saying, what's good for the goose is good for the gander. There's an opportunity in this bill to cap these salaries, and we have not done that.

With that, I yield back the balance of my time.

Mr. MEADOWS. Mr. Speaker, I thank the gentleman for his candor and his passion with which he rises and debates it.

I do want to point out, though, that what we are talking about here are apples and oranges. When you start to look at contractors and the benefits of those contracts, those are really issues that we must address, and I'm willing to work with him on a bipartisan basis, but let's not take our eye off the ball.

Why would we allow Sarah Hall Ingram, who is going to be administering over the Affordable Care Act, a bonus of $35,000? Why would we award a bonus of almost $31,000 to a gentleman that played Mr. Spock? It's indefensible to me. I can't imagine why my colleague opposite would want to defend that and why he wouldn't want to have tools to let managers manage the process.

□ 1515

I'm going to close with this point: Daniel Pink writes in a book called ''Drive'' that really it's about motivational theory; it's about the fact that bonus impact is minimal. I think we see that even here because of the surprising truth about what motivates us. It says:

> The carrot and the stick approach to motivating employees through bonuses and benefits is statistically ineffective. What they would rather have is a mastery of their position, they would rather have autonomy, they

would rather have a sense of purpose that the job that they are doing is very meaningful.

So, in essence, what it says is that if we get rid of the bureaucracy, our Federal employees will be more motivated to do a good job knowing that they are fulfilling a purpose. Yet we continue to throw bonuses at them over and over again, Mr. Speaker.

I just have a hard time going back home, as a number of my colleagues would go back home, and defending these excessive bonuses.

I would urge all of the folks here, all of my colleagues, to join with me in supporting this critical bill, the Common Sense in Compensation Act, H.R. 1541, as amended.

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

Mr. MORAN. Mr. Speaker, for the last four years, Congress has frozen federal employee pay.

And this year, we are at it again, extending the freeze.

Congress has also increased federal employee pension contributions for new hires without a corresponding increase in benefit.

And, through furloughs, we are essentially imposing a 20% pay-cut and continuing to punish these people who took an oath to support and defend our country.

All of this has added up—Over the last four years, Congress has reduced federal employee pay and benefits by $118 billion. Per capita, that's nearly $50,000 per employee—far more than any other American has been asked to contribute towards deficit reduction.

I take issue with the practice of continuing to punish a workforce that is predominantly composed of hardworking Americans, simply because they happen to work for all of us.

Your public servants have already been injured financially by a series of spirited provisions that are now law.

The bills before us today would strip the ability of managers within the federal government to reward our federal workers. In fact, they end up punishing some of our highest performing federal employees.

The Congressional Budget Office has confirmed that federal employees in highly skilled professions could earn much more in the private sector.

The Federal Salary Council issued a report in 2012 finding that federal employees were being paid nearly 35% less than similar occupations in the private sector.

Why do they choose public service? Clearly, not for monetary gain—they do it for love of country and the opportunity to make peoples' lives better.

But they have families to feed, mortgages to pay, and children to send to college. Where does it end?

From my first job as a budget officer at HEW through to my service today, nearly 40 years later, I have witnessed countless occasions where the federal government and federal employees have been a positive force, improving the lives of their fellow Americans.

No matter how many times the House majority says the government cannot solve problems, cannot create jobs or cannot help the American people, it will never be so.

Why does this Congress insist on continuing to punish federal employees for their service to the American people?

Bearing a disproportionate share of deficit reduction has directly hurt them and their families. It's time to stop singling them out.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 1541, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LYNCH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

GOVERNMENT CUSTOMER SERVICE IMPROVEMENT ACT OF 2013

Mr. MEADOWS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1660) to require the establishment of Federal customer service standards and to improve the service provided by Federal agencies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1660

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 ''Government Customer Service Improvement Act of 2013''.

SEC. 2. DEFINITIONS.

In this Act:

(1) AGENCY.—The term ''agency''—

(A) means an Executive agency (as defined under section 105 of title 5, United States Code) that provides significant services directly to the public or other entity; and

(B) does not include an Executive agency if the President determines that this Act should not apply to the Executive agency for national security reasons.

(2) CUSTOMER.—The term ''customer'', with respect to an agency, means any individual or entity that is directly served by an agency.

SEC. 3. DEVELOPMENT OF CUSTOMER SERVICE STANDARDS.

(a) GOVERNMENT-WIDE STANDARDS.—

(1) IN GENERAL.—The Director of the Office of Management and Budget shall develop Government-wide standards for customer service delivery, which shall be included in the Federal Government Performance Plan required under section 1115 of title 31, United States Code.

(2) REQUIREMENTS.—The standards developed under paragraph (1) shall include—

(A) Government-wide goals for continuous service improvements and efforts to modernize service delivery; and

(B) where appropriate, Government-wide target response times for telephone calls, electronic mail, mail, benefit processing, and payments.

(b) AGENCY STANDARDS.—

(1) IN GENERAL.—The Performance Improvement Officer for each agency shall establish customer service standards in accordance with the Government-wide standards developed under subsection (a), which shall be included in the Agency Performance Plans required under section 1115 of title 31, United States Code.

(2) REQUIREMENTS.—Agency standards established under paragraph (1) shall include, if appropriate—

(A) target call wait times during peak and non-peak hours;

(B) target response times for correspondence, both by mail and electronic mail;

(C) procedures for ensuring all applicable metrics are incorporated into service agreements with nongovernmental individuals and entities;

(D) target response times for processing benefits and making payments; and

(E) recommendations for effective publication of customer service contact information, including a mailing address, telephone number, and email address.

(c) CUSTOMER SERVICE INPUT.—

(1) ESTABLISHMENT.—The Director of the Office of Management and Budget shall establish a Customer Service Feedback Pilot Program. The pilot program shall include participation by the Internal Revenue Service and a minimum of two additional agencies selected by the Director and shall continue for a period of at least three years. The Director shall require participating agencies to implement a customer service feedback system to collect information from customers of the agency regarding the quality of customer service provided by the agency, including—

(A) information on the extent to which agency performance complies with the Government-wide standards developed under subsection (a); and

(B) feedback on the quality of customer service provided by the agency employee or employees with whom the customer interacted.

(2) LIMITATION.—An agency may not publish or make publically available information collected under the feedback system that is specific to a named employee.

(3) ADDITIONAL INFORMATION IN PERFORMANCE REPORT.—In developing the performance report made available by the agency under section 1116 of title 31, United States Code, each agency—

(A) shall include the information collected under this subsection; and

(B) may include aggregate data collected under paragraph (1)(B) without including names of specific agency employees.

(4) REPORT TO CONGRESS ON CUSTOMER SERVICE FEEDBACK PILOT PROGRAM.—Not later than two years after the implementation of the Customer Service Feedback Pilot Program established under this subsection, the Comptroller General shall submit to Congress a report assessing the pilot program and a recommendation on whether such program should be expanded Government-wide.

(d) ANNUAL PERFORMANCE UPDATE.—The Director of the Office of Management and Budget shall include achievements by agencies in meeting the customer service performance standards developed under subsection (a) in each update on agency performance required under section 1116 of title 31, United States Code.

SEC. 4. PERFORMANCE APPRAISAL.

Compliance with customer service standards developed under this Act shall be included in employee appraisal systems establish by agencies, including the performance appraisal systems referred to in chapter 43 of title 5, United States Code.

SEC. 5. SERVICE IMPROVEMENT UNIT PILOT PROGRAM.

(a) ESTABLISHED.—The Director of the Office of Management and Budget shall establish a pilot program, to be known as the Service Improvement Unit Pilot Program (in this section referred to as the ''pilot program''), to provide assistance to agencies that do not meet the Government-wide standards developed under section 3.

(b) PERSONNEL.—The heads of agencies with expertise in change management, process improvement, and information technology innovation shall detail employees to the Office of Management and Budget to work on the pilot program, based on the expertise and skills required to address service improvement goals.

(c) RESPONSIBILITIES.—Under the pilot program, the Office of Management and Budget shall work with agencies that are not meeting the customer service standards developed under section 3 to improve and modernize service delivery to develop solutions, including—

(1) evaluating the efforts of the agency to improve service delivery;

(2) developing a plan to improve within existing resources and by drawing on expertise and assistance from other agencies (including the Office of Management and Budget) where necessary;

(3) monitoring implementation by the agency of the plan developed under paragraph (2) until the customer service standards are met; and

(4) submitting to the Director of the Office of Management and Budget monthly reports on the progress being made to improve service at the agency until the customer service standards are met.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to Congress a report on the accomplishments and outcomes of the pilot program and any recommendations relating to achieving the customer service standards developed under section 3.

(e) SUPPORT.—The Administrator of General Services shall provide administrative and other support in order to implement the pilot program under this section. The heads of agencies shall, as appropriate and to the extent permitted by law, provide at the request of the Director of the Office of Management and Budget up to 2 personnel authorizations who have expertise in change management, process improvement, and information technology innovation to support the pilot program.

(f) TERMINATION.—The authority to carry out the pilot program shall terminate 2 years after the date of enactment of this Act.

SEC. 6. RETIREMENT REPORTING.

(a) DEFINITION.—In this section, the term ''agency'' has the meaning given that term in section 551 of title 5, United States Code.

(b) REPORTS.—

(1) IN GENERAL.—Except as provided in paragraph (2) and not later than 90 days after the date of enactment of this Act, and every month thereafter, the Director of the Office of Personnel Management shall submit to Congress and the Comptroller General of the United States, and issue publicly (including on the website of the Office of Personnel Management), a report that—

(A) for each agency, evaluates the timeliness, completeness, and accuracy of information submitted by the agency relating to employees of the agency who are retiring; and

(B) indicates—

(i) the total number of applications for retirement benefits, lump sum death benefits, court ordered benefits, phased retirement, and disability retirement that are pending action by the Office of Personnel Management; and

(ii) the number of months each such application has been pending.

(2) SUSPENSION OF REPORTING REQUIREMENT.—Paragraph (1) shall not apply to the Director of the Office of Personnel Management for any month immediately following an 18-month period in which the average processing time of applications described in paragraph (1)(B) reaches 90 days or less.

(c) MODERNIZATION TIMELINE.—The Director of the Office of Personnel Management shall establish—

(1) a timetable for the completion of each component of the customer-focused retirement processing system of the Office of Personnel Management, including all data elements required for accurate completion of adjudication; and

(2) the date by which all Federal payroll processing entities will electronically transmit all personnel data to the Office of Personnel Management.

(d) BUDGET REQUEST.—The Office of Personnel Management shall include a detailed statement regarding the progress of the Office of Personnel Management in completing the customer-focused retirement processing system of the Office of Personnel Management in each budget request of the Office of Personnel Management submitted as part of the preparation of the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code.

SEC. 7. NO INCREASE IN EXPENDITURES.

No additional funds are authorized to carry out this Act. This Act shall be carried out using amounts otherwise authorized or appropriated.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. MEADOWS) and the gentleman from Massachusetts (Mr. LYNCH) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. MEADOWS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. MEADOWS. Mr. Speaker, I yield myself such time as I may consume.

Americans depend on Federal agencies for certain vital services. Failure by Federal agencies and employees to process in a timely manner requests for help or information can result in frustration and financial hardship.

Poor customer service should not be tolerated at the IRS any more than it is at the private sector companies that must continually earn the right to serve its clients.

H.R. 1660 helps ensure our government is more responsive to the public by establishing customer service standards and performance expectations for each agency. It will enable citizens to provide direct feedback concerning specific agency employees—including at the IRS—and have that feedback considered in employee evaluations that impact the awarding of bonuses.

H.R. 1660 puts taxpayers first by holding Federal workers accountable for their interactions with the public.

I reserve the balance of my time, Mr. Speaker.

Mr. LYNCH. Mr. Speaker, I rise in support of H.R. 1660, the Government Customer Service Improvement Act, and I yield myself such time as I may consume. I thank Representative CUELLAR, my friend from Texas, for his leadership and his persistence in advocating for this bill.

The Federal Government provides services that significantly impact the American people. There are many dedicated Federal employees who perform their jobs with professionalism and distinction.

But there are areas in need of improvement. For instance, the Department of Veterans Affairs takes an average of 243 days to process a disability claim, and that is unacceptable.

This legislation would require the Office of Management and Budget to establish government-wide standards for customer service delivery, including target response times for phone calls, emails, letters, benefits processing, and payments.

I thank the chairman of the full committee for working with me during the committee's consideration of this bill. The bill we are considering today includes a pilot project to evaluate customer feedback systems. This was a compromise that will provide a more limited application than requiring every agency to institute their own individual feedback system. I hope the chairman will continue to work with us and all Members on both sides in moving this bill as we go through this legislative process. It is important that we ensure that the bill can achieve its intended purposes without negatively impacting the ability of Federal employees to do their jobs.

H.R. 1660 is a good government bill in the truest sense.

At this point, I would like to yield such time as he may consume to the gentleman from Texas (Mr. CUELLAR), the principal sponsor of this bill.

Mr. CUELLAR. Mr. Speaker, I also want to thank the gentleman from Massachusetts for his time, the gentleman from North Carolina also, and I certainly want to thank Chairman ISSA, Ranking Member CUMMINGS, and the staff, both the Democratic and Republican staff, for helping pass this bill out of the Oversight and Government Reform Committee, and all the work and the compromises we worked out to make sure that we got a bipartisan bill.

The primary goal of the Federal Government is to serve taxpayers. Currently, U.S. law does not require Federal agencies customer service standards, which is long overdue.

Every day taxpayers interact with the Federal Government on a regular basis, whether it is through the passport services to travel, student loans through the Direct Loan Program to pay for higher education, health insurance under Medicare to get benefits, or Social Security for retirement planning. All these services are vital to operate a good government, especially in times when Americans are relying more on these types of services.

Too often we hear veterans are waiting months to get critical medical

services or Federal employees experience long waits for their retirement benefits. These are just two examples, but millions of Americans rely on Federal agencies for vital services, which is why we must usher in a new chapter to accelerate response time and overall performance for better customer experience.

With only one-third of Americans holding a favorable opinion of the Federal Government, according to a 2012 report from the Pew Research Center, this is a necessity that we must change. The bill is simple and necessary.

First of all, H.R. 1660 improves customer service standards across the board. It does this by requiring the Office of Management and Budget, the OMB, to develop performance standards to determine whether Federal agencies are providing high-quality customer service and improving service delivery to agency customers.

Second, the bill raises the bar for enhancing quality and access for customer service. This is accomplished by requiring agencies to collect information from their customers regarding the quality of service and ensures that there is customer feedback, which will be used to develop the standards.

This bill also requires the development of a customer service feedback system, the results of which must be included in annual performance reports. Just like the private sector strives to provide excellent customer service in business, the Federal Government should also embed better service to bring efficiency.

H.R. 1660 has no cost.

This bill also has precedent. We passed this last session, and now we are hoping that with enough time that we are passing this, we'll get it over to the Senate so we can get it passed.

This effort to examine agency customer service is also bicameral. Senator WARNER and Senator JOHNSON dropped a companion bipartisan bill, as well.

H.R. 1660 seeks to operate a better Federal Government to provide the taxpayers—who fund them—better quality service, which they deserve.

I thank you for the time, and I encourage my colleagues to support and pass this bill.

Mr. MEADOWS. Mr. Speaker, I want to thank the gentleman from Texas for his foresight in bringing forth this bill. I certainly appreciate the fact that we need to be providing better customer service to those who call in and talk to employees on a regular basis. I commend the gentleman from Texas for that.

I reserve the balance of my time.

Mr. LYNCH. At this point, I have no further speakers, and I yield back the balance of my time.

Mr. MEADOWS. Mr. Speaker, we have had some vigorous debate. Really what this is about is the American people back home. It is about doing the responsible thing for them to see that government actually works and that we are willing to stand up with the people back home to do what is best and right and return government back to ''we the people.''

It has been great to hear some of the arguments from my colleagues opposite. I thank the gentleman from Massachusetts, the passion with which he has argued these points; and I look forward to working with him in a bipartisan way on some of these issues that he has highlighted.

I urge all the Members to join me in support of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. MEADOWS) that the House suspend the rules and pass the bill, H.R. 1660, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

STOP PLAYING ON CITIZENS' CASH ACT

Mr. ROSKAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2769) to impose a moratorium on conferences held by the Internal Revenue Service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2769

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop Playing on Citizens' Cash Act''.

SEC. 2. MORATORIUM ON IRS CONFERENCES.

The Internal Revenue Service shall not hold any conference until the Treasury Inspector General for Tax Administration submits a report to Congress—

(1) certifying that the Internal Revenue Service has implemented all of the recommendations set out in such Inspector General's report titled ''Review of the August 2010 Small Business/Self-Employed Division's Conference in Anaheim, California'', and

(2) describing such implementation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. ROSKAM) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2769 offers the House an opportunity to go back to our constituents who are asking this question when we are out and about at home: What in the world is the House of Representatives doing about the IRS scandals? There is a series of scandals that we've heard about that we've heard testimony from in both the Ways and Means Committee, on which I and the ranking member serve, and also the Government Oversight Committee—and my suspicion is maybe some other committees of the House. But when our constituents say, What in the world are you doing?, this bill that we are discussing is part of that remedy.

Here is one of the things that we have come to learn, Mr. Speaker:

We've come to learn that the Inspector General, the Treasury Inspector General for tax administration, did an audit; and in the course of the audit discovered that there were funds that were being misused in the context of conferences. Some of them were conferences that looked at, even in the most favorable light, even if you were looking at it in the most favorable light from an IRS point of view, were clearly gratuitous and an abuse and overspending. Some of this had to do with videos that were videos of parodies of the television show ''Star Trek'' and, actually, I think a bunch of nonsense. Some of it had to do with the purchasing of trinkets. Some of it had to do with overspending. So the Inspector General very clearly said, Look, there has to be a remedy here.

What the House is proposing in consideration of this bill is that all of these IRS conferences have to stop—hit the pause button on all of them—until the recommendations of the Inspector General are met. When the Inspector General then reports to Congress that those recommendations that would stop the nonsense have been fulfilled under a new set of criteria, the IRS says that they've met these, the Inspector General certifies it, then the conferences can go on.

□ 1530

I think it's thoughtful. I think it has been approached on a bipartisan basis. I have been very encouraged by the spirit with which the Democrats and Republicans on the Ways and Means Committee have worked together to investigate and inquire of the IRS but not just looking through the rearview mirror. Looking through the rearview mirror, yes, but also saying: What did we learn? How do we prospectively make sure that these things don't happen again?

With that, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

The bills today and the bill on Friday on ACA are more about politics than policy—politics at any cost by the Republican majority. They want to change the subject from their inability to legislate and their refusal to go to conference on a budget so that we could implement long-term deficit reduction and not threaten our economy

with default again this fall. In their abysmal failure to act on jobs legislation all of these months, there has been no real effort to join hands on their part on jobs—the number one concern of the American people. So they hope to launch their so-called ''Republican playbook'' for August by which they have told their Members to go home and echo the same message and reaffirm their theme—fighting Washington for you.

They have failed miserably to fight in Washington for you, the American people.

There was terrible mismanagement at the IRS in the Tax Exempt Division. I was among the first to call for the Acting Commissioner and Lois Lerner to be removed from their duties; but instead of exploiting the deep problems at the IRS Tax Exempt Division, instead of exploiting them for political purposes, we should be fixing these problems and restoring the trust of the American people in that entity, the entity to which they voluntarily pay taxes. The Republicans have desperately sought to tie their antigovernment message to the President. Let's review the Republican approach, some of it.

Chairman ISSA said:

> This was a targeting of the President's political enemies, effectively, and lies about it during the election year so that it wasn't discovered until afterwards.

Chairman HAL ROGERS said:

> Of course, the enemies list out of the White House that IRS was engaged in shutting down or trying to shut down the conservative political viewpoint across the country—an enemies list that rivals those of another President some time ago.

Totally, totally false.

The facts were clear that both conservative and liberal groups were in the groups set aside by the IRS for further scrutiny, and when that became clear, the Republicans shifted to the notion that the conservative groups received more scrutiny. When all evidence to date has indicated that there was no political motivation involved and that no one outside of the IRS was involved, the majority of Republicans here shifted to the notion that they don't have all of the documents, but the political motivation has been that of the Republicans.

I want to also, at this time, express our deep disappointment with the work of the IG and the audit that he did on the Tax Exempt Division. He failed to disclose that both conservative and liberal groups were set aside for further scrutiny. He failed to disclose that he asked his investigative arm to review 5,500 emails and that they found no evidence of political motivation. This flawed report set the stage for the Republicans' manipulation of the facts, and now we are going to spend months cleaning up that work.

As to the bills before us today, these three bills, we agree that the IRS should stop unnecessary conferences, that the employees should not do their work with any political motivation, and that taxpayer rights should be codified in the law.

This bill would impose a moratorium on conferences held by the IRS until the inspector general has submitted a report to Congress that certifies that all recommendations from the TIGTA audit of the IRS conference in Anaheim have been implemented. This audit report included nine recommendations, as the majority has now said, for the IRS to improve the oversight of conferences.

I just want the facts to be put on the table here as to what has happened by the leadership now of the IRS.

Three of the nine recommendations have been fully implemented, and it is anticipated that the remaining six recommendations will be put in place shortly, likely within 3 months. We all agree with the recommendations. The IRS has already agreed to those recommendations, and importantly, it must be acknowledged it is in the process of implementing all nine of these recommendations over the next few months.

I reserve the balance of my time.

Mr. ROSKAM. I yield myself such time as I may consume.

Mr. Speaker, I suppose that's an endorsement of the bill. It took a while. The ranking member took us on a journey, and I appreciate the journey, but I think what the ranking member said is that he actually supports H.R. 2769, and I appreciate that. I think one of the things that may have been persuasive to the ranking member, which was persuasive to me, is that part of the report—the summary from the inspector general—in which the inspector general, after reviewing all of this, says that procedures at the time of the conference did not require IRS management to track and report actual conference costs.

In other words, the IRS wasn't holding to a standard that it holds you to, Mr. Speaker, and your constituents or the ranking member's constituents or my constituents, because, when my constituents go to the IRS and when they say, ''Well, I don't have my receipts,'' or ''I don't have 'this' or I don't have 'that,'" they get a cold, glassy-eyed stare from the Internal Revenue Service and no mercy from the Internal Revenue Service.

So I am delighted and I am encouraged, and I very much appreciate the ranking member's pointing out the progress that the IRS has made and the other areas where the IRS needs to go. Just let me briefly draw the body's attention to what these nine actual recommendations are. After all, this is not climbing Mount Everest, but they are pretty solid, commonsense recommendations:

It requires the IRS' Chief Financial Officer to verify that appropriate information is being tracked to ensure actual costs of the conferences can be established and audited. That's what I referenced a minute ago;

It implements a policy to determine whether training sessions held at the conference qualify for continuing professional education credits for CPA employees;

It sets standards for the site of a conference. The report recommends against nongovernmental facilities unless the benefits will offset increased expenditures and spending will not be seen as unnecessary by the public;

It implements procedures to identify when nongovernment event planners are used, how much they are paid and how they are being selected;

It directs the Chief Financial Officer to establish standards regarding planning trips for conferences;

It outlines the necessity for produced videos at conferences in response to the claim that the IRS spent over $50,000 on video skits;

It sets standards on whether hotel room upgrades should be allowed;

It requires the submission of W–2 tax forms for local IRS employees who were reimbursed for staying overnight at conferences—just a little irony there if you're tracking with me, Mr. Speaker;

Finally, it recommends that the CFO establish procedures to determine the necessity of an exhibitor's hall, promotional items, and other significant costs.

Common sense. Thoughtful. It's meant to restore the public's confidence in the Internal Revenue Service, and it is my hope that it is widely supported on both sides of the aisle today.

I reserve the balance of my time.

Mr. LEVIN. Might I ask the gentleman, are you ready to close?

Mr. ROSKAM. I am.

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

Mr. Speaker, I think all of the recommendations make sense. We Democrats—throughout our Caucus and the President, all of us—joined in making clear what we thought of the mismanagement within the IRS and what we thought about the abuse of conferences.

As I said before, with this leadership of IRS appointed by the President, all of these recommendations either have been implemented or are in the process of being implemented. So, before the end of the year—I think well before it—this one problem—and there are others—will be resolved. I support this bill.

I yield back the balance of my time.

Mr. ROSKAM. Mr. Speaker, I urge an ''aye'' vote on H.R. 2769, and I yield back the balance of my time.

Mr. CRENSHAW. Mr. Speaker, as the Chairman of the Appropriations Subcommittee on Financial Services and General Government, my Subcommittee directly oversees the Internal Revenue Service's budget. And for the past 6 months now I have witnessed an arrogant and absolute abuse of power. Targeting groups based on their names and political beliefs is both chilling and outrageous regardless of their political affiliation. And then

finding out of the flagrant waste of taxpayer dollars on conferences and videos, is just downright disheartening.

Two weeks ago my Subcommittee Marked–up our Fiscal Year 2014 Financial Services and General Government Appropriations bill in the full Appropriations Committee. In my mark, I include this exact language of H.R. 2769, the "Stop Playing on Citizen's Cash Act"—common sense legislation prohibiting conferences until the IRS implement all of the recommendations from the Treasury Inspector General for Tax Administration.

As the agency tasked with processing over 237 million tax returns that result in the collection of $2.5 trillion in taxes and $373 billion in refunds annually you would think they would have safeguards in place that treats all Americans equal and the hard-earned taxpayer dollars they send to Washington spent wisely, effectively and legally. This however, is not the case.

Congress appropriates more than $10 billion in hard-earned taxpayer dollars each year for IRS operations. Before we spend one more dime on the IRS, we need to know how it spends the money it already receives. And, we need to know what safeguards the IRS plans to have in place to make sure the funds are used in a legal and appropriate way.

These conferences and videos were a flagrant waste of taxpayer dollars. And, what is most disconcerting, the money came in part from unused funds from the IRS enforcement budget—at a time when they were asking for even more funding.

Nonetheless, we need to fund this agency so that it can accurately answer questions from individuals and businesses about tax issues, produce tax forms and instructions that promote compliance, process tax returns in a timely manner, and investigate criminals committing tax fraud.

However, we cannot in good conscience provide taxpayer dollars that are used to abuse the rights of American citizens, nor can we provide dollars that are wasted in such a flagrant manner as we have discovered.

Mr. Speaker, I want to thank the gentlemen from Illinois for bringing forward this common sense legislation to the floor; a step in the right direction of accountability for an agency that receives such a large appropriation of taxpayer dollars.

But I also hope we can bring forward the Fiscal Year 2014 Financial Services and General Government Appropriations bill to the floor for consideration. It is time to have a serious debate on ways to increase transparency and bring accountability to many agencies that have had a history of wasteful spending.

Just last year we heard of the GSA scandal at their Las Vegas conference. This year we included instructions to make the GSA more transparent by requiring additional reporting, separating administrative funds from programmatic funds, and encouraging the better utilization of their space inventory.

In addition, we make regulators such as the FCC and FTC do more with less. And in order to increase the transparency and accountability of agencies created by Dodd–Frank, the bill makes the Consumer Financial Protection Bureau subject to the appropriations process.

I strongly encourage my colleagues to vote in favor of H.R. 2769 on the floor today. A voluntary tax system depends on a fair and impartial collection process because, as Chief Justice Marshall said, the power to tax is the power to destroy.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. ROSKAM) that the House suspend the rules and pass the bill, H.R. 2769, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

TAXPAYER BILL OF RIGHTS ACT OF 2013

Mr. ROSKAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2768) to amend the Internal Revenue Code of 1986 to clarify that a duty of the Commissioner of Internal Revenue is to ensure that Internal Revenue Service employees are familiar with and act in accord with certain taxpayer rights, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2768

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 ''Taxpayer Bill of Rights Act of 2013''.

SEC. 2. DUTY TO ENSURE THAT IRS EMPLOYEES ARE FAMILIAR WITH AND ACT IN ACCORD WITH CERTAIN TAXPAYER RIGHTS.

Section 7803*(a)* of the Internal Revenue Code of 1986 is amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following new paragraph:

''(3) EXECUTION OF DUTIES IN ACCORD WITH TAXPAYER RIGHTS.—In discharging his duties, the Commissioner shall ensure that employees of the Internal Revenue Service are familiar with and act in accord with taxpayer rights as afforded by other provisions of this title, including—

''(A) the right to be informed,

''(B) the right to be assisted,

''(C) the right to be heard,

''(D) the right to pay no more than the correct amount of tax,

''(E) the right of appeal,

''(F) the right to certainty,

''(G) the right to privacy,

''(H) the right to confidentiality,

''(I) the right to representation, and

''(J) the right to a fair and just tax system.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. ROSKAM) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. ROSKAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

Mr. ROSKAM. Mr. Speaker, I yield myself such time as I may consume.

H.R. 2768 is entitled the ''Taxpayer Bill of Rights Act of 2013.'' What it does is address a fundamental question. There was an ambiguity, apparently, Mr. Speaker, in the testimony that you heard in the Ways and Means Committee and that the ranking member heard in the Ways and Means Committee and in some other testimony that we've heard from the other body, which is this: Who is responsible for having an understanding of what's going on at the Internal Revenue Service? Who is responsible for the missteps and the mishaps and so forth?

There was a theme that we heard from a couple of folks who you would have thought would have said that the responsibility was theirs, but they weren't really willing to take the responsibility. Here is what I mean by that. There currently exists 10 enumerated rights in the statute, and let me just quickly run through these. It's important that we look at this as a foundation upon which we have an expectation that the Internal Revenue Service is operating:

Taxpayers have the right to be informed, the right to be assisted, the right to be heard, the right to pay no more than the correct amount of tax, the right of appeal, the right of certainty, the right of privacy, the right of confidentiality, the right to representation, and the right to a fair and just tax system.

That's current law, but here is where parts of things get lost in the shuffle in that, apparently, the Commissioner of the Internal Revenue Service doesn't view that as that person's responsibility to make sure, A, that the Commissioner knows it and, B, that other employees know it.

So what we are doing today, what we are proposing to the House today, is to put this in a place in the statute that unambiguously says that this is the responsibility of the Commissioner's. I alluded to a couple of quotes before, and I want to walk through them with you just briefly and put it in this context:

What we are talking about, Mr. Speaker, are fundamental rights that are foundational and that the Congress has put into the Internal Revenue Code to make sure that taxpayers are protected. This is settled ground. This is common knowledge. This is a general understanding. There is no new ground. Nobody is hunting out ahead of the pack here. This is a very solid doctrine, these 10 enumerated rights.

□ 1545

The former Commissioner of the Internal Revenue Service, Douglas Shulman, said before the Finance Committee in the other body on May 21:

I certainly am not personally responsible for creating a list that had inappropriate criteria on it. What I know, with the full facts that are out, is from the inspector general's

report, which doesn't say I'm responsible for that.

With that said, this happened on my watch, and I very much regret that it happened on my watch.

He also said this:

I had a partial set of facts, and I knew that the inspector general was going to be looking into it, and I knew that it was going to be stopped. Sitting there then and sitting here today, I think I made the right decision, which is to let the inspector general get to the bottom of it, chase down all the facts, and then make his findings public.

We heard, in the Ways and Means Committee, Mr. Speaker, from the former Acting Commissioner, Steven Miller. He said this:

I think that what happened here was that foolish mistakes were made by people trying to be more efficient in their workload selection. The listing described in the report, while intolerable, was a mistake and was not an act of partisanship.

Can you imagine how we would all be feeling if somebody came and there was an officer of the law who said, Well, I know I'm supposed to read Miranda rights. I know that's what the law says. I know it's settled doctrine. I know that that's what a defendant expects. But I was busy. I had a heavy workload. So I chose not to Mirandize the defendant. I just figured I didn't have enough time.

There are so many things that are going on in this IRS story, there are so many components and elements of it, much of this is actually things that we have yet to learn. I think we're marveling every day at new facts that are coming out, and I think the House has been very disciplined, frankly, in letting the facts speak for themselves. But there is a fact, and here it is: there is ambiguity about who is in charge at the IRS; there is ambiguity about who is responsible at the IRS. And when the IRS commissioners, both of these recent appointees—not the current one, but both recent appointees—have the sense of, Well, the responsibility belongs here and the responsibility belongs there, I think it is incumbent on the House to say, No, the responsibility for this lies with the Commissioner of the Internal Revenue Service, and that's what the plain language of this bill does.

I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as may consume.

I support this bill, and I think everybody will.

I think we all agree that IRS employees, indeed, should perform their duties in accordance with the taxpayers' rights outlined in this bill. These rights have been outlined a number of times in the National Taxpayer Advocate's annual report to Congress. In fact, Democrats in the past have introduced legislation to codify these rights, and the National Taxpayer Advocate's support for codifying these rights dates back to 2007.

I urge support of this bill, and I yield back the balance of my time.

Mr. ROSKAM. Mr. Speaker, I urge an ''aye'' vote on H.R. 2768, and I yield back the balance of my time

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. ROSKAM) that the House suspend the rules and pass the bill, H.R. 2768, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

STOP TARGETING OUR POLITICS IRS ACT

Mr. RENACCI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2565) to provide for the termination of employment of employees of the Internal Revenue Service who take certain official actions for political purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2565

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop Targeting Our Politics IRS Act'' or as the ''STOP IRS Act''.

SEC. 2. TERMINATION OF EMPLOYMENT OF INTERNAL REVENUE SERVICE EMPLOYEES FOR TAKING OFFICIAL ACTIONS FOR POLITICAL PURPOSES.

Paragraph (10) of section 1203(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 is amended to read as follows:

''(10) performing, delaying, or failing to perform (or threatening to perform, delay, or fail to perform) any official action (including any audit) with respect to a taxpayer for purpose of extracting personal gain or benefit or for a political purpose.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. RENACCI) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. RENACCI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and add extraneous material on this bill.

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

There was no objection.

Mr. RENACCI. Mr. Speaker, I yield myself such time as I may consume.

I rise today to urge approval of H.R. 2565, the Stop Targeting Our Politics IRS Act.

Despite being introduced only 1 month ago, this bipartisan legislation already has over 75 cosponsors, but also overwhelming support from the American people. This support shows that the vast majority of Members and Americans, regardless of their party affiliation, believe the IRS should be above politics. This is not a partisan issue. It is absolutely unacceptable for a government official to consider the political leanings of any taxpayer when conducting official business.

If it is determined that a Federal employer did, in fact, engage in targeting, they should be relieved of their duties. It is that simple. In fact, this is so commonsense, in 1998, Congress enacted the IRS Restructuring and Reform Act by a vote of 402–8. That legislation sought to bring accountability to the IRS by allowing for immediate termination of IRS employees who engaged in the so-called ''10 Deadly Sins'' against taxpayers.

A large percentage of the Members here in this Chamber today supported those reforms back then. Unfortunately, while the legislation covers many offenses, it did not include political targeting. I have no doubt this was a simple oversight. I cannot imagine any Member would support a process for removing an employee for bad behavior, but somehow not consider political targeting to be bad enough. This is exactly what my legislation would do. It would specifically spell out that any IRS employee, regardless of political affiliation, who targeted a taxpayer for political purposes could be immediately relieved of their duties. This legislation does not change any of the procedures for removing an IRS employee. It simply adds political targeting to the list of 10 Deadly Sins already in existence. Any statements to the contrary are simply not true.

Some have said this bill is not needed because the current investigation is still ongoing. This legislation does not, in any way, impact the current investigation. It simply says, regardless of the current situation, if you work for the IRS, you cannot target taxpayers for political purposes. There should be no controversy in that. There is currently a process in place to remove bad actors. There is currently a list of offenses that would subject an employee to that process. All I want to do is add political targeting to the list of fireable offenses.

Regardless of the outcome of this current investigation, the reputation and credibility of the IRS has been badly damaged. The IRS needs this legislation. The entire Federal Government needs this legislation. And most importantly, the American people need this legislation. They need to know that they will not be targeted by their government for political purposes. They need to know that those who are entrusted with the vast power of this Federal Government are going to act in a responsible and professional manner, or be held accountable if they do not.

I urge all Members to support this legislation, and I reserve the balance of my time.

Mr. LEVIN. I yield myself such time as I may consume.

Let me spend a few minutes, if I might, discussing the context of this legislation and a bit of what's in it.

The Internal Revenue Service Restructuring and Reform Act of 1998 enacted a list of 10 ''acts or omissions''

for which IRS employees face mandatory firing. This bill would amend the 10th act or omission to expand existing grounds for termination to include political motivation.

We all agree that IRS employees should not act with a political purpose. We all passionately believe that. But I want it to be clear that because of the environment in which this bill is being considered, there is absolutely no evidence that any IRS employees acted with political motivation in the matter under investigation. The inspector general reviewed and concluded that ''there is no indication that pulling these selected applications was politically motivated.''

The inspector general has come before Congress repeatedly and testified numerous times that he has found no evidence of political motivation. At the very first hearing on this matter that was held in mid-May, the inspector general was asked if he found any evidence of political motivation in the selection of the tax exemption applications. He answered, ''We did not, sir.''

When questioned by my colleague on the Ways and Means Committee, Mr. MCDERMOTT, whether he stands behind the assertion that ''no one acted out of malice or political motivation,'' the inspector general answered, ''We have no evidence at this time to contradict that assertion, sir.''

When my colleague on the Ways and Means Committee, Mr. BECERRA, asked him if it is correct that he did not find any evidence of political motivation here, the inspector general replied, ''That is correct, sir.''

In addition—and I want to emphasize this—staff from the Ways and Means Committee and Government Oversight Committees of this House have interviewed 17 IRS employees directly involved in this matter under oath, and none of these employees have suggested that the IRS actions were either politically motivated or the result of influence by any individual or organization outside of the IRS.

Finally, as I mentioned earlier, the IG asked his investigative arm to review 5,500 emails. The head of the investigation concluded, ''The emails indicated the organizations needed to be pulled because the IRS employees were not sure how to process them, not because they wanted to stall or hinder the application. There was no indication that pulling these applications was politically motivated. The email traffic indicated there were unclear processing directions and the group wanted to make sure they had guidance on processing the applications so they pulled them.''

It's clear that there's no evidence of political motivation by the IRS under investigation now. Indeed, there has been too much political motivation in this entire effort by Republicans.

I want to say just a few words about what's in the bill, and the gentleman from Ohio and I have discussed this. The majority did not follow regular order. This bill did not come before the Ways and Means Committee. It essentially was not considered either at the subcommittee level, I believe, or the full committee level. So the Republican majority, in my judgment, did not carefully draft their bill to ensure that it was consistent with the current statute. If it had done so, there might have been improvement to this legislation and added the language ''willful failure'' as it appears under four of the other acts and omissions.

I think this bill will go to the Senate, as it should. I hope if it considers it, it will take up this issue of whether or not there should be a willful requirement in terms of its conduct because we're talking about the ability administratively to discharge an employee.

□ 1600

I think if there is political motivation on their part, action should be taken. I think it is also important that we understand that there had to be some willfulness in that action.

I reserve the balance of my time.

Mr. RENACCI. Mr. Speaker, I would like to start by saying this bill has nothing to do with the current investigation. It's really about installing public confidence back when it comes to the IRS. I would also like to say this that bill makes no changes to the current process or procedures for removing an IRS employee. It would simply add political targeting to the list of offenses listed in current law. And I've already said, in 1998, this legislation was approved 402–8.

As far as not having a hearing, is that technically going to be the reason opponents vote again restoring credibility to the IRS? And for the record, this bill was widely circulated, and I was more than willing to make changes to the bipartisan legislation. I drafted this language to remain as close to existing law as possible.

My addition is simply added to the current offense list No. 10: targeting a taxpayer for personal gain. Under current law, No. 10 does not use the term ''willful.'' Therefore, I did not add willful. However, targeting a taxpayer for personal gain or political purposes could only be done in an intentional manner. And let's not forget the Commissioner of the IRS always has the ability to not remove somebody.

I reserve the balance of my time.

Mr. LEVIN. It is now my pleasure to yield 3 minutes to the distinguished gentleman from New York (Mr. CROWLEY), a member of our committee and the vice chair of our caucus.

Mr. CROWLEY. I thank my friend and colleague and ranking member of the Ways and Means Committee for yielding me this time.

I do appreciate and I don't want to call into question the motivation of how this bill came to the floor, but I find it hard to believe that we are here on this particular issue dealing with individuals who work at the IRS and what would be deemed as a fireable offense and somehow not be related to the ongoing investigation into the IRS and the political motivations behind not the gentleman but my Republican colleagues as a whole in bringing this bill to the floor without a hearing in committee. That it just happened to fall onto the floor this afternoon and has no tangential connection to what is happening, I find a little bit difficult to believe.

Mr. Speaker, I rise in opposition to this bill because it is not an attempt at better governance, but rather it is a solution in search of a problem. In the months of investigations into the IRS targeting of nonprofits, here is what we found without a doubt:

Progressive groups were targeted alongside Tea Party affiliations.

There was no interference or coordination in the targeting scandal by anyone at the White House or at the Treasury Department.

No IRS agents have ever been cited or even been accused of forcing their own personal political ideology onto the process of granting nonprofit status. In fact, the person who was in charge of the IRS nonprofit office in Cincinnati self-identifies as a conservative Republican.

Those are all facts. So this bill is a solution in search of a problem.

But still, Mr. Speaker, I recognize the sensitive powers at the fingertips of IRS employees, and I would be open to looking into whether we should add something to this as a fireable offense. But the Ways and Means Committee, as I said before, held no hearings on this bill. We've had many hearings of testimony on the issue of the IRS, but not on this specific bill. It was never considered in committee. It was drafted at the last minute to fulfill, in my opinion, the Republican Party desire to say how awful government is. What better way to do it than to use the IRS?

And when you govern like that, these are the kinds of bills we get on the floor. But worse, I believe this is just a ploy being used to cover up the facts surrounding this IRS problem, and I believe it actually harms our ability to address the real management issues at the IRS that were the basis of the problem to begin with.

So once again, Mr. Speaker, with all due respect, bills don't just fall out of the sky and land on the floor of the House without a hearing in committee.

The SPEAKER pro tempore (Mr. GARDNER). The time of the gentleman has expired.

Mr. LEVIN. I yield an additional 1 minute to the gentleman.

Mr. CROWLEY. Bills don't just fall out of the sky, Mr. Speaker. They don't. They're here to meet a purpose. The purpose was to evade the committee process in regular order and to bring this bill here before we break for the summer recess, the last week in Congress before the summer recess, for a political purpose. I've stated it. It's not worth restating again, but I do suggest that the notion or idea that this

bill is on the floor and has nothing to do with the ongoing investigation, in my opinion, is very hard to believe.

Mr. RENACCI. Mr. Speaker, I hope the American people are listening to this debate because the American people are the ones who have the right, they have the right to know that they are not going to be targeted, whether they're conservative, liberal, whatever organization they are. And that's what this bill is about. It's about the American people.

In regards to bringing it up in a hearing, it's interesting because I think my colleagues were at the hearing where I actually asked the Commissioner what he thought about political targeting being added and he indicated he wasn't sure if it was in there, but thought it was a good idea. So even the Acting Commissioner made that comment, that this was an issue that should be considered.

This is about the American people. This is about restoring confidence not only in the American people but in the IRS. As an employer for over 28 years, I wanted to make sure all of my employees felt the integrity, and when there was a concern, we had issues with fixing that problem. This is about fixing a problem for the American people. I hope the American people continue to listen to this debate because this is one that I know the American people are behind.

I reserve the balance of my time.

Mr. LEVIN. Is the gentleman from Ohio ready to close?

Mr. RENACCI. I am.

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

There's no question there should be no political motivation. So far there's been no evidence there was any.

This bill is being brought up in a context. It's outlined in the Republican playbook and, that is, go home and essentially go after the government. I think we should make sure in Washington that we act so the government acts on our behalf.

So everybody can reach their own judgment. I've told the gentleman from Ohio that the way you drafted it—and I'll just read this. The present language says ''threatening to audit a taxpayer for the purpose of extracting personal gain or benefit.'' That's the present language. Threatening is willful by definition. You can't threaten somebody unwillfully. Instead, we have new language, and I want to pick up the point of Mr. CROWLEY in terms of regular procedure. I mentioned it before.

It's important that we follow regular order in this institution. The bills before oversight were brought before the committee. We had no chance to act on this, and I would have suggested that the word ''willful'' be placed before it. However, everyone will vote as they wish on this. I think it will pass. It will go over to the Senate, and I will suggest if this passes and the Senate decides to act, that they take a clear look at whether there needs to be a requirement of an intentional misdeed as defined here because what we're talking about is the discharge of an employee; and whether it's IRS or some other government employee, whether in a local unit or any unit, it seems to me—or in the military, for example—I think we want to have some consideration of due process for them.

So that's the basis for the discussion here. This bill, I think, talks about political motivation. And I just wanted to add, as I end, the thought expressed before. There has been no evidence of political motivation by an IRS employee, and the effort to try to tie what happened there to the executive was an example of pure political motivation and terribly misguided and I think a harmful kind of connection when it did not exist. We should not do that in this country.

I yield back the balance of my time.

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

First, I want to thank my colleague for saying that political targeting should not occur in any way, shape, or form. So I would agree with him. And what this does, this ensures no political targeting going forward, which is important. We agree that political targeting shouldn't occur. This ensures political targeting doesn't happen going forward.

The other issue, when we talk about the change in the language, the current language says threatening to audit a taxpayer for the purpose of extracting personal gain. We talk about the same thing by saying:

> Performing, delaying, or failing to perform (or threatening to perform, delay, or fail to perform) any official action (including any audit) with respect to a taxpayer for purpose of extracting personal gain or benefit or for a political purpose.

So we are actually protecting the integrity of the IRS going forward. This is a simple piece of legislation that really implements the will of the American people. It shows we will not allow our constituents to be targeted based on their political beliefs. This is the only bipartisan measure we consider on this topic today. It simply improves an existing process that was approved with overwhelming bipartisan support.

As I said earlier, the IRS needs this. The hardworking employees of the IRS who have been tainted by this scandal need this. But let's remember this has nothing to do with the scandal. Let's begin the long process of restoring faith in our government. Let's come together, put politics aside, and show the American people that the IRS is above politics. I urge all Members to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. RENACCI) that the House suspend the rules and pass the bill, H.R. 2565.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BIPARTISAN STUDENT LOAN CERTAINTY ACT OF 2013

Mr. KLINE. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the 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.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate 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 SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. KLINE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1911.

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

There was no objection.

□ 1615

Mr. KLINE. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in strong support of the Bipartisan Student Loan Certainty Act, also known as the Smarter Solutions for Students Act.

After many weeks of delay, I'm pleased we finally have a bipartisan agreement to address the student loan interest rate problem. My colleagues and I have been fighting for months for a long-term, market-based solution that will serve students and taxpayers, and the legislation before us today will do just that.

As you can see in this chart, much like the Smarter Solutions for Students Act approved by the House back in May, the Bipartisan Student Loan Certainty Act will tie student loan interest rates to the market, taking away the uncertainty that comes with allowing Congress to arbitrarily set rates.

Similarly, both bills provide a permanent fix to the interest rate problem, granting students the certainty they need to make smart, fiscally responsible investments in their education.

And most importantly, this legislation, like its predecessor, doesn't unfairly penalize taxpayers. Unlike some half-baked proposals that would put taxpayers on the hook for billions of dollars to pay for artificially low student loan interest rates, both the House-passed Smarter Solutions for Students Act and the Bipartisan Student Loan Certainty Act will generate a small amount of savings over 10 years.

Reports confirm the similarities between the House bill and its Senate companion. MSNBC has said the House bill is ''very similar'' to the Senate proposal. The Minneapolis Star Tribune recently noted the Senate compromise ''closely resembles'' the House-passed Smarter Solutions for Students Act, and the Associated Press called the differences between the two proposals ''relatively small.''

While I'm happy with the legislation we will consider today, I'm disappointed it took us so long to get to this point. Students and their families got roped into an all-too-tumultuous debate and were forced to deal with the fallout when Congress was unable to reach an agreement to prevent subsidized Stafford loan interest rates from doubling on July 1.

By getting politicians out of the business of setting student loan interest rates, the measure we consider today will protect students from future uncertainty. I applaud my colleagues on the other side of the aisle for finally recognizing this long-term, market-based proposal for what it is: a win for students and taxpayers.

Mr. Speaker, I strongly urge my colleagues to join me in supporting H.R. 1911.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I rise in support of the Bipartisan Student Loan Certainty Act. It has been nearly a month since interest rates on student loans were allowed to double on millions of our neediest students, but thanks to the bipartisan negotiations in the Senate, we now have a solution that provides real relief. And I want to thank Senator DURBIN, Senator HARKIN, Senator MANCHIN, and Senator KING for all of their work on this effort.

Thanks to this legislation, over the next 5 years, borrowers across the country will save $25 billion in interest payments. In my home State of California, this bill will cut the cost of college for more than 550,000 students this coming academic year. It was worth the wait.

When we started work on this issue, I said that any long-term solution to student loan interest rates must help, not harm the students or their families, must not make college more expensive, and it must protect students in the future from spiking interest rates. I believe that this bipartisan bill accomplishes that goal.

It locks in interest rates for borrowers when they sign on to their loans; it provides a reasonable cap to protect students from rising interest rates; and it rolls back the doubling of interest rates, saving students and families real money right now.

Today's bipartisan student loan deal stands in stark contrast to the partisan bill passed by the House majority in May. The bill would have made college more expensive by nearly $4 billion to students and their families. It would have subjected students to a bait-and-switch scheme. It offered students teaser rates that balloon annually, leaving students deeper in debt and guessing what they will owe.

If you look at this chart, you will see that, under the bipartisan agreement we're voting on today, it will cost students about $11,363. The current law raises the cost to $14,000, and the bill that passed the House, the Republican

bill, was $16,400. So it's been well worth students to have this disagreement, to have this wait so that we could save this kind of money for students and families.

Next year's freshmen who borrow a maximum amount of subsidized and unsubsidized Stafford loans over 5 years would have paid $5,000 more in interest rates under the House Republican plan than under today's bipartisan compromise, and nearly $2,000 more than if we did nothing.

The House majority's solution wasn't a solution at all. Their approach was best summed up by the chair of the Higher Education Subcommittee who recently said, ''It is not the role of the Congress to make college affordable or accessible.''

I couldn't disagree more. That statement explains why their bill piled debt on the backs of students rather than trying to lighten the load.

The Senate bill before us today takes the opposite approach. It saves students and families money.

I understand the concerns that some have raised by this solution. While it provides real relief for the next few years, it does not solve the long-term student debt crisis. We have much more work to do to address the underlying cost of college, and we must remain on guard against any unacceptable rise in interest rates.

In the meantime, we now have a bill that will make a positive difference to families struggling to pay for college.

Today, I ask the Republican majority to drop their support for the original House bill that was so devastating to students and families and, instead, support this bipartisan bill that delivers real interest rate relief for millions of Americans.

I reserve the balance of my time.

Mr. KLINE. Mr. Speaker, I yield 4 minutes to the gentlewoman from North Carolina (Ms. FOXX), the chair of the Higher Education Subcommittee.

Ms. FOXX. Mr. Speaker, I thank the chairman for yielding time.

I rise in support of the Smarter Solutions for Students Act, renamed as the Bipartisan Student Loan Certainty Act by the Senate. It's about time that bipartisanship on this issue won the day in Washington.

Earlier this year, my colleagues and I warmly welcomed the President's ideas to settle how student loan interest rates are calculated. Referencing his plan and his premise that student loan interest rates should be permanently free of politics and set using market interest rates, we introduced, and a bipartisan House majority passed, the Smarter Solutions for Students Act in May, well before rates were scheduled to double on July 1.

Our friends in the Senate were on a much different schedule. Rather than immediately building on the striking similarities between President Obama's initial proposal and the House Republican solution, Senate Democrats chose infighting over completing this important work.

July 1 came and went without any agreement from the Senate. Rates doubled.

But advocates of common sense and bipartisanship made a better case. Last week, Senate Democrats finally chose to support a permanent, market-based solution much like what the President had originally requested and practically identical to our Smarter Solutions for Students Act.

Campaign promises and political posturing should not play a role in the calculation of student loan interest rates. As we've seen, Washington's involvement in the rate-setting equation is a recipe for uncertainty and confusion. Borrowers deserve better.

The Bipartisan Student Loan Certainty Act will apply predictable, market-based interest rates to all Federal Stafford and PLUS loans, ensuring that student and parent borrowers will be able to capitalize with certainty on low rates while being shielded from high rates by specified caps.

From personal experience, I know that paying for college is hard work. It's getting harder as tuition and fees increase, and the vast majority of American households are feeling that pressure.

The need for solutions to help ease the challenge of college affordability is especially acute in today's jobless economy. Many recent graduates took out loans with the expectation that they would be able to find a job to pay off their debt. Now, many find themselves among the 53 percent of their peers struggling with un-or underemployment.

Like our colleagues across the aisle, we want every student to have the necessary, honest information they need to make an informed decision about the financial obligations they voluntarily assume, and we want taxpayer subsidies for higher education to be well-spent, not wasted.

Now, with interest rates settled permanently for students and taxpayers, the Higher Education Subcommittee I chair will continue to look for and promote solutions to help bring clarity to college costs for all students and families considering the investment.

Students, families, and taxpayers deserve a long-term student loan solution, not more can-kicking from Washington. The Bipartisan Student Loan Certainty Act, like the House-passed Smarter Solutions for Students Act, puts an end to temporary fixes and campaign promises that have failed to strengthen our Nation's student loan system. This legislation offers students simplicity and predictability as they prepare to pay for college.

The American people deserve the clarity, certainty, and protection guaranteed by this legislation. I urge a ''yes'' vote.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 30 seconds.

I would not want the Members of this House to believe that somehow this bill that we're going to vote on in a few minutes is the same as the Republican bill. This bill saves $25 billion for those students over the next 5 years. The Republican bill that was voted on in this House costs those students a billion dollars. So there's a big difference. As I say, it was well worth the wait.

So let's understand very clearly. The Members of this House are getting a better deal with this legislation if they vote ''yes'' on this bill, both sides of the aisle.

I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, I, too, rise in support of the Student Loan Certainty Act and again want to emphasize the fact that, compared to the product that came out of this Chamber on May 23 that the majority passed on a partisan, party-line vote, on which the White House issued a veto threat, the final bill that's before us here today is a far superior piece of legislation that protects students.

Again, as Mr. MILLER said, the numbers don't lie. The bill that the Republicans passed on May 23 had a 4.3 percent interest rate, which was a teaser rate. The bill that's being passed here today is 3.86 percent, and over time, that nets about $5,000 of additional savings for students. That's real money, and that certainly is something that's worth the wait.

But what I want to point out is that there is actually, in my opinion, a more fundamental difference which is so critical for borrowers, which is that this piece of legislation will fix the rate at time of origination. In other words, when students take on these 10-year notes, which is what Stafford student loans are, the rate is fixed at the time the note is written.

The bill that came out on May 23 was a floating variable rate product which would not be set until the time that students commenced payment. Some students take Stafford loans out over a period of 5 and 6 years, so the rates that they were touting back on May 23 were an illusion. They were not what the rate was that the student actually was going to be paying.

And again, for this country, which went through the trauma of the subprime mortgage variable rate fiasco, this is a critical difference which provides greater protection for the borrower.

If you go online today, a 30-year mortgage for a house is about 4 percent, for an auto loan it's about 3.8 percent. They are fixed loans if you took those loans out today. And that's exactly what this compromise creates is that there will be real borrower certainty and protection, unlike the bill that recklessly, and on a partisan, party-line basis, flew out of this Chamber on May 23.

This is a better deal for America's students. It's why, again, the process that we went through was worth it. And again, it's certainly worth people's support.

At the end of the day, though, let's remember, students are still paying

into the deficit of this country. The Congressional Budget Office has told us over 10 years, $184 billion of revenue is going to be generated through this program towards the deficit.

We need to change that. That's not the purpose of the Stafford student loan program. When Senator Stafford from Vermont passed it many years ago, it was about providing an affordable system of access for higher education, not a cash windfall for the coffers of the government.

And that's why we have more work to do. That's why we need to pass a Higher Education Authorization Act which, again, balances these priorities in the right direction for students, not for government coffers. And again, this legislation gives us the time to address that issue and come out with an even better program for students which, again, is good for them and good for our country, to make sure that we have a workforce which is ready for the challenges of the future.

□ 1630

Mr. KLINE. Mr. Speaker, I yield 2 minutes to a member of the committee, the gentleman from Nevada, Dr. HECK.

Mr. HECK of Nevada. Mr. Speaker, I rise in strong support of the Bipartisan Student Loan Certainty Act of 2013.

As the first in my family to go to college—and as a parent—I fully understand the value of a high-quality education and the opportunities it provides. I also know that accessing higher education is not cheap. I just started paying back the student loans of my daughter. I'm still paying back my student loans for medical school.

Throughout Nevada, many new high school graduates are preparing to head to college this fall. Without this bipartisan compromise, originally proposed by the House Committee on Education and the Workforce and based largely on the President's own proposal, students face significant uncertainty over their student loans. This legislation provides a permanent, market-based solution that gives students and taxpayers the certainty they need and deserve. Additionally, by ensuring the interest rates are set by the market, rather than legislators, this bill rightly takes politics out of the student loan discussion.

While we must continue our work to address the skyrocketing costs of higher education—because the much greater issue is the total indebtedness upon graduation—this bill is an important step in addressing the near-term needs of students.

I strongly support H.R. 1911 and urge the passage of this important bill to help not only Nevada students, but students throughout our Nation.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from New York (Mr. BISHOP).

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

I rise today in support of the underlying legislation. Although this compromise is far from perfect, it is a step that must be taken in order to provide financial relief to American students and their families.

This legislation will bring undergraduate interest rates back under 4 percent for the upcoming academic year—a far more sustainable and appropriate level than the current 6.8 percent rates. Graduate students and parents will also benefit from lowered interest rates within this bill. Importantly, and in contrast to the bill that previously passed the House, the legislation also locks in those interest rates for the lifetime of each annually disbursed loan, providing student borrowers with critical consumer protections and a measure of predictability. Finally, this compromise provides interest rate caps for all student loans, offering an essential safety net to protect students and their families from the whims of market-based rates.

While this isn't a bill that I would have written, we must all recognize the urgency of our current situation and pass it today. Classes are starting at many institutions within just a few weeks. Students around the country are signing master promissory notes even as we speak, committing themselves to years of debt and loan repayments in order to make an investment in their future. At the very least, this Congress has the responsibility to momentarily end the political gridlock that paralyzes our Nation and notify these hardworking student what their interest rates will be.

However, let's not think for one second that our work on college access and affordability is now complete. With the Congressional Budget Office projecting interest rates of 10-year Treasury notes—the baseline that determines student interest rates—to rise significantly over the next 5 years, we must work proactively and cooperatively to assure affordable student interest rates not only for present students but future students as well.

American student loan debt stands at $1.1 trillion. And it continues to rise. The Federal Government continues to make a huge profit on student loan repayment, even as students are forced to shoulder more of the burden than ever before. Balancing our deficit on the backs of student is simply not right, especially when considering the broader economic impact of saddling students with untenable amounts of debt.

When borrowers are forced to devote huge chunks of their paychecks to student loan repayment, it means they will have less income to spend on major purchases like homes or vehicles. They are less likely to start a business. They are less likely to invest in retirement accounts or the stock market—all negative indicators that will affect our economic prosperity now and into the future.

Mr. Speaker, a college education has represented a path to the middle class for millions of American families. Taking direct action to bring down the cost of a college degree by lowering student loan interest rates is a step in the right direction. I urge my colleagues to support this bill.

Mr. KLINE. I yield 2 minutes to another member of the committee, the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Thank you, Mr. Chairman, for yielding.

Mr. Speaker, as an original cosponsor of H.R. 1911, the Bipartisan Student Loan Certainty Act, I rise in support of the Senate amendment to H.R. 1911.

President Obama, as part of his budget request, proposed returning student loan interest rates to a system of market-based variable rates tagged to the 10-year Treasury note.

As a member of the Education and Workforce Committee, I can attest the committee staff and members worked in good faith to meet the President's request, developing a bill that could pass the House and promote certainty for student borrowers. The House moved to pass the bill in May, reasserting that access to education for so many of America's young people should not be subject to annual political battles. Unfortunately, the Senate chose politics over students and delayed passage of the legislation until last week.

The positive is that H.R. 1911 is a complete departure from what had become an annual debate within Congress on how to set the rates for student loans. This measure modifies how interest rates on most Federal student loans are set, returning to a system under which interest rates are tied to market rates, but with rates fixed for the period of the loan. It would apply retroactively to any loans since July 1, when the 3.4 interest rate on Stafford loans rose to 6.8 percent.

This bill will transition the student loan system to one that is more predictable and affordable—one that protects both taxpayers and students. We have a responsibility to America's youth. We have a responsibility to the students such as those seeking opportunities at Penn State, Pitt, Lock Haven, Clarion, Edinboro, Juniata, Dubois Business College, and South Hills. We have to put forward a long-term plan for college affordability. This bill is a good first step and will offer students the lowest possible rate for higher education while ensuring the solvency of these important loan programs.

I urge my colleagues to support this commonsense, bipartisan legislation.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. I'm very pleased that finally we are taking action on the pressing issue of college affordability for constituents of mine across Colorado and Americans across our country.

Absent congressional action, the current law today has effectively doubled

the interest rate that our neediest families pay to be able to borrow money for afford college to 6.8 percent. I believe that the previous bill that passed the House was better than the doubling to 6.8 percent. It would save families money in the short- and medium-term while Congress worked through a final solution. But I'm very proud to say here today that this bill is far better. And I encourage my colleagues on both sides of the aisle to support this bill, which has several features that are strong improvements over the original House-passed version, including a fixed interest rate for the life of the loan so that our students are not beholden to the fluctuations of the market when they can least afford it—after they graduate.

This bill would keep interest rates low for our neediest students and their families, providing some certainty and some surety. Under this bill, the typical undergraduate student borrower this year will save $1,500 over the life of a loan. A graduate student will save over $3,000.

This bill is a step towards making sure that our student loan system is not subject to the whims of Washington every week, with arbitrary expirations and control over the interest rate. We have to make sure that our students are able to plan their futures.

This bill is but the first step in the much-needed reforms that we need as we reauthorize the Higher Education Act. I encourage all of my colleagues to support this bill to keep college affordable now, and I hope that my colleagues will be able to consider Representative PETRI's and my H.R. 1716 bill as we look towards long-term solutions.

The ExCEL Act, H.R. 1716, would replace this complicated array of loans, subsidies, deferments, forbearances, and repayment options with a single loan repaid through simplified and improved income-based repayment. One of our goals is to protect our neediest Americans. Income-based repayment is a better tool than interest subsidies. While interest subsidies are based on a student's family income before school, income-based repayment ensures that students are protected when they truly need it—when they graduate from school, if they go through tough times, or if they're in a service-related profession. Under the ExCEL Act, we include strong borrower protections so our neediest students after graduation will be paying effectively a zero percent rate for the balance of their payments.

We need to pass this bill now and send it to President Obama to prevent our students this fall from paying 6.8 percent. I hope we can continue the discussion and dialogue about thoughtful student loan reform proposals like the ExCEL Act that address keeping college affordable for American families.

I am so grateful the Democrats and Republicans have come together to, hopefully, pass a bill here today that will be able to be brought to President Obama for his signature to provide some commonsense and predictability by lowering the student loan interest rates from 6.8 percent, which they are under statute today, and putting us on a path toward fiscal sustainability.

I urge my colleagues to support this bill.

Mr. KLINE. Mr. Speaker, can I inquire as to how much time is remaining on each side?

The SPEAKER pro tempore (Mr. HULTGREN). The gentleman from Minnesota (Mr. KLINE) has 10½ minutes remaining. The gentleman from California (Mr. GEORGE MILLER) has 7 minutes remaining.

Mr. KLINE. Thank you, Mr. Speaker.

I yield 3 minutes to another member of the committee, the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. Mr. Speaker, I rise today in support of the Smarter Solutions for Students Act, also known as the Bipartisan Student Loan Certainty Act. I commend Chairman KLINE; our Education Subcommittee chairwoman, Ms. FOXX; Ranking Member MILLER; and others for their hard work and diligence throughout this process of getting this bill where it is today.

I am pleased that cooler heads have prevailed and Senate Democrats finally have agreed to the commonsense solutions proposed months ago by House Republicans and the President in his budget to stop interest rates on student loans from doubling. This is a good deal for 11 million students. The rates are better in this agreement. Students will save an estimated $1,500 in interest over the life of their college loans as a result.

Those beneficiaries include more than 200,000 students in Indiana alone, who will be taking out their student loans this year. It will help young people like John Houston, a Ball State University student and intern in my office this summer, who will be taking out student loans as he heads back to school this fall. Getting Congress out of the business of randomly setting interest rates is a good deal—both for students like John and taxpayers.

The bill will allow students to benefit from lower interest rates and prevent taxpayers from being forced to subsidize arbitrary rates set by politicians for political reasons rather than for policy purposes. Maybe most importantly, Mr. Speaker, this legislation shows that, even in a challenging partisan environment, Congress can come together and work on behalf of the American people to make their lives a little easier. I hope this agreement builds momentum for reaching bipartisan solutions to other problems that our Nation faces.

I urge my colleagues to support this measure.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. I'm just delighted to be able to say that the leadership of the Senate realized that the Republican bill would have overwhelmed our young people.

I was just talking to someone just a few minutes ago, and they were saying we need to have a commitment that every person that graduates from college has a job. We should also have a commitment that every young person that wants to go to school and get a higher education should not be burdened with hundreds of thousands of dollars of debt.

For over 2 years, our good friend, Mr. COURTNEY from Connecticut, Democrats, the Education Committee, and Mr. MILLER have been begging on behalf of the American children to not cause them to pay this enormous amount but to hold the interest rates for middle class families and working families at 3.4 percent. And we struggled. There were many discussions in the United States Senate. And the reason why they continue to struggle is because they wanted to make sure that the victory came out for those young people of working parents and middle class parents. That's why we're here today—because they held out and we held out. Now we're glad to be in a bipartisan mode. But it's important to note that this was a struggle.

If we pass this bill and get it on the President's desk, the 3.6 percent or so will be held. As we go forward over the years, we'll have a measured increase. Not a high increase to market rates or rates higher than that, but a measured increase or 3, 4, or 6 percent. And then some 5 years out, when it reaches about 7 percent, we'll have the ability as a Congress to come back and look. Because we should not burden our students to the point where they cannot get an education.

We all are created equal. Maybe education is not written in the Constitution, but certainly the opportunity for the pursuit of happiness. Therefore, the opportunity for education must be protected.

This is a crucial difference between the bipartisan Senate bill of $11,000. The current law right now is $14,000. And what the House Republican bill passed was almost $17,000.

Mr. Speaker, this is a relief. This is to be applauded. And I'm delighted that we have finally come to our senses.

Today the House of Representatives will have a second chance to get Student Loans right. This is an opportunity to relieve the fears and anxiety of families of college bound students across the nation by passing H.R. 1911—the Bipartisan Student Loan Certainty Act of 2013. By passing this legislation the Congress can take a concrete step toward restoring the economic security, educational opportunities, and peace of mind of America's students.

The goal of our nation should be to educate our youth to reach their greatest potential in life. A good education should be accessible and affordable to all of your young people.

For too long, millions of America's best and brightest have been waiting for Congress to find a responsible solution to rising student loan interest rates. While House Republicans have insisted on saddling students with even more debt, the bipartisan legislation we passed today seeks to ease that burden.

This bipartisan compromise offers hard-working students and families critical protections, reduces rates on all new loans this year, and saves undergraduates $1,500 on average over the life of their loans.

The plan caps market-based interest rates, ensuring students won't bear the brunt of sky-rocketing rates in the future. While the House Republican bill considered earlier this year only offered uncertainty, insecurity, and more debt for our students, the Senate compromise that we are considering today will restore a sense of security for nearly 11 million Americans who are seeking a better life through higher education.

The passage of the College Cost Reduction and Access Act of 2007, Congress made historic investments in student aid. The law did what Congress should always do when considering the needs of students seeking education to improve their chances of success. This bill halved interest rates on need-based federal student loans to 3.4 percent—making these loans more affordable for low- and middle-income students. If Congress doesn't act before July, the rate will jump back up to 6.8 percent, making it much more difficult for many American students and their families to afford a college education.

I represent colleges and universities in my District who serve the higher education needs of tens of thousands of Houstonians and others who come to our city for its education opportunities.

A college education should not be only for the lucky few, but should be available to all of those with skill and determination. Given the opportunity, millions of young and older Americans would access higher education to provide their families with a more certain financial future, while also strengthening our nation's economic and national defense human capital. A college degree is also becoming essential to a growing number of jobs in the 21st century economy.

STEM EDUCATION STATISTICS

STEM workers earn 26 percent more than non-STEM graduates.

By 2018 we will need: 710,000 Computing workers, 160,000 Engineers, 70,000 Physical Scientists, 40,000 Life Science workers, and 20,000 Mathematics workers.

STEM Computing Jobs are critical to America's future: Software engineers, Computer networking workers, Systems analysis, and Computer researcher or support workers.

College student STEM retention according to the President's report is improved when students have the proper peer and instructor support system, which is what Superintendent Dr. Soner Tarim has done at each of the area's 17 Harmony Schools.

By providing access to an affordable education we are eliminating the shortage in two ways by: (1) creating opportunities for Americans to prepare for STEM careers, and (2) by welcoming those from other countries who choose to study and remain in the United States to work.

According to the Association for Computing Machinery K–12 computer science education as a component of STEM education would help students have a deeper understanding of the fundamentals of computing, which is a critical foundational knowledge for a wide range of education needs for other STEM education programs and future jobs.

We know that fewer than 40 percent of new college students enter College intending to get a STEM related degree. This is not good enough for America—we need to do much better.

By making college more affordable and accessible we could increase the retention of the STEM degree majors from 40 percent to 50 percent, if we reach this goal the nation can meet three fourths of the 1 million STEM workers we will need.

Minority college students who major in STEM higher education make 25 percent more than minority graduates with non-STEM educations. Minority students who take STEM jobs make 50 percent more than minority non-STEM graduates.

Students and families cannot wait any longer to know how much they will owe on their student loans in the coming academic year. Making college more affordable is critical to sustaining America's economic competiveness. Business leaders know it is vital for the workforce of tomorrow to get an education beyond high school. If more of today's students cannot afford college, businesses will not have the workers with the education and training they need to keep our economy competitive and dynamic far into the future.

I urge my colleagues in joining me in support of this Student Loan legislation.

PROJECTED INTEREST RATES UNDER SENATE BIPARTISAN AGREEMENT

Below are the projected interest rates under the bipartisan Senate agreement for 2013–2023:

Year	Undergraduate students (subsidized and unsubsidized Stafford loans)	Graduate students	Parent loans for undergraduate students (PLUS)
2013	3.86	5.41	6.41
2014	4.62	6.17	7.17
2015	5.4	6.95	7.95
2016	6.29	7.84	8.84
2017	7	8.55	9.55
2018	7.25	8.8	9.8
2019	7.25	8.8	9.8
2020	7.25	8.8	9.8
2021	7.25	8.8	9.8
2022	7.25	8.8	9.8
2023	7.25	8.8	9.8
Caps	8.25%	9.50%	10.50%

Note: Rates fixed through repayment once borrowed. Rates are based on CBO projections of 10-year Treasury rates.

Mr. KLINE. Mr. Speaker, I have no other speakers, and I'm prepared to close.

Mr. GEORGE MILLER of California. I have no further speakers.

Mr. Speaker, in closing, I want to thank the chair of the committee for bringing this bill to the floor as soon as it was possible to do, but certainly before we break for August.

This legislation, as I said earlier, is a vast improvement over what we voted on before and what was presented to this House. I think families all across the country with students heading off to college or returning to college this fall will be happy to know that as they take out a student loan this year, they will save over the next 5 years some $25 billion because those loans that they take out will have that interest rate guaranteed at that rate today and for the life of that loan.

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Big distinction between this bill and the bill that was presented for the House to vote on, which many of us rejected but the Republicans supported and was passed to the Senate. Over the next 10 years, it provides about $4 billion in additional relief.

What's important to know is that this will deal with making college more affordable. But, clearly, what is on the agenda of the Education and Workforce Committee is making sure that we're dealing with the cost of college so that we can reduce the student debt in this country, we can reduce the affordability of college in this country.

We expect that as we struggle to try to figure out how to provide this loan money on behalf of the taxpayers to these students who are the future of our economy, the future of our society, that the institutions will struggle with seeing what they can do to lower the cost of these colleges.

This is a very exciting time in post-secondary education because we have opportunities now with technologies and the ability to present classes in new formats, in new forums for students much differently than in the past. We've got to make sure that we're providing that quality education, but perhaps in a way that's more cost efficient. And efficiency isn't the enemy of intellectual curiosity or intellectual achievement or scholastic achievement, but it may be helpful to

those families who are struggling with a debt to provide one, two, or three children a college education, or for those students who graduated who are struggling with that debt as they enter the job market.

So we really want to say that we've done the best we can under these circumstances with this legislation, but we expect the institutions of higher education all across this country to reexamine how they're doing their business and what they can do to reduce the cost of college. And we'll continue to do our part, trying to make it more affordable for the American family.

But in the past, we've seen where we put money in at the top and the States took the money out at the bottom. We're not going to play that game anymore, and we can't play that game anymore. That has ended up with a lot of increased debt on the part of students. Certainly with respect to the public institutions, the States have to step up and share the responsibility for their public institutions. We cannot have this situation where they continue to decline their support and then foster that off on parents and students, and then the parents and students need help from the Federal Government. That chain has got to stop here.

But I think today, this is a big and important step in terms of the affordability of college for students. And all of the indicators are that that college degree is well worth it over the lifetime of work of students, over the types of jobs that they will get, the types of wages that they will receive. It's still a huge benefit. There has been a lot of discussion over the last few months that maybe college isn't worth it anymore. It is, but we have to do it right. And young people have to be able to obtain that college education, and they have to do it with the least amount of debt possible.

With that, I yield back the balance of my time.

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

It's always interesting to listen to the debate here on the floor. No matter how hard we try to use the word ''bipartisan,'' we get into these partisan squabbles: the Republican bill was bad and this bill is good, and that bill is—look, we needed to change the status quo, and that's always hard to do.

We had some pretty simple goals here that we were trying to reach. We wanted to get out of the partisan political squabble that was occurring in this city every year as we tried to figure out, through some alchemy, what the student loan interest rate ought to be. The answer has been in front of us for a long time: the market is the best determiner of that.

So we wanted to put together legislation that would get us out of this political squabble, let the market do this in a way that was fair to students and fair to taxpayers. Let the market do it based on the 10-year Treasury, which is the best indicator of what it costs the Federal Government to borrow money; do it so that it was as close to budget neutral as we could get it.

The President of the United States had a proposal that did those things. At the end of 10 years, I think the President's budget saved the taxpayer about $3 billion. The House bill that we've been discussing saved the taxpayers about $3.5 billion, And this bipartisan Senate bill, just under $1 billion saved. That's budget neutral in this city, in a 10-year window, from the Congressional Budget Office. We're trying to get that.

It was a bizarre circumstance, Mr. Speaker, that I and House Republicans were working with the White House and the Department of Education trying to convince our Senate colleagues, Senate Democratic leadership that the answer was there in front of them, all they had to do was pick it up and pass it. We can get it done in this House. We can answer the questions of parents and students and put some certainty in this. I am very, very pleased that the Senate was able to put together that bipartisan—

Mr. GEORGE MILLER of California. Will the gentleman yield?

Mr. KLINE. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. I didn't mean to interrupt. I thought you were going to yield back your time. I just wanted to ask you for 30 seconds. I thank the gentleman for yielding.

We have these differences at the Member level and the institutional level.

I just forgot, before I sat down, to thank the staffs of both sides of our committee for their professional work. Because whatever's going on on the surface here and surface warfare, we know that, underneath, the staff is trying to make it work out whatever direction we decide to move in. So I just want to thank so much the staff both of the majority and minority side for their help.

Mr. KLINE. I thank the gentleman.

Reclaiming my time, I will pick up on that note because we could not have done this without the hard work of some really instrumental people.

Certainly, I'd like to take a moment to recognize and thank the committee staff, as my colleague has done, for their hard work on this important issue, both sides of the aisle.

First, I would like to thank the majority staff director, Juliane Sullivan; our education policy director, James Bergeron; and professional staff member Brian Melnyk; and of course Amy Jones, sitting next to me here today, who started working to solve this problem more than a year ago. That's the frustrating thing here, Mr. Speaker. This problem didn't arise in April or May. We've known for more than a year, with certainty, that we had to address this issue. So I thank Amy for her passion in all higher education work. I know she's just resting up so that we can start into reauthorization of the Higher Education Act as we go forward.

Certainly I'd like to thank VIRGINIA FOXX, the chairman of the Subcommittee on Higher Education and Workforce Training, who helped craft the Smarter Solutions for Students Act. Again, I would remind my colleagues, this was a bipartisan bill. It came out of the committee bipartisan, came off the floor with a bipartisan vote, and Ms. FOXX deserves a lot of credit for her hard work.

In closing, I remind my colleagues, the legislation before us today is a victory for students, families, and taxpayers. It deserves our robust support.

I urge my colleagues to vote ''yes'' on the bipartisan Student Loan Certainty Act, and I yield back the balance of my time.

Mr. DEFAZIO. Mr. Speaker, today I will vote for H.R. 1911, the Bipartisan Student Loan Certainty Act of 2013. Due to congressional inaction student loan rates doubled to 6.8% on July 1st. This is not the bill I would've written but it was necessary to come to an agreement so that today's students don't see their interest rates double. It would have been my preference to pass the legislation introduced by Senator ELIZABETH WARREN that gives students the same low interest rates that the Federal Reserve grants Wall Street banks.

With passage of H.R. 1911, this year's students will only pay a 3.8% interest rate when they go back to school in the fall. This rate will be locked in for the entire life of their loan. Although the interest rates will likely increase for future students under this bill, they should remain below the current 6.8% for the next few years. This is a short term solution to the long term problem of rising college costs and increasing student debt. I stand ready to work with my colleagues to address the issue of college affordability including student loan interest rates in the upcoming reauthorization of the Higher Education Act.

Mrs. MCCARTHY of New York. Mr. Speaker, as you may know, on July 1st the rate for subsidized Stafford student loans doubled from 3.4% to 6.8%. Today, students already face over $1 trillion in student loan debt nationally and any effort to further indebt hardworking students and families would be disgraceful. This Congress needs to act in a responsible fashion in order to help alleviate the cost prohibitive status of higher education in this country. Today, I am pleased to say that this Congress has acted to help students and families by putting forward H.R. 1911, the Bipartisan Student Loan Certainty Act of 2013, legislation that I am proud to support.

Unlike the proposals floated earlier this Congress by the House majority, this bill offers students and families a reasonable way to finance higher education. As opposed to rates that fluctuate throughout the life of the loan, H.R. 1911 allows for a variable rate for new borrowers that adjusts yearly but is fixed for the life of the loan once borrowed. Further, the bill offers lower interest rates for undergraduate borrowers of subsidized and unsubsidized Stafford loans by pairing them to the 10 yr Treasury (T) bill + 2.05% as opposed to the 10 yr T bill + 2.5% in the original House majority proposal. Lastly, the bill offers interest rate caps for borrowers to ensure that interest

rates do not soar to undesirable levels in the years to come.

If this bill is signed into law, rates on new subsidized Stafford and PLUS loans will go down this year. Undergraduates would borrow at 3.86%, a cut from 6.8%, graduate students would borrow Stafford loans at 5.4%, a cut from 6.8% and parents and graduates borrowing PLUS loans would borrow at 6.4%, a cut from 7.9%. For a freshman undergraduate beginning school this year and taking out the maximum amount of loans, he/she will save $3,300 in interest payments over their college career as compared to current law and undergraduate students would save $25 billion in debt relief, according to CBO projections, over the next five years as compared to current law. While this bill represents a significant improvement for students, I do have reservations that the undergraduate interest rate cap, currently set at 8.25%, is too high. While it is widely believed that students will enjoy low rates in the short-term, there is a strong possibility that rates will skyrocket as our national economy improves. I believe that, for undergraduates, a lower cap should be considered and I would welcome its continued review by this Congress in the years to come.

Overall, Mr. Speaker, this is a good bill that will give students and families alike significant financial relief and stability in the years to come.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to express my opposition to the Motion to Concur in the Senate Amendment to H.R. 1911, the Smarter Solutions for Students Act.

This bill returns federal student loans to a system of market-based variable rates, an imprudent policy that seeks profits for deficit reduction at the expense of students struggling with the substantial and climbing cost of post-secondary education.

While the bill may appear to reverse the interest rate hike that occurred on July 1, setting rates at 3.8 percent for this year and 4.6 percent for next year for undergraduate Stafford student loan borrowers, it is essentially a bait and switch that will pile extra debt onto students when the current record-low rates inevitably rise.

This is unacceptable. Student loan debt is a major drag on the American economy, reaching $1 trillion and climbing, and recently surpassing credit card debt as the largest form of consumer debt. Approximately 60 percent of students take out loans to attend college, and increasing the costs of borrowing will prevent millions from being able to pursue higher education.

While the interest rate caps are a step in the right direction, they are too high to meaningfully protect students when the temporarily low rates give way to rates that are even higher than the 6.8 percent rate this bill attempts to fix.

College educated students are the future engine of our country, and anyone who wants to pursue a post-secondary education should have the opportunity to do so without going into crushing debt. I urge my colleagues to vote against this legislation and instead, extend the current interest rate of 3.4 percent until Congress enacts a true long-term solution to the cost of college that is worthy of our Nation's young people.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1911.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

NUCLEAR IRAN PREVENTION ACT OF 2013

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 850) to impose additional human rights and economic and financial sanctions with respect to Iran, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 850

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Nuclear Iran Prevention Act of 2013''.

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

Sec. 1. Short title and table of contents.
Sec. 2. Findings and statement of policy.

TITLE I—HUMAN RIGHTS AND TERRORISM SANCTIONS

Sec. 101. Mandatory sanctions with respect to financial institutions that engage in certain transactions on behalf of persons involved in human rights abuses or that export sensitive technology to Iran.
Sec. 102. Prevention of diversion of certain goods, services and technologies to Iran.
Sec. 103. Designation of Iran's Revolutionary Guard Corps as foreign terrorist organization.
Sec. 104. Imposition of sanctions on certain persons responsible for or complicit in human rights abuses, engaging in censorship, or engaging in the diversion of goods intended for the people of Iran.
Sec. 105. Sense of Congress on elections in Iran.
Sec. 106. Sense of Congress on designation of a Special Coordinator for advancing human rights and political participation for women in Iran.

TITLE II—ECONOMIC AND FINANCIAL SANCTIONS

Subtitle A—Amendments to Iran Sanctions Act of 1996

Sec. 201. Transfer to Iran of goods, services, or technology that would materially contribute to Iran's ability to mine or mill uranium.
Sec. 202. Repeal of waiver of sanctions relating to development of weapons of mass destruction or other military capabilities.

Subtitle B—Amendments to Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 and Iran Threat Reduction and Syria Human Rights Act of 2012

Sec. 211. Modifications to prohibition on procurement contracts with persons that export sensitive technology to Iran.
Sec. 212. Authority of State and local governments to avoid exposure to sanctioned persons and sectors.
Sec. 213. Sense of Congress regarding the European Central Bank.
Sec. 214. Imposition of sanctions with respect to certain transactions in foreign currencies.
Sec. 215. Sanctions with respect to certain transactions with Iran.

Subtitle C—Other Matters

Sec. 221. Imposition of sanctions with respect to the Central Bank of Iran and other Iranian financial institutions.
Sec. 222. Imposition of sanctions with respect to ports, special economic zones, free economic zones, and strategic sectors of Iran.
Sec. 223. Report on determinations not to impose sanctions on persons who allegedly sell, supply, or transfer precious metals to or from Iran.
Sec. 224. Imposition of sanctions with respect to foreign financial institutions that facilitate financial transactions on behalf of persons owned or controlled by specially designated nationals.
Sec. 225. Repeal of exemptions under sanctions provisions of National Defense Authorization Act for Fiscal Year 2013.
Sec. 226. Termination of government contracts with persons who sell goods, services, or technology to, or conduct any other transaction with, Iran.
Sec. 227. Conditions for entry and operation of vessels.

TITLE III—ADDITIONAL AUTHORITIES TO PREVENT CENSORSHIP ACTIVITIES IN IRAN

Sec. 301. Report on implementation of sanctions against the Islamic Republic of Iran Broadcasting.
Sec. 302. List of persons who are high-risk re-exporters of sensitive technologies.
Sec. 303. Sense of Congress on provision of intercept technologies to Iran.
Sec. 304. Sense of Congress on availability of consumer communication technologies in Iran.
Sec. 305. Expedited consideration of requests for authorization of transfer of goods and services to Iran to facilitate the ability of Iranian persons to freely communicate.

TITLE IV—REPORTS AND OTHER MATTERS

Sec. 401. National Strategy on Iran.
Sec. 402. Report on Iranian nuclear and economic capabilities.
Sec. 403. Report on plausibility of expanding sanctions on Iranian oil.
Sec. 404. GAO report on Iranian strategy to evade current sanctions and other matters.
Sec. 405. Authority to consolidate reports required under Iran sanctions laws.
Sec. 406. Amendments to definitions under Iran Sanctions Act of 1996 and Iran Threat Reduction and Syria Human Rights Act of 2012.

Sec. 407. Rule of construction.
Sec. 408. Implementation; penalties.
Sec. 409. Severability.

SEC. 2. FINDINGS AND STATEMENT OF POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Iran's acquisition of a nuclear weapons capability would—

(A) embolden its already aggressive foreign policy, including its arming of terrorist organizations and other groups, its efforts to destabilize countries in the Middle East, and its efforts to target the United States, United States allies, and United States interests globally;

(B) increase the risk that Iran would share its nuclear technology and expertise with extremist groups and rogue nations;

(C) destabilize global energy markets, posing a direct and devastating threat to the American and global economy; and

(D) likely lead other governments in the region to pursue their own nuclear weapons programs, increasing the prospect of nuclear proliferation throughout the region and effectively ending the viability of the global nonproliferation regime, including the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force on March 5, 1970.

(2) A nuclear arms-capable Iran possessing intercontinental ballistic missiles, a development most experts expect could occur within a decade, would pose a direct nuclear threat to the United States.

(b) STATEMENT OF POLICY.—It shall be the policy of the United States to prevent Iran from acquiring a nuclear weapons capability.

TITLE I—HUMAN RIGHTS AND TERRORISM SANCTIONS

SEC. 101. MANDATORY SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS THAT ENGAGE IN CERTAIN TRANSACTIONS ON BEHALF OF PERSONS INVOLVED IN HUMAN RIGHTS ABUSES OR THAT EXPORT SENSITIVE TECHNOLOGY TO IRAN.

(a) IN GENERAL.—Section 104(c)(2) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(c)(2)) is amended—

(1) in subparagraph (D), by striking ''or'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new subparagraph:

''(F) facilitates a significant transaction or transactions or provides significant financial services for—

''(i) a person that is subject to sanctions under section 105(c), 105A(c), 105B(c), or 105C(a); or

''(ii) a person that exports sensitive technology to Iran and is subject to the prohibition on procurement contracts as described in section 106.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to any activity described in subparagraph (F) of section 104(c)(2) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (as added by subsection (a)(3) of this section) initiated on or after the date that is 90 days after such date of enactment.

(c) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to carry out the amendments made by subsection (a).

SEC. 102. PREVENTION OF DIVERSION OF CERTAIN GOODS, SERVICES AND TECHNOLOGIES TO IRAN.

(a) DEFINITIONS.—Section 301(1) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541(1)) is amended by striking ''knows or has reason to know'' and inserting ''knows, has reason to know, or should have known''.

(b) IDENTIFICATION OF COUNTRIES OF CONCERN WITH RESPECT TO THE DIVERSION OF CERTAIN GOODS, SERVICES, AND TECHNOLOGIES TO OR THROUGH IRAN.—Section 302(b) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8542(b)) is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

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

''(3) that are—

''(A) items described in the Nuclear Suppliers Group Guidelines for the Export of Nuclear Material, Equipment and Technology (published by the International Atomic Energy Agency as Information Circular INFCIRC/254/Rev. 3/Part 1, and subsequent revisions) and Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Material, and Related Technology (published by the International Atomic Energy Agency as Information Circular INFCIRC/254/Rev. 3/Part 2, and subsequent revisions);

''(B) items on the Missile Technology Control Regime Equipment and Technology Annex of June 11, 1996, and subsequent revisions;

''(C) items and substances relating to biological and chemical weapons the export of which is controlled by the Australia Group;

''(D) items on the Schedule One or Schedule Two list of toxic chemicals and precursors the export of which is controlled pursuant to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction; or

''(E) items on the Wassenaar Arrangement list of Dual Use Goods and Technologies and Munitions list of July 12, 1996, and subsequent revisions.''.

(c) DESTINATIONS OF DIVERSION CONCERN.—Section 303(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8543(c)) is amended—

(1) by striking ''Not later than'' and inserting the following:

''(1) IN GENERAL.—Not later than''; and

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

''(2) ADDITIONAL MEASURES.—

''(A) IN GENERAL.—Except as provided in this section, the President may impose restrictions on United States foreign assistance or measures authorized under the International Emergency Economic Powers Act with respect to a country designated as a country of diversion concern if the President determines such restrictions or measures would prevent the transfer of United States-origin goods, services, and technology to Iran.

''(B) EXCEPTION.—The authority to impose sanctions under subparagraph (A) shall not include the authority to impose sanctions relating to the importation of goods.

''(C) GOOD DEFINED.—In this paragraph, the term 'good' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to countries identified in any update to the report that is required under section 302(c) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 and submitted to Congress on or after such date of enactment.

SEC. 103. DESIGNATION OF IRAN'S REVOLUTIONARY GUARD CORPS AS FOREIGN TERRORIST ORGANIZATION.

(a) IN GENERAL.—Subtitle A of title III of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8741 et seq.) is amended—

(1) by redesignating section 304 as section 305; and

(2) by inserting after section 303 the following new section:

''SEC. 304. DESIGNATION OF IRAN'S REVOLUTIONARY GUARD CORPS AS FOREIGN TERRORIST ORGANIZATION.

''(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this section, the Secretary of State shall determine if Iran's Revolutionary Guard Corps meets the criteria for designation as a foreign terrorist organization as set forth in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

''(b) AFFIRMATIVE DETERMINATION.—If the Secretary of State determines under subsection (a) that Iran's Revolutionary Guard Corps meets the criteria set forth under such section 219, the Secretary shall designate Iran's Revolutionary Guard Corps as a foreign terrorist organization under such section 219.

''(c) NEGATIVE DETERMINATION.—

''(1) IN GENERAL.—If the Secretary of State determines under subsection (a) that Iran's Revolutionary Guard Corps does not meet the criteria set forth under such section 219, the Secretary shall submit to the committees of Congress specified in subsection (e) a report that contains a detailed justification as to which criteria have not been met.

''(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex, if necessary.

''(d) APPLICABILITY OF SANCTIONS TO QUDS FORCE.—The sanctions applied to any entity designated as a foreign terrorist organization as set forth in such section 219 shall be applied to the Iran's Revolutionary Guard Corps Quds Force.

''(e) COMMITTEES OF CONGRESS SPECIFIED.—The committees of Congress specified in this subsection are the following:

''(1) The Committee on Foreign Affairs, the Committee on the Judiciary, and the Committee on Homeland Security of the House of Representatives.

''(2) The Committee on Foreign Relations, the Committee on the Judiciary, and the Committee on Homeland Security and Governmental Affairs of the Senate.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by striking the item relating to section 304 and inserting the following:

''Sec. 304. Designation of Iran's Revolutionary Guard Corps as foreign terrorist organization.
''Sec. 305. Rule of construction.''.

SEC. 104. IMPOSITION OF SANCTIONS ON CERTAIN PERSONS RESPONSIBLE FOR OR COMPLICIT IN HUMAN RIGHTS ABUSES, ENGAGING IN CENSORSHIP, OR ENGAGING IN THE DIVERSION OF GOODS INTENDED FOR THE PEOPLE OF IRAN.

(a) FINDING AND SENSE OF CONGRESS.—Section 401(a) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112–158; 126 Stat. 1251) is amended to read as follows:

''(a) FINDING AND SENSE OF CONGRESS.—

''(1) FINDING.—Congress finds that Iranian persons holding the following positions in the Government of Iran are ultimately responsible for and have and continue to knowingly order, control, direct and implement

gross violations of the human rights of the Iranian people, the human rights of persons in other countries, censorship, and the diversion of food, medicine, medical devices, agricultural commodities and other goods intended for the Iranian people:

''(A) The Supreme Leader of Iran.

''(B) The President of Iran.

''(C) Members of the Council of Guardians.

''(D) Members of the Expediency Council.

''(E) The Minister of Intelligence and Security.

''(F) The Commander of the Iran's Revolutionary Guard Corps.

''(G) The Commander of the Basij-e-Mostaz'afin.

''(H) The Commander of Ansar-e-Hezbollah.

''(I) The Commander of the Quds Force.

''(J) The Commander in Chief of the Police Force.

''(K) Senior officials or key employees of an organization described in any of subparagraphs (C) through (J) or in the Atomic Energy Organization of Iran, the Islamic Consultative Assembly of Iran, the Council of Ministers of Iran, the Assembly of Experts of Iran, the Ministry of Defense and Armed Forces Logistics of Iran, the Ministry of Justice of Iran, the Ministry of Interior of Iran, the prison system of Iran, or the judicial system of Iran.

''(2) SENSE OF CONGRESS.—It is the sense of Congress that—

''(A) the President should include any Iranian person holding a position in the Government of Iran described in paragraph (1) on one or more of the lists of persons subject to sanctions pursuant to section 105(b), 105A(b), 105B(b), or 105C(b) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514(b), 8514a(b), 8514b(b), or 8514c(b)); and

''(B) the President should impose sanctions on such Iranian person pursuant to section 105, 105A, 105B, or 105C of such Act (as the case may be).''.

(b) ADDITIONAL FINDING AND SENSE OF CONGRESS.—Section 401 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112–158; 126 Stat. 1251) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) ADDITIONAL FINDING AND SENSE OF CONGRESS.—

''(1) FINDING.—Congress finds that other senior officials of the Government of Iran, its agencies and instrumentalities, also have and continue to knowingly order, control, direct, and implement gross violations of the human rights of the Iranian people and the human rights of persons in other countries.

''(2) SENSE OF CONGRESS.—It is the sense of Congress that—

''(A) the President should investigate violations of human rights described in paragraph (1) to identify other senior officials of the Government of Iran that also have or continue to knowingly order, control, direct, and implement gross violations of human rights of the Iranian people and the human rights of persons in other countries;

''(B) the President should include any such official on one or more of the lists of persons subject to sanctions pursuant to section 105(b), 105A(b), 105B(b), or 105C(b) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514(b), 8514a(b), 8514b(b), or 8514c(b)); and

''(C) the President should impose sanctions on any such official pursuant to section 105, 105A, 105B, or 105C of such Act (as the case may be).''.

(c) REPORT.—Section 401(c)(1) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112–158; 126 Stat. 1251) (as redesignated by subsection (b) of this section) is amended—

(1) by striking ''Not later than'' and inserting the following:

''(A) IN GENERAL.—Not later than'';

(2) by striking ''this Act'' and inserting ''the Nuclear Iran Prevention Act of 2013, and annually thereafter for 3 years'';

(3) by striking ''otherwise directing the commission of'' and inserting ''otherwise directing—

''(i) the commission of'';

(4) by striking ''Iran.'' and inserting ''Iran;

''(ii) censorship or related activities with respect to Iran; or

''(iii) the diversion of goods, food, medicine, medical devices, and agricultural commodities, intended for the people of Iran.'';

(5) by striking ''For any such person'' and inserting the following:

''(B) REQUIREMENT RELATING TO PERSONS NOT INCLUDED.—For any such person''; and

(6) by adding at the end the following new subparagraph:

''(C) REQUIREMENT RELATING TO FINANCIAL NET WORTH.—For each such person described in subparagraph (A) and each such person described in subparagraph (B), the Secretary of State shall include in the report a description of the estimated net worth of the person.''.

(d) ADDITIONAL REPORT.—Section 401 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112–158; 126 Stat. 1251), as amended by this section, is further amended by adding at the end the following new subsection:

''(d) ADDITIONAL REPORT.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Nuclear Iran Prevention Act of 2013, and annually thereafter for 3 years, the Secretary of State shall submit to the appropriate congressional committees a detailed report with respect to whether each person described in subsection (a) or any family member of such person has facilitated deceptive transactions for or on behalf of any person subject to United States sanctions concerning Iran in violation of Executive Order 13608 of May 1, 2012 (77 Fed. Reg. 26409; 50 U.S.C. 1701 note) or any other provision of law.

''(2) FAMILY MEMBER DEFINED.—In this subsection, the term 'family member' includes, with respect to a person, any relative of such person to the third degree of consanguinity.''.

(e) CONFORMING AMENDMENT.—The heading for section 401 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112–158; 126 Stat. 1251) is amended by striking ''**COMMITTED AGAINST**'' and all that follows and inserting ''**, ENGAGING IN CENSORSHIP, OR ENGAGING IN THE DIVERSION OF GOODS INTENDED FOR THE PEOPLE OF IRAN.**''.

(f) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by striking the item relating to section 401 and inserting the following:

''Sec. 401. Imposition of sanctions on certain persons responsible for or complicit in human rights abuses, engaging in censorship, or engaging in the diversion of goods intended for the people of Iran.''.

SEC. 105. SENSE OF CONGRESS ON ELECTIONS IN IRAN.

(a) FINDINGS.—Congress makes the following findings:

(1) The Iranian people are systematically denied free, fair, and credible elections by the Government of the Islamic Republic of Iran.

(2) The unelected and unaccountable Guardian Council disqualifies hundreds of qualified candidates, including women and most religious minorities, while the regime intimidates others into staying out of elections completely.

(3) Voting inconsistencies, including an absence of international observers, and fraud are commonplace.

(4) The 2009 presidential elections proved that the regime will engage in large scale vote-rigging to ensure a specific result.

(5) The Iranian regime combines electoral manipulation with the ruthless suppression of dissent. Following the 2009 elections, peaceful demonstrators were met with violence by the regime's security apparatus, including arbitrary detentions, beatings, kidnappings, rapes, and murders.

(6) The electoral manipulation and human rights violations are in violation of the Government of Iran's agreed to obligations under the United Nations International Covenant on Civil and Political Rights.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Iranian people are deprived by their government of free, fair, and credible elections;

(2) the United States should support freedom, human rights, civil liberties, and the rule of law in Iran, and elections that are free and fair, meet international standards, and allow independent international and domestic electoral observers unrestricted access to polling and counting stations; and

(3) the United States should support the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law.

SEC. 106. SENSE OF CONGRESS ON DESIGNATION OF A SPECIAL COORDINATOR FOR ADVANCING HUMAN RIGHTS AND POLITICAL PARTICIPATION FOR WOMEN IN IRAN.

It is the sense of Congress that the Secretary of State should designate a Special Coordinator position in the Bureau of Near Eastern Affairs whose primary function is to facilitate cooperation across departments for the purpose of advancing human rights and political participation for women in Iran, as well as to prepare evidence and information to be used in identifying Iranian officials for designation as human rights violators for their involvement in violating the human rights of women in Iran.

TITLE II—ECONOMIC AND FINANCIAL SANCTIONS

Subtitle A—Amendments to Iran Sanctions Act of 1996

SEC. 201. TRANSFER TO IRAN OF GOODS, SERVICES, OR TECHNOLOGY THAT WOULD MATERIALLY CONTRIBUTE TO IRAN'S ABILITY TO MINE OR MILL URANIUM.

(a) IN GENERAL.—Section 5(b) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by adding at the end the following new paragraph:

''(3) TRANSFER TO IRAN OF GOODS, SERVICES, OR TECHNOLOGY THAT CAN BE USED FOR MINING OR MILLING OF URANIUM.—Except as provided in subsection (f), the President shall impose 5 or more of the sanctions described in section 6(a) with respect to a person if the President determines that the person knowingly transferred, on or after the date of the enactment of the Nuclear Iran Prevention Act of 2013, to Iran goods, services, or technology that would materially contribute to Iran's ability to mine or mill uranium.''.

(b) CONFORMING AMENDMENTS.—Section 5 of such Act is amended in subsection (b)(3), (c), and (f) by striking ''paragraph (1) or (2)'' each place it appears and inserting ''paragraph (1), (2), or (3)''.

SEC. 202. REPEAL OF WAIVER OF SANCTIONS RELATING TO DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION OR OTHER MILITARY CAPABILITIES.

Section 9(c)(1) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended—

(1) by striking subparagraph (B);

(2) by redesignating subparagraph (C) as subparagraph (B); and

(3) in subparagraph (B) (as redesignated by paragraph (2) of this section)—

(A) by striking ''or (B)'' each place it appears; and

(B) by striking '', as applicable''.

Subtitle B—Amendments to Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 and Iran Threat Reduction and Syria Human Rights Act of 2012

SEC. 211. MODIFICATIONS TO PROHIBITION ON PROCUREMENT CONTRACTS WITH PERSONS THAT EXPORT SENSITIVE TECHNOLOGY TO IRAN.

(a) APPLICATION TO OWNERS AND SUBSIDIARIES.—Subsection (a) of section 106 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111–195; 22 U.S.C. 8515) is amended—

(1) by striking ''goods or services with a person'' and inserting the following: ''goods or services—

''(1) with a person'';

(2) in paragraph (1), as added by paragraph (1) of this subsection, by striking the period at the end and inserting and inserting ''; or''; and

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

''(2) with respect to a person acting on behalf of or at the direction of, or owned or controlled by, a person described in paragraph (1) or a person who owns or controls a person described in paragraph (1).''.

(b) SENSITIVE TECHNOLOGY DEFINED.—Subsection (c)(1) of such section is amended by striking ''is to be used specifically'' and inserting ''has been designed or specifically modified''.

(c) PRESIDENTIAL DETERMINATION AND IMPOSITION OF ADDITIONAL SANCTIONS.—Such section, as so amended, is further amended by adding at the end the following new subsection:

''(e) PRESIDENTIAL DETERMINATION AND IMPOSITION OF ADDITIONAL SANCTIONS.—The President shall impose 5 or more of the sanctions described in section 6(a) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) with respect to—

''(1) a person if the President determines that the person knowingly exports sensitive technology to Iran; or

''(2) a person acting on behalf of or at the direction of, or owned or controlled by, a person described in paragraph (1) or a person who owns or controls a person described in paragraph (1).''.

(d) CONFORMING AMENDMENT.—The heading of such section is amended by inserting ''**AND IMPOSITION OF SANCTIONS AGAINST**'' after ''**WITH**''.

(e) CLERICAL AMENDMENT.—The table of contents for the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 is amended by striking the item relating to section 106 and inserting the following:

''Sec. 106. Prohibition on procurement contracts with and imposition of sanctions against persons that export sensitive technology to Iran.''.

(f) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to exports of sensitive technology to Iran that occur on or after such date of enactment.

SEC. 212. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO AVOID EXPOSURE TO SANCTIONED PERSONS AND SECTORS.

(a) IN GENERAL.—Section 202 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8532) is amended by striking subsections (a), (b), and (c) and inserting the following:

''(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should respect the decision of any State or local government to divest from or prohibit the investment of assets of the State or local government in a person described in subsection (c) or to impose disclosure and transparency requirements on any person subject to the jurisdiction of such government, except with respect to an activity that is exempt, licensed, or otherwise authorized by a Federal department or agency.

''(b) AUTHORITY.—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (d)—

''(1) to divest the assets of the State or local government from a person described in subsection (c);

''(2) to prohibit investment of the assets of the State or local government in any such person; or

''(3) to impose disclosure and transparency requirements on any person subject to the jurisdiction of such government, except with respect to an activity that is exempt, licensed, or otherwise authorized by a Federal department or agency.

''(c) PERSONS DESCRIBED.—A person described in this subsection is a person with respect to which sanctions have been, and continue to be, imposed pursuant to—

''(1) section 104(c) of this Act;

''(2) section 5 of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note);

''(3) section 1245(d) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)); or

''(4) sections 1244, 1245, 1246 or 1247 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8803, 8804, 8805, or 8806).''.

(b) CONFORMING AMENDMENTS.—Section 202 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8532) is amended—

(1) in subsection (d)(4), by striking ''engages in investment activities in Iran described in subsection (c)'' and inserting ''is a person described in subsection (c)'';

(2) in subsection (f), by striking ''or (i)'' and inserting ''or (g)'';

(3) by striking subsection (h) and by redesignating subsections (i) and (j) as subsections (h) and (i), respectively; and

(4) in paragraph (1) of subsection (i) (as redesignated by paragraph (3) of this subsection), by striking ''(determined without regard to subsection (c))''.

(c) EFFECTIVE DATE.—The amendments made by this section apply to measures adopted by State and local governments on or after the date of the enactment of this Act.

SEC. 213. SENSE OF CONGRESS REGARDING THE EUROPEAN CENTRAL BANK.

(a) FINDINGS.—Congress finds the following:

(1) The Government of Iran, its agencies and instrumentalities, continue to have access to, and utilize, euro-denominated transactions, including for goods and services that are subject to sanctions imposed by the United States, the European Union and its member states and by the United Nations.

(2) The Guidelines of the European Central Bank (Article 39(1)) states that: ''Participants shall be deemed to be aware of, and shall comply with, all obligations on them relating to legislation on data protection, prevention of money laundering and the financing of terrorism, proliferation-sensitive nuclear activities and the development of nuclear weapons delivery systems, in particular in terms of implementing appropriate measures concerning any payments debited or credited on their PM accounts.''

(3) United States and European convergence with respect to United States sanctions efforts toward the Government of Iran is a vital component of United States policy aimed at preventing the Government of Iran from acquiring a nuclear weapons capability.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should continue to closely coordinate and cooperate with the European Union and its member states to restrict access to and use of the euro currency by the Government of Iran, its agencies and instrumentalities, for transactions with the exception of food, medicine, medical devices, and agricultural commodities.

SEC. 214. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS IN FOREIGN CURRENCIES.

(a) IMPOSITION OF SANCTIONS.—Subtitle B of title II of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8721 et seq.) is amended by inserting after section 220 the following:

''SEC. 220A. IMPOSITION OF SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS IN FOREIGN CURRENCIES.

''(a) IN GENERAL.—Except as provided in this section, the President—

''(1) shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution that is a person described in subsection (c); and

''(2) may impose sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to any other person described in subsection (c).

''(b) EXCEPTION.—The authority to impose sanctions under subsection (a)(2) shall not include the authority to impose sanctions relating to the importation of goods.

''(c) PERSON DESCRIBED.—A person described in this subsection is a person the President determines has—

''(1) knowingly conducted or facilitated a significant transaction involving the currency of a country other than the country in which the person is operating at the time of the transaction with, for, or on behalf of—

''(A) the Central Bank of Iran or another Iranian financial institution designated by the Secretary of the Treasury for the imposition of sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

''(B) a person described in section 1244(c)(2) of the Iran Freedom and Counter-Proliferation Act (22 U.S.C. 8803(c)(2)) (other than a person described in subparagraph (C)(iii) of that section); or

''(2) knowingly conducted or facilitated a significant transaction by another person involving the currency of a country other than the country in which that other person is operating at the time of the transaction, with, for, or on behalf of a person described in subparagraph (A) or (B) of paragraph (1).

''(d) WAIVER.—

''(1) IN GENERAL.—The President may waive the application of subsection (a) with respect to a person for a period of not more than 180 days, and may renew that waiver for additional periods of not more than 180 days, if the President—

''(A) determines that the waiver is vital to the national security of the United States; and

''(B) not less than 7 days before the waiver or the renewal of the waiver, as the case may

be, takes effect, submits a report to the appropriate congressional committees on the waiver and the reason for the waiver.

''(2) FORM OF REPORT.—Each report submitted under paragraph (1)(B) shall be submitted in unclassified form but may include a classified annex.

''(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit any person from, or authorize or require the imposition of sanctions with respect to any person for, conducting or facilitating any transaction in the currency of the country in which the person is operating at the time of the transaction for the sale of agricultural commodities, food, medicine, or medical devices.

''(f) DEFINITIONS.—In this section:

''(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms 'account', 'correspondent account', and 'payable-through account' have the meanings given those terms in section 5318A of title 31, United States Code.

''(2) AGRICULTURAL COMMODITY.—The term 'agricultural commodity' has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

''(3) FOREIGN FINANCIAL INSTITUTION.—The term 'foreign financial institution' has the meaning given that term in section 561.308 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

''(4) GOOD.—The term 'good' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

''(5) IRANIAN FINANCIAL INSTITUTION.—The term 'Iranian financial institution' has the meaning given that term in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).

''(6) MEDICAL DEVICE.—The term 'medical device' has the meaning given the term 'device' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(7) MEDICINE.—The term 'medicine' has the meaning given the term 'drug' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

''(8) TRANSACTION.—The term 'transaction' includes a foreign exchange swap, a foreign exchange forward, and any other type of similar currency exchange or conversion or similar derivative instrument.''.

(b) CONFORMING AMENDMENTS.—

(1) IMPLEMENTATION.—Section 601(a)(1) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8781(a)(1)) is amended by inserting ''220A,'' after ''220,''.

(2) PENALTIES.—Section 601(b)(2)(A) of such Act (22 U.S.C. 8781(b)(2)(A)) is amended by striking ''and 220,'' and inserting ''220, and 220A,''.

(3) TERMINATION.—Section 605(a) of such Act (22 U.S.C. 8785(a)) is amended by inserting ''220A,'' after ''220,''.

(c) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by inserting after the item relating to section 220 the following:

''Sec. 220A. Imposition of sanctions with respect to certain transactions in foreign currencies.''.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to transactions entered into on or after May 22, 2013.

SEC. 215. SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS WITH IRAN.

(a) IN GENERAL.—Subtitle B of title II of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8721 et seq.) is amended by adding at the end the following new section:

''SEC. 225. SANCTIONS WITH RESPECT TO CERTAIN TRANSACTIONS WITH IRAN.

''(a) AUTHORIZATION OF SANCTIONS.—

''(1) IN GENERAL.—Except as provided in this section, the President may impose sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) on a foreign person that the President determines has, on or after the date that is 60 days after the date of the enactment of the Nuclear Iran Prevention Act of 2013, knowingly conducted or facilitated a significant financial transaction with the Central Bank of Iran or other Iranian financial institution that has been designated by the Secretary of the Treasury for the imposition of sanctions pursuant to the International Emergency Economic Powers Act, for—

''(A) the purchase of goods or services by a person in Iran or on behalf of a person in Iran; or

''(B) the purchase of goods or services from a person in Iran or on behalf of a person in Iran.

''(2) EXCEPTION.—

''(A) IN GENERAL.—The authority to impose sanctions under paragraph (1) shall not include the authority to impose sanctions relating to the importation of goods.

''(B) GOOD.—In this paragraph, the term 'good' has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

''(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the imposition of sanctions with respect to a financial transaction for the purchase of petroleum or petroleum products from Iran under section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1648).

''(b) EXCEPTION FOR OVERALL REDUCTIONS OF EXPORTS TO AND IMPORTS FROM IRAN.—

''(1) IN GENERAL.—The President is authorized not to impose sanctions under subsection (a) on a foreign person if the President determines and submits to the appropriate congressional committees a report that contains a determination of the President that the country with primary jurisdiction over the foreign person has, during the time period described in paragraph (2), significantly reduced the value and volume of imports and exports of goods (other than petroleum or petroleum products) and services between such country and Iran.

''(2) TIME PERIOD DESCRIBED.—The time period referred to in paragraph (1) is the 60-day period ending on the date on which the President makes the determination under paragraph (1) as compared to the immediately preceding 60-day period.

''(c) EXCEPTION FOR SALES OF AGRICULTURAL COMMODITIES, FOOD, MEDICINE AND MEDICAL DEVICES.—The President may not impose sanctions under subsection (a) on a foreign person with respect to a transaction for the sale of agricultural commodities, food, medicine or medical devices to Iran.

''(d) DEFINITIONS.—In this section:

''(1) FOREIGN PERSON.—The term 'foreign person' has the meaning given that term in section 14 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

''(2) IRANIAN FINANCIAL INSTITUTION.—The term 'Iranian financial institution' has the meaning given that term in section 104A(d) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513b(d)).''.

(b) CLERICAL AMENDMENT.—The table of contents for the Iran Threat Reduction and Syria Human Rights Act of 2012 is amended by inserting after the item relating to section 224 the following:

''Sec. 225. Sanctions with respect to certain transactions with Iran.''.

Subtitle C—Other Matters

SEC. 221. IMPOSITION OF SANCTIONS WITH RESPECT TO THE CENTRAL BANK OF IRAN AND OTHER IRANIAN FINANCIAL INSTITUTIONS.

(a) EXCEPTION TO APPLICABILITY OF SANCTIONS WITH RESPECT TO PETROLEUM TRANSACTIONS.—Section 1245(d)(4)(D)(i)(I) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1648; 22 U.S.C. 8513a(d)(4)(D)(i)(I)) is amended—

(1) by striking ''reduced reduced'' and inserting ''reduced'';

(2) by inserting ''value and'' before ''volume'';

(3) by inserting ''or of Iranian origin'' after ''from Iran''; and

(4) by adding at the end before the semicolon the following: '', and the President certifies in writing to Congress that the President has based such determination on accurate information on that country's total purchases of crude oil from Iran or of Iranian origin''.

(b) FINANCIAL TRANSACTIONS DESCRIBED.—Section 1245(d)(4)(D)(ii)(II) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1648) is amended—

(1) by striking ''(II)'' and inserting ''(II)(aa)'';

(2) in item (aa) (as designated by paragraph (1) of this subsection), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new item:

''(bb) the foreign financial institution holding the account described in item (aa) does not knowingly facilitate any significant financial transfers for, with, or on behalf of the Government of Iran, unless the transaction is excepted from sanctions under paragraph (2) or is a transaction described in subclause (I) and item (aa).''.

(c) STRATEGY TO REDUCE CRUDE OIL PURCHASES FROM IRAN OR OF IRANIAN ORIGIN.—

(1) STATEMENT OF POLICY.—It is the policy of the United States to seek to ensure that countries that have received an exception under subparagraph (D)(i)(I) of section 1245(d)(4) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1648) shall reduce their crude oil purchases from Iran or of Iranian origin so that the aggregate amount of such purchases is reduced by not less than an average of 1,000,000 barrels of crude oil per day by the end of the 1-year period beginning on the date of submission of the strategy described in subparagraph (E)(ii) of such section (as added by paragraph (2) of this subsection).

(2) AMENDMENT.—Section 1245(d)(4) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1648) is amended by adding at the end the following new subparagraph:

''(E) STRATEGY TO REDUCE CRUDE OIL PURCHASES FROM IRAN OR OF IRANIAN ORIGIN.—

''(i) IN GENERAL.—Not later than 30 days after the date of the enactment of the Nuclear Iran Prevention Act of 2013, the President shall make a determination, based on the information contained in the most recent report required under subparagraph (A), of whether each country that received an exception under subparagraph (D)(i)(I) before such date of enactment is able to reduce its crude oil purchases from Iran or of Iranian origin so that the aggregate amount of such

purchases is reduced by not less than an average of 1,000,000 barrels of crude oil per day by the end of the 1-year period beginning on the date of submission of the strategy described in clause (ii). If the President makes an initial determination under this clause that the requirements of this clause cannot be met, then the President shall continue to make a determination under this clause every 90 days thereafter as to whether or not the requirements of this clause can be met.

''(ii) STRATEGY.—If the President determines that the requirements of clause (i) can be met, then not later than 60 days after the date of such affirmative determination, the President shall develop and submit to the appropriate congressional committees a strategy to seek to ensure that the requirements of clause (i) are met by the end of the 1-year period beginning on such date of submission.

''(iii) FUTURE EXCEPTIONS.—

''(I) AFFIRMATIVE DETERMINATION.—If the President determines that the strategy described in clause (ii) was achieved, then each country described in clause (i) shall be eligible to receive one or more further exceptions under subparagraph (D)(i)(I) in accordance with the provisions of such subparagraph.

''(II) NEGATIVE DETERMINATION.—Except as provided in subclause (III), if the President determines that the strategy described in clause (ii) was not achieved, then each country described in clause (i) shall be ineligible to receive any further exception under subparagraph (D)(i)(I) in accordance with the provisions of such subparagraph.

''(III) EXCEPTION.—

''(aa) IN GENERAL.—Subclause (II) shall not apply with respect to a country described in clause (i) if the country—

''(AA) dramatically reduced its crude oil purchases from Iran or of Iranian origin during the 1-year period described in clause (ii); and

''(BB) has committed itself to continue to reduce its crude oil purchases from Iran or of Iranian origin to a de minimis level.

''(bb) DATA.—The President shall submit to the appropriate congressional committees all data used to make a determination under item (aa) not later than 15 days before issuing an exception under item (aa).

''(iv) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subparagraph, the term 'appropriate congressional committees' means—

''(I) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives; and

''(II) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate.''.

(d) DEFINITION OF CRUDE OIL.—Section 1245(d)(4)(D) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(4)(D)) is amended by adding at the end the following new clause:

''(iii) CRUDE OIL.—In this subparagraph, the term 'crude oil' includes unfinished oils, liquefied petroleum gases, distillate fuel oil, and residual fuel oil.''.

(e) WAIVER.—Section 1245(d)(5)(A) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)(5)(A)) is amended by striking ''in the national'' and inserting ''vital to the national''.

(f) DEFINITIONS OF ''SIGNIFICANT REDUCTION''.—Section 1245(h)(3) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(h)(3)) is amended—

(1) by striking ''price or volume'' and inserting ''price and volume''; and

(2) by adding at the end before the period the following: ''and at least a pro rata amount totaling, in the aggregate, not less than an average of 1,000,000 barrels of crude oil per day by the end of the 1-year period beginning on the date of submission of the strategy described in subsection (d)(4)(E)(ii)''.

(g) EFFECTIVE DATE.—The amendments made by this section take effect beginning on the date that is 180 days after the date of the enactment of this Act.

SEC. 222. IMPOSITION OF SANCTIONS WITH RESPECT TO PORTS, SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND STRATEGIC SECTORS OF IRAN.

(a) FINDINGS.—Subsection (a)(1) of section 1244 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8803) is amended by striking ''and shipbuilding'' and inserting ''shipbuilding, automotive, construction, engineering, or mining''.

(b) DESIGNATION OF PORTS, SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND ENTITIES IN STRATEGIC SECTORS AS ENTITIES OF PROLIFERATION CONCERN.—Subsection (b) of such section is amended—

(1) in the subsection heading, by striking ''AND ENTITIES IN THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS'' and inserting '', SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND ENTITIES IN STRATEGIC SECTORS''; and

(2) by striking ''and entities in the energy, shipping, and shipbuilding sectors'' and inserting '', entities that operate special economic zones or free economic zones, and entities in strategic sectors (as defined in subsection (c)(4))''.

(c) BLOCKING OF PROPERTY OF PORTS, SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND ENTITIES IN STRATEGIC SECTORS.—Subsection (c) of such section is amended—

(1) in the subsection heading, by striking ''ENTITIES IN ENERGY, SHIPPING, AND SHIPBUILDING SECTORS'' and inserting ''PORTS, SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND ENTITIES IN STRATEGIC SECTORS'';

(2) in paragraph (2)—

(A) by striking ''the energy, shipping, or shipbuilding sectors'' each place it appears and inserting ''a strategic sector (as defined in paragraph (4)(A))''; and

(B) by inserting '', special economic zone, or free economic zone'' after ''port'' each place it appears; and

(3) by adding at the end the following new paragraphs:

''(4) STRATEGIC SECTOR DEFINED.—In this section, the term 'strategic sector' means—

''(A) the energy, shipping, shipbuilding, automotive, or mining sector of Iran; and

''(B) the construction or engineering sector of Iran if the President determines and reports to Congress not later than 45 days after the date of the enactment of the Nuclear Iran Prevention Act of 2013 that the construction or engineering sector of Iran, as the case may be, is of strategic importance to Iran.

''(5) NOTIFICATION AND REPORT RELATING TO STRATEGIC SECTORS.—

''(A) NOTIFICATION.—The President shall submit to Congress a notification of the designation of a sector as a strategic sector of Iran for purposes of paragraph (4)(C) not later than 30 days after the date on which the President makes such designation.

''(B) REPORT.—Not later than 90 days after the date on which the President submits to Congress a notification of the designation of a sector as a strategic sector of Iran under subparagraph (A), the Comptroller General of the United States shall submit to Congress a report that contains—

''(i) a review and comment on such designation; and

''(ii) recommendations regarding the designation of additional sectors as strategic sectors of Iran for purposes of paragraph (4).''.

(d) ADDITIONAL SANCTIONS WITH RESPECT TO STRATEGIC SECTORS.—Subsection (d) of such section is amended—

(1) in the subsection heading, by striking ''THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS'' and inserting ''STRATEGIC SECTORS''; and

(2) in paragraph (3), by striking ''the energy, shipping, or shipbuilding sectors'' and inserting ''a strategic sector (as defined in subsection (c)(4)(A))''.

(e) EXCEPTION FOR AFGHANISTAN RECONSTRUCTION.—Subsection (f) of such section is amended—

(1) in the matter preceding paragraph (1), by inserting ''for a period of not more than 1 year, and may renew that exception for additional periods of not more than 1 year'' after ''economic development for Afghanistan'';

(2) in paragraph (1)—

(A) by striking ''to the extent that'' and inserting ''if'';

(B) by inserting ''or the renewal of the exception, as the case may be,'' after ''such an exception''; and

(C) by striking ''in the national interest'' and inserting ''in the national security interest''; and

(3) in paragraph (2)—

(A) by inserting ''or the renewal of the exception, as the case may be,'' before ''not later than 15 days''; and

(B) by inserting at the end before the period the following: ''or the renewal of the exception''.

(f) CONFORMING AMENDMENT.—Such section is further amended in the section heading by striking ''**THE ENERGY, SHIPPING, AND SHIPBUILDING SECTORS**'' and inserting ''**PORTS, SPECIAL ECONOMIC ZONES, FREE ECONOMIC ZONES, AND STRATEGIC SECTORS**''.

(g) EFFECTIVE DATE.—The amendments made by this section—

(1) take effect on the date that is 90 days after the date of the enactment of this Act; and

(2)(A) with respect to subsection (c) of section 1244 of the National Defense Authorization Act for Fiscal Year 2013, as so amended, apply with respect to all transactions in all property and interests in property of any person described in subsection (c)(2) of such section that occur on or after the date that is 180 days after such date of enactment; and

(B)(i) with respect to subsection (d)(1) of section 1244 of the National Defense Authorization Act for Fiscal Year 2013, apply with respect to the sale, supply, or transfer to or from Iran of goods or services described in subsection (d)(3) of such section, as so amended, that occurs on or after the date that is 180 days after such date of enactment; and

(ii) with respect to subsection (d)(2) of section 1244 of the National Defense Authorization Act for Fiscal Year 2013, apply with respect to the conduct or facilitation of a significant financial transaction for the sale, supply, or transfer to or from Iran of goods or services described in subsection (d)(3) of such section, as so amended, that occurs on or after the date that is 180 days after such date of enactment.

SEC. 223. REPORT ON DETERMINATIONS NOT TO IMPOSE SANCTIONS ON PERSONS WHO ALLEGEDLY SELL, SUPPLY, OR TRANSFER PRECIOUS METALS TO OR FROM IRAN.

Section 1245 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8804) is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection:

''(h) REPORT ON DETERMINATIONS NOT TO IMPOSE SANCTIONS ON PERSONS WHO ALLEGEDLY SELL, SUPPLY, OR TRANSFER PRECIOUS METALS TO OR FROM IRAN.—

''(1) IN GENERAL.—Not later than 90 days after the date of the enactment of Nuclear Iran Prevention Act of 2013, and every 90 days thereafter, the President shall submit to the appropriate congressional committees a report on each determination of the President during the preceding 90-day period not to impose sanctions under subsection (a) or (c) with respect to a person who allegedly sells, supplies, or transfers precious metals, directly or indirectly, to or from Iran, together with the reasons for such determination.

''(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex, if necessary.''.

SEC. 224. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT FACILITATE FINANCIAL TRANSACTIONS ON BEHALF OF PERSONS OWNED OR CONTROLLED BY SPECIALLY DESIGNATED NATIONALS.

Section 1247 of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8806) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following new subsection:

''(f) PERSONS OWNED OR CONTROLLED BY SPECIALLY DESIGNATED NATIONALS.—

''(1) IN GENERAL.—The President shall impose sanctions described in subsection (a) with respect to a foreign financial institution, including but not limited to a foreign central bank, that the President determines has, on or after the date that is 90 days after the date of the enactment of the Nuclear Iran Prevention Act of 2013, knowingly facilitated a significant financial transaction on behalf of any person determined by the President to be directly owned or controlled by an Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in subsection (b)).

''(2) SENSE OF CONGRESS.—It is the sense of Congress that the President routinely should determine on or after the date of the enactment of the Nuclear Iran Prevention Act of 2013 those persons that are directly or indirectly owned or controlled by an Iranian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury (other than an Iranian financial institution described in subsection (b)).

''(3) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—The President shall consider credible data already obtained by other countries and nongovernmental organizations in making determinations described in paragraph (1).''.

SEC. 225. REPEAL OF EXEMPTIONS UNDER SANCTIONS PROVISIONS OF NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.

Subtitle D of title XII of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 8801 et seq.) is amended—

(1) in section 1244—

(A) in subsection (c)(1)—

(i) by striking ''(1) BLOCKING OF PROPERTY.—'' and all that follows through ''On and after'' and inserting ''(1) BLOCKING OF PROPERTY.—On and after''; and

(ii) by striking subparagraph (B); and

(B) in subsection (d)(1)—

(i) by striking ''(1) SALE, SUPPLY, OR TRANSFER OF CERTAIN GOODS AND SERVICES.—'' and all that follows through ''Except as provided'' and inserting ''(1) SALE, SUPPLY, OR TRANSFER OF CERTAIN GOODS AND SERVICES.—Except as provided''; and

(ii) by striking subparagraph (B);

(2) in section 1245(a)—

(A) by striking ''(a) SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS.—'' and all that follows through ''The President'' and inserting ''(a) SALE, SUPPLY, OR TRANSFER OF CERTAIN MATERIALS.—The President'';

(B) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively (and by redesignating all subunits therein accordingly);

(C) in paragraph (3)(B) (as redesignated by subparagraph (B) of this paragraph)—

(i) in clause (i), by striking ''subclause (I) of clause (i)'' and inserting ''clause (i) of subparagraph (A)'';

(ii) in clause (ii), by striking ''subclause (II) of that clause'' and inserting ''clause (ii) of that subparagraph''; and

(iii) in clause (iii), by striking ''subclause (III) of that clause'' and inserting ''clause (iii) of that subparagraph''; and

(D) by striking ''(2) EXCEPTION.—'' and all that follows through ''paragraph (1).''; and

(3) in section 1246(a)—

(A) by striking ''(a) IMPOSITION OF SANCTIONS.—'' and all that follows through ''Except as provided'' and inserting ''(a) IMPOSITION OF SANCTIONS.—Except as provided'';

(B) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively (and by redesignating all subunits therein accordingly); and

(C) by striking ''(2) EXCEPTION.—'' and all that follows through ''paragraph (1).''; and

SEC. 226. TERMINATION OF GOVERNMENT CONTRACTS WITH PERSONS WHO SELL GOODS, SERVICES, OR TECHNOLOGY TO, OR CONDUCT ANY OTHER TRANSACTION WITH, IRAN.

(a) MODIFICATION OF FEDERAL ACQUISITION REGULATION.—Not later than 90 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to require a certification from each person that is a prospective contractor that the person, and any person under common ownership or control with the person, does not sell goods, services, or technology to, or conduct any other transaction with, Iran for which sanctions may be imposed under this Act.

(b) REMEDIES.—

(1) IN GENERAL.—If the head of an executive agency determines that a person has submitted a false certification under subsection (a) on or after the date on which the applicable revision of the Federal Acquisition Regulation required by this section becomes effective, the head of that executive agency shall terminate a contract with such person or debar or suspend such person from eligibility for Federal contracts for a period of not less than 2 years. Any such debarment or suspension shall be subject to the procedures that apply to debarment and suspension under the Federal Acquisition Regulation under subpart 9.4 of part 9 of title 48, Code of Federal Regulations.

(2) INCLUSION ON LIST OF PARTIES EXCLUDED FROM FEDERAL PROCUREMENT AND NONPROCUREMENT PROGRAMS.—The Administrator of General Services shall include on the List of Parties Excluded from Federal Procurement and Nonprocurement Programs maintained by the Administrator under part 9 of the Federal Acquisition Regulation each person that is debarred, suspended, or proposed for debarment or suspension by the head of an executive agency on the basis of a determination of a false certification under paragraph (1).

(c) RULE OF CONSTRUCTION.—This section shall not be construed to limit the use of other remedies available to the head of an executive agency or any other official of the Federal Government on the basis of a determination of a false certification under subsection (a).

(d) WAIVERS.—

(1) IN GENERAL.—The President may on a case-by-case basis waive the requirement that a person make a certification under subsection (a) if the President determines and certifies in writing to the congressional committees described in paragraph (2) that it is essential to the national security interests of the United States to do so.

(2) CONGRESSIONAL COMMITTEES DESCRIBED.—The congressional committees referred to in paragraph (1) are—

(A) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Oversight and Government Reform of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate.

(e) DEFINITIONS.—In this section:

(1) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code.

(2) FEDERAL ACQUISITION REGULATION.—The term ''Federal Acquisition Regulation'' means the regulation issued pursuant to section 1303(a)(1) of title 41, United States Code.

(f) APPLICABILITY.—The revisions to the Federal Acquisition Regulation required under subsection (a) shall apply with respect to contracts for which solicitations are issued on or after the date that is 90 days after the date of the enactment of this Act.

SEC. 227. CONDITIONS FOR ENTRY AND OPERATION OF VESSELS.

(a) IN GENERAL.—The Ports and Waters Safety Act (33 U.S.C. 1221 et seq.) is amended by adding at the end the following:

''SEC. 16. PROHIBITION ON ENTRY AND OPERATION.

''(a) PROHIBITION.—

''(1) IN GENERAL.—No foreign vessel described in subsection (b) shall enter or operate in the navigable waters of the United States or transfer cargo in any port or place under the jurisdiction of the United States.

''(2) LIMITATION ON APPLICATION.—Paragraph (1) shall not apply with respect to a vessel described in subsection (b)(2) on and after any date on which the Secretary of State determines that the vessel is no longer registered as described in that subsection. The Secretary of State shall publish a notice of each such determination in the Federal Register.

''(b) VESSELS DESCRIBED.—A vessel referred to in subsection (a) is a foreign vessel for which a Notice of Arrival is required to be filed under section 160 of title 33, Code of Federal Regulations, as in effect on the date of enactment of the Nuclear Iran Prevention Act of 2013, and that—

''(1) is on a list of vessels published in Federal Register under subsection (c)(2); or

''(2) more than 180 days after the publication of such a list, is registered, pursuant to the Geneva Convention on the High Seas (13 U.S.T. 2312; TIAS 5200; 450 UNTS 82), by a government the agents or instrumentalities of which are maintaining a registration of a vessel that is included in such list.

''(c) INFORMATION AND PUBLICATION.—The Secretary of Transportation, in consultation with the Secretary of State, shall—

''(1) maintain timely information on registrations of all foreign vessels over 300 gross tons that are—

''(A) owned or operated by or on behalf of—

''(i) the National Iran Tanker Company or the Islamic Republic of Iran Shipping Line; or

''(ii) any successor to an entity referred to in clause (i); or

''(B) otherwise owned or operated by or on behalf of Iran; and

''(2) publish in the Federal Register a list of vessels described in paragraph (1), including periodic updates of such list.

''(d) NOTIFICATION OF GOVERNMENTS.—The Secretary of State shall notify each government the agents or instrumentalities of which are maintaining a registration of a foreign vessel that is included on the list published under subsection (c)(2), that all vessels registered under such government's authority are subject to the prohibition under subsection (a) if more than 180 days after such publication the government continues to maintain a registration for a vessel that is included on the list published under subsection (c)(2).

''(e) NOTIFICATION OF VESSELS.—Upon receiving a Notice of Arrival under section 160 of title 33, Code of Federal Regulations (as in effect on the date of enactment of the Nuclear Iran Prevention Act of 2013) from a vessel described in (b), the Secretary shall notify the master of such vessel that the vessel may not enter or operate in the navigable waters of the United States or transfer cargo in any port or place under the jurisdiction of the United States, unless—

''(1) the Secretary has made a determination described in subsection (a)(2); or

''(2) the Secretary allows provisional entry of the vessel, or transfer of cargo from the vessel, under subsection (f).

''(f) PROVISIONAL ENTRY OR CARGO TRANSFER.—Notwithstanding subsection (e), the Secretary may allow provisional entry of, or transfer of cargo from, a foreign vessel described in subsection (b), if such entry or transfer is necessary for the safety of the vessel or persons aboard.

''(g) RIGHT OF INNOCENT PASSAGE.—This section shall not be construed as authority to restrict the right of innocent passage as recognized under international law.

''(h) FOREIGN VESSEL DEFINED.—In this section the term 'foreign vessel' has the meaning given that term in section 110 of title 46, United States Code.''.

(b) DEADLINE FOR PUBLICATION.—The Secretary shall publish a list under section 16(c)(2) of the Ports and Waterways Safety Act, as amended by this section, by not later than 180 days after the date of the enactment of this Act.

(c) CONFORMING AMENDMENTS.—

(1) Section 13(e) of the Ports and Waterways Safety Act (33 U.S.C. 1232(e)) is amended by striking ''section 9'' and inserting ''sections 9 and 16''.

(2) Section 4(b)(2) of the Ports and Waterways Safety Act (33 U.S.C. 1223(b)(2)) is amended by striking ''section 9'' and inserting ''section 9 or 16''.

TITLE III—ADDITIONAL AUTHORITIES TO PREVENT CENSORSHIP ACTIVITIES IN IRAN

SEC. 301. REPORT ON IMPLEMENTATION OF SANCTIONS AGAINST THE ISLAMIC REPUBLIC OF IRAN BROADCASTING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report on the following:

(1) The current status of availability of the Islamic Republic of Iran Broadcasting (IRIB) on international satellites, entities that facilitate its operation by providing services or equipment, and the technical means that it engages in jamming.

(2) The instances, since January 1, 2012, in which the IRIB engaged in activities that violated Article 19 of the International Covenant on Civil and Political Rights, including broadcasting forced confessions and hate speech against minorities.

(3) The instances, since January 1, 2012, in which international broadcasting programs originating from the United States and Europe have been subject to disruption in Iran, with relevant details such as which programs were disrupted, available location information on the origin of the disruption, and the extent of the disruption.

(b) COORDINATION.—In developing the report required by subsection (a), the Secretary of State shall coordinate with the Broadcasting Board of Governors, the Secretary of the Treasury, and the heads of other relevant Federal departments and agencies.

(c) PUBLIC AVAILABILITY.—All unclassified portions of the report required by subsection (a) shall be made publicly available on the Internet web site of the Department of State.

SEC. 302. LIST OF PERSONS WHO ARE HIGH-RISK RE-EXPORTERS OF SENSITIVE TECHNOLOGIES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Commerce, in conjunction with the Secretary of State and the Secretary of the Treasury, shall make publicly available and update as appropriate a list of persons who are high-risk re-exporters of sensitive technologies in order to seek to ensure that the Government of Iran or an entity owned or controlled by that Government is unable to obtain sensitive technologies through the re-export of such sensitive technologies by third-party intermediaries.

(b) DEFINITION.—In this section, the term ''sensitive technology'' has the meaning given that term in section 106 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8515).

SEC. 303. SENSE OF CONGRESS ON PROVISION OF INTERCEPT TECHNOLOGIES TO IRAN.

It is the sense of Congress that—

(1) those that provide intercept technologies that limit freedom of speech or expression to the Government of Iran should be held accountable for the repression of the Iranian people; and

(2) no person should use an existing contract with the Government of Iran as a justification to continue to supply intercept technologies to the Government of Iran for purposes of restricting the free flow of information.

SEC. 304. SENSE OF CONGRESS ON AVAILABILITY OF CONSUMER COMMUNICATION TECHNOLOGIES IN IRAN.

It is the sense of Congress that—

(1) the Department of State should encourage the free flow of information in Iran to counter the Government of Iran's repression of its own people; and

(2) in order to facilitate the free flow of information in Iran, the Department of State should promote the availability of certain consumer communication technologies to Iranian civil society and the Iranian people.

SEC. 305. EXPEDITED CONSIDERATION OF REQUESTS FOR AUTHORIZATION OF TRANSFER OF GOODS AND SERVICES TO IRAN TO FACILITATE THE ABILITY OF IRANIAN PERSONS TO FREELY COMMUNICATE.

(a) IN GENERAL.—Section 413 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8753) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

''(e) RULE OF CONSTRUCTION.—The expedited process for the consideration of complete requests for authorization to engage in the activities described in subsection (a) shall be construed to also apply to the transfer of goods and services to Iran to facilitate the ability of Iranian persons to freely communicate, obtain information, and access the Internet and other communications systems.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to requests described in section 413 of the Iran Threat Reduction and Syria Human Rights Act of 2012, as so amended, that are submitted to the Office of Foreign Assets Control on or after such date of enactment.

TITLE IV—REPORTS AND OTHER MATTERS

SEC. 401. NATIONAL STRATEGY ON IRAN.

(a) NATIONAL STRATEGY REQUIRED.—The President shall develop a strategy, to be known as the ''National Strategy on Iran'', that provides strategic guidance for activities that support the objective of addressing the threats posed by Iran.

(b) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act or January 30, 2014, whichever occurs first, and every January 30 thereafter, the President shall submit to the appropriate congressional committees the National Strategy on Iran required under subsection (a).

(c) MATTERS TO BE INCLUDED.—The report required under subsection (b) shall include, at a minimum, the following:

(1) A description of Iran's grand strategy and security strategy, including strategic objectives, and the security posture and objectives of Iran.

(2) A description of the United States strategy to—

(A) address and counter the capabilities of Iran's conventional forces and Iran's unconventional forces;

(B) disrupt and deny Iranian efforts to develop or augment capabilities related to nuclear, unconventional, and missile forces development;

(C) address the Government of Iran's economic strategy to enable the objectives described in this subsection;

(D) exploit key vulnerabilities; and

(E) combat Iranian efforts to suppress Internet freedom, including actions of the United States to—

(i) work to promote expanded Internet access for democracy activists in Iran;

(ii) add a public diplomacy page to the United States' virtual embassy in Iran; and

(iii) leverage multilateral organizations committed to Internet connectivity in Iran.

(3) An implementation plan for the United States strategy described in paragraph (2).

(d) FORM.—The report required under subsection (b) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex, if necessary.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, and the Permanent Select Committee on Intelligence of the Senate.

SEC. 402. REPORT ON IRANIAN NUCLEAR AND ECONOMIC CAPABILITIES.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on the following:

(1) An estimate of the timeline for Iranian capabilities to develop nuclear weapons, including—

(A) an estimate of the period of time it would take Iran to produce enough weapons-grade uranium for a single implosion-type nuclear weapon, taking into account all known relevant technical data;

(B) an estimate of the period of time it would take Iran to produce sufficient separated plutonium for a single nuclear weapon;

(C) a description of the assumptions underlying the estimates referred to in subparagraphs (A) and (B), and any information about developments that might alter or otherwise affect those assumptions;

(D) an estimate of the date by which the periods of time referred to in subparagraphs (A) and (B) will be less than 45 days; and

(E) a description of any efforts by the United States to increase the frequency of inspections by the International Atomic Energy Agency of nuclear facilities in Iran.

(2) An assessment of Iranian strategy and capabilities relating to development of nuclear weapons, including—

(A) a summary and analysis of current nuclear weapons capabilities;

(B) an estimate of the amount and sources of funding expended by, and an analysis of procurement networks utilized by, Iran to develop its nuclear weapons capabilities;

(C) a summary of the capabilities of Iran's unconventional weapons and Iran's ballistic missile forces and Iran's cruise missile forces;

(D) a detailed analysis of the effectiveness of Iran's unconventional weapons and Iran's ballistic missile forces and Iran's cruise missile forces as delivery systems for a nuclear device;

(E) a description of all efforts of Iran to design and develop a nuclear weapon, including efforts to design or fit warheads, and any other possible military dimensions of the nuclear program of Iran; and

(F) an analysis of the procurement network, including the amount and sources of funding expended by Iran on programs to develop a nuclear weapons capability.

(3) Projected economic effects of international sanctions on Iran, including—

(A) an estimate of the capital accounts, current accounts, and amounts of foreign exchange reserves (including access to foreign exchange reserves) of the Government of Iran, and other leading indicators of the status of the economy of Iran;

(B) an estimate of timelines with respect to macroeconomic viability of Iran, including the time by which the Government of Iran will exhaust its foreign exchange reserves;

(C) an estimate of the date by which the reserves of the Central Bank of Iran will be insufficient for the Government of Iran to avoid a severe balance of payments crisis that prevents it from maintaining a functioning economy, including—

(i) the inflation rate, exchange rates, unemployment rate, and budget deficits in Iran; and

(ii) other leading macroeconomic indicators used by the International Monetary Fund, professional rating agencies, and other credible sources to assess the economic health of a country;

(D) a description of the assumptions underlying the estimate referred to in paragraph (3) and an indication of how changes in each of those assumptions could affect the estimate;

(E) an assessment of the effect of sanctions imposed with respect to Iran on moving forward the date referred to in subparagraph (C); and

(F) a description of actions taken by the Government of Iran to delay the date referred to in subparagraph (C).

(b) UPDATE.—The President shall submit to the appropriate congressional committees an update of the report required by subsection (a) every 60 days after the date of submission of the report that includes any pertinent developments to Iranian nuclear or economic capabilities.

(c) FORM.—The report required under subsection (a) and the update required under subsection (b) shall be submitted in unclassified form to the greatest extent possible, but may include a classified annex, if necessary.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Financial Services, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, and the Select Committee on Intelligence of the Senate.

(2) NUCLEAR EXPLOSIVE DEVICE.—The term ''nuclear explosive device'' means any device, whether assembled or disassembled, that is designed to produce an instantaneous release of an amount of nuclear energy from special nuclear material that is greater than the amount of energy that would be released from the detonation of one pound of trinitrotoluene (TNT).

SEC. 403. REPORT ON PLAUSIBILITY OF EXPANDING SANCTIONS ON IRANIAN OIL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report assessing the following:

(1) Whether petroleum and petroleum products originating in and exported from Iran are refined and sold outside of Iran.

(2) Whether products that contain Iranian-origin petroleum or petroleum products as part of their contents are imported into the United States and, if any such products are imported into the United States, whether such importation violates the ban on importation into the United States of Iranian-origin petroleum or petroleum products.

(3) Whether it is feasible to ban the importation into the United States of products described in paragraph (2), regardless of whether the ban on importation into the United States of Iranian-origin petroleum or petroleum products applies to such products.

(b) BASIS OF REPORT.—The report required under subsection (a) may be based on publicly-available information and classified information. The information that is not classified information shall be made publically available.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Ways and Means of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate.

SEC. 404. GAO REPORT ON IRANIAN STRATEGY TO EVADE CURRENT SANCTIONS AND OTHER MATTERS.

Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) evaluates the strategy of the Government of Iran to evade current economic and financial sanctions; and

(2) specifically evaluates the ability of Iran to successfully diversify its economy beyond its energy sector, thereby lessening the impact and effectiveness of economic and financial sanctions.

SEC. 405. AUTHORITY TO CONSOLIDATE REPORTS REQUIRED UNDER IRAN SANCTIONS LAWS.

(a) IN GENERAL.—Any or all reports required to be submitted to Congress under the provisions of law described in subsection (c) that are subject to a deadline for submission consisting of the same unit of time may be consolidated into a single report that is submitted to Congress pursuant to such deadline.

(b) EXCEPTION.—Subsection (a) shall not apply with respect to the initial report of any report described in subsection (a).

(c) PROVISIONS OF LAW DESCRIBED.—The provisions of law referred to in this section are the following:

(1) This Act and the amendments made by this Act.

(2) The Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8801 et seq.).

(3) The Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.).

(4) The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.).

(d) EFFECTIVE DATE.—This section takes effect on the date of the enactment of this Act and applies with respect to reports required to be submitted to Congress under the provisions of law described in subsection (c) on or after such date of enactment.

SEC. 406. AMENDMENTS TO DEFINITIONS UNDER IRAN SANCTIONS ACT OF 1996 AND IRAN THREAT REDUCTION AND SYRIA HUMAN RIGHTS ACT OF 2012.

(a) IRAN SANCTIONS ACT OF 1996.—Section 14(4)(B) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by striking ''may include, in the discretion of the President'' and inserting ''includes''.

(b) IRAN THREAT REDUCTION AND SYRIA HUMAN RIGHTS ACT OF 2012.—Section 211 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8721) is amended by adding at the end the following new subsection:

''(f) DEFINITION.—In this section, the term 'appropriate congressional committees' includes the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.''.

SEC. 407. RULE OF CONSTRUCTION.

Nothing in this Act or any amendment made by this Act shall be construed to apply with respect to—

(1) any activity relating to a project described in subsection (a) of section 603 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8783) to which the exception under that section applies at the time of the activity; or

(2) any authorized intelligence activity of the United States.

SEC. 408. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this Act and the amendments made by this Act.

(b) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of this Act or any amendment made by this Act or regulations prescribed under this Act to the same extent that such penalties apply to a person that commits an unlawful act described in

section 206(a) of the International Emergency Economic Powers Act (50 U.S.C. 1705(a)).

SEC. 409. SEVERABILITY.

(a) IN GENERAL.—If any provision of this Act, or the application of such provision to any person or circumstance, is found to be unconstitutional, the remainder of this Act, or the application of that provision to other persons or circumstances, shall not be affected.

(b) EFFECTIVE DATE UNDER SECTION 214.—If subsection (d) of section 214 is found to be unconstitutional in accordance with subsection (a), the amendments made by such section 214 take effect on the date of the enactment of this Act and apply with respect to transactions entered into on or after such date of enactment.

Mr. ELLISON. Mr. Speaker, I rise to claim time in opposition to the motion.

The SPEAKER pro tempore. Is the gentleman from New York opposed to the motion?

Mr. ENGLE. I am not opposed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Minnesota (Mr. ELLISON) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. ROYCE. Mr. Speaker, I ask unanimous consent to yield to the gentleman from New York (Mr. ENGEL) one-half of my time and that he be allowed to control that time.

The SPEAKER pro tempore. Without objection, the gentleman from New York will control 10 minutes.

There was no objection.

GENERAL LEAVE

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

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

There was no objection.

Mr. ROYCE. I yield myself such time as I may consume.

Mr. Speaker, there is no higher national security priority than preventing a nuclear-armed Iran. Foreign Affairs Ranking Member ENGEL and I have worked closely in a bipartisan way to bring this legislation to the floor, and we do it with unanimous support of the members of the Foreign Affairs Committee, all Democrats and all Republicans on that committee. Indeed, 375 Members of the House are cosponsors of this legislation. That's the broad recognition that exists right now, that more needs to be done to stop Iran's nuclear program, which is a danger not only to us in the United States, but certainly to the region and to the world.

Today, we act with that sense of urgency, urgency because Iran's march to nuclear weapons continues. In less than 2 years, the International Atomic Energy Agency has told us that they have doubled in Iran the installed centrifuges at the facilities at Natanz and Fordo. They've doubled those from 8,500 to more than 15,700 centrifuges. And these new centrifuges, many of them are five times more powerful. They spin much faster than those earlier models.

A key facility is buried deep below a mountain, and Iran continues to stonewall the IAEA on its development of nuclear explosive devices. So Iran's intent to develop this weapons capability is very evident.

New President in Iran or not, I am convinced that Iran's supreme leader intends to continue on this path because that is what he says he intends to do; that is, unless sanctions bite to the point where the regime has to make a choice between compromise on its nuclear weapons program or the consequences of the sanctions on the regime.

That is why this legislation dramatically steps up the pressure on the regime in Iran:

It targets the energy sector by compelling countries that are currently purchasing oil from Iran to reduce their collective total by 1 million barrels per day within a year;

It targets additional sectors of Iran's economy;

It further denies the regime access to foreign currency reserves;

It effectively targets Iran's efforts to circumvent international sanctions against the shipping sector in the country;

Equally important, this legislation increases sanctions against Iranian human rights abusers, making clear that it's the Iranian people that we are siding with.

Only when the Iranian leadership truly feels a choice between maintaining power and obtaining the bomb does our diplomacy have a chance to succeed. And we know the Iran regime's view of the world, we know it only too well because its support of keeping the brutal Assad regime in power is self-evident. It has resupplied Hezbollah with 25,000 new rockets, which target Israel.

In recent years, there have been Iranian-sponsored attacks or plots uncovered by the Europeans in Bulgaria, also in India, Thailand, in Georgia, in Azerbaijan, in Cyprus, in Kenya, and even here in Washington, D.C. I'd hate to see an Iran emboldened by a nuclear weapon, but that is the course we are on unless we dramatically step up the pressure. So let's pass this bill.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 26, 2013.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE, I am writing with respect to H.R. 850, the ''Nuclear Iran Prevention Act of 2013,'' which the Committee on Foreign Affairs ordered reported favorably on May 22, 2013. As a result of your having consulted with us on provisions in H.R. 850 that fall within the Rule X jurisdiction of the Committee on the Judiciary, and your agreement to support mutually-agreeable changes to the legislation, I agree to discharge our Committee from further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 850 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 850, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 850.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 26, 2013.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 850, the Nuclear Iran Prevention Act of 2013, and for your agreement to discharge H.R. 850 from the Committee on the Judiciary so that it may proceed expeditiously to the House Floor. I am writing to confirm our mutual understanding regarding your Committee's continuing Rule X legislative jurisdiction over portions of H.R. 850, and my support for your Committee's participation in any conference committee that may be named to consider this bill.

I appreciate your assistance in expediting this important legislation for Floor consideration.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 26, 2013.

Hon. DARRELL E. ISSA,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 850, the Nuclear Iran Prevention Act of 2013, and for your agreement to discharge H.R. 850 from the Committee on Oversight and Government Reform so that it may proceed expeditiously to the House Floor. I am writing to confirm our mutual understanding regarding your Committee's continuing Rule X legislative jurisdiction over portions of H.R. 850, and my support for your Committee's participation in any conference committee that may be named to consider this bill.

I appreciate your assistance in expediting this important legislation for Floor consideration.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

Washington, DC, July 26, 2013.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 850, the ''Nuclear Iran Prevention Act of 2013,'' which your Committee reported on May 22, 2013.

H.R. 850 contains provisions within the Committee on Oversight and Government Reform's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Oversight and Government Reform will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Oversight and Government Reform with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FINANCIAL SERVICES,

Washington, DC, July 30, 2013.

Hon. Hon. EDWARD R. ROYCE,
Chairman, House Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: On May 22, 2013, the Committee on Foreign Affairs ordered H.R. 850, the Nuclear Iran Prevention Act of 2013, as amended, to be reported favorably to the House. As a result of your having consulted with the Committee on Financial Services concerning provisions of the bill that fall within our Rule X jurisdiction, I agree to discharge our committee from further consideration of the bill so that it may proceed expeditiously to the House Floor.

The Committee on Financial Services takes this action with our mutual understanding that, by foregoing consideration of H.R. 850, as amended, at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I appreciate your July 26 letter confirming this understanding with respect to H.R. 850, as amended, and would ask that a copy of our exchange of letters on this matter be included in your committee's report to accompany the legislation and/or in the Congressional Record during floor consideration thereof.

Sincerely,

JEB HENSARLING,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FOREIGN AFFAIRS,

Washington, DC, July 26, 2013.

Hon. JEB HENSARLING,
Chairman, Committee on Financial Services, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 850, the Nuclear Iran Prevention Act of 2013, and for your agreement to discharge H.R. 850 from the Committee on Financial Services so that it may proceed expeditiously to the House Floor. I am writing to confirm our mutual understanding regarding your Committee's continuing Rule X legislative jurisdiction over portions of H.R. 850, and my support for your Committee's participation in any conference committee that may be named to consider this bill.

I appreciate your assistance in expediting this important legislation for Floor consideration. Sincerely,

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS,

Washington, DC, July 26, 2013.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing regarding H.R. 850, the ''Nuclear Iran Prevention Act of 2013,'' which was favorably reported out of your Committee on May 22, 2013. I commend you on your efforts to make sure that the United States is better able to address the critical threats that Iran poses.

I appreciate that in response to the concerns raised by the Committee on Ways & Means, you have agreed to modify sections 102, 201, 214, 215, and 222 of H.R. 850 as reported out of your Committee. As a result, in order to expedite floor consideration of the bill, the Committee on Ways and Means will forgo action on H.R. 850. Further, the Committee will not oppose the bill's consideration on the suspension calendar, based on our understanding that you will work with us as the legislative process moves forward to ensure that our concerns in the sections indicated above as well as other provisions in the Committee's jurisdiction continue to be addressed. This is also being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 850, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

DAVE CAMP,
Chairman, Committee on Ways and Means.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FOREIGN AFFAIRS,

Washington, DC, July 26, 2013.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 850, the Nuclear Iran Prevention Act of 2013, and for your agreement to discharge H.R. 850 from the Committee on Ways and Means so that it may proceed expeditiously to the House Floor. I am writing to confirm our mutual understanding regarding your Committee's continuing Rule X legislative jurisdiction over portions of H.R. 850, and my support for your Committee's participation in any conference committee that may be named to consider this bill.

I appreciate your assistance in expediting this important legislation for Floor consideration.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FOREIGN AFFAIRS,

Washington, DC, July 9, 2013.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your consultation with the Foreign Affairs Committee on H.R. 850, the Nuclear Iran Prevention Act of 2013, and your agreement to forgo a sequential referral of that bill. I am writing to confirm our mutual understanding regarding your Committee's continuing Rule X legislative jurisdiction over portions of H.R. 850, and my support for your Committee's participation in any conference committee that may be named to consider that bill.

I appreciate your assistance in expediting this important legislation for floor consideration.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, June 26, 2013.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 850, the Nuclear Iran Prevention Act of 2013, as ordered reported. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

As a result of your having consulted with the Committee and in order to expedite this legislation for floor consideration, the Committee will not assert a jurisdictional claim over this bill by seeking a sequential referral. However, this is conditional on our mutual understanding and agreement that doing so does not in any way alter or diminish the jurisdiction of the Committee on Transportation and Infrastructure with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please, place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 850 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

Mr. ELLISON. Mr. Speaker, I yield myself such time as I may consume.

My colleagues come here today proposing this new, intensified legislation on the basis that they would like to stop Iran from having a nuclear weapon. So do we.

□ 1700

Everything that my colleague, Mr. ROYCE, detailed a moment ago is something that we are concerned about.

But we have a changed circumstance, a changed circumstance that this legislation does not acknowledge, and that is that the Iranian people had a choice between candidates, and they selected the candidate who decided to reject extremism and actually campaign on the basis of moderation. Why not? At least until Mr. Rouhani has a chance to forestall legislation like this and engage in

diplomacy to reach the goals that Mr. ROYCE has identified.

Mr. Rouhani ran on a policy of promise to pursue a path of moderation. He promised to pursue a ''policy of reconciliation and peace.'' Obviously, we don't have rose-colored glasses. We don't know. But why don't we wait and see. Why aren't we at least curious to find out whether or not President Rouhani means that he wants to pursue this course of peace. It is what we want—negotiated settlement. Why are we slapping his hand down when apparently the Iranian people are willing to support a candidate who is willing to extend a hand?

The New York Times agrees. It said:

> While sanctions are an important element of American strategy, piling on more at this time and this moment could harm, rather than advance, the chances for a negotiated deal with Iran.

In fact, Secretary of State John Kerry warned that additional sanctions at this moment might undermine diplomatic efforts.

The fact of the matter is, why do we want to strengthen the hand of extremists who will say to Rouhani, See, you thought you could work with them. We were right all along.

I say they're wrong. I say let's accept the olive branch extended by the Iranian people who selected a more moderate candidate.

In fact, I would like to submit this document into the RECORD. The headline reads:

> Mohammad Javad Zarif, Iran's Nominee for Foreign Minister, Seen as Olive Branch to United States.

Let me also acknowledge and put into the RECORD this letter, dated July 19, by 130 Members of Congress on a bipartisan basis to say President Obama pursued negotiations in this window of time when we have a President who won on the basis of extending a hand for negotiation.

We don't have to do this now. We can do this when we come back after at least Mr. Rouhani is inaugurated into the presidency of Iran.

Mr. Speaker, I reserve the balance of my time, and I do have a number of speakers, when we're ready for that.

[From HuffPost World, July 31, 2013]

MOHAMMAD JAVAD ZARIF, IRAN'S NOMINEE FOR FOREIGN MINISTER, SEEN AS OLIVE BRANCH TO UNITED STATES

(By Marcus George and Paul Taylor)

DUBAI/PARIS, July 29, 2013 (Reuters).—If Iranian President-elect Hassan Rouhani wanted to signal his determination to rebuild relations with the United States and strike a ''grand bargain,'' he could hardly do better than pick Mohammad Javad Zarif as his foreign minister.

Iranian news agencies reported on Monday that Zarif, a former ambassador to the United Nations and Tehran's leading connoisseur of the U.S. political elite, is set to be in the cabinet Rouhani will announce after taking office on Sunday. A source close to Rouhani confirmed Zarif will be nominated as foreign minister.

A fluent English speaker who earned his doctorate at the University of Denver, Zarif has been at the centre of several secret negotiations to try to overcome 35 years of estrangement between Washington and Tehran, diplomats said.

Those talks failed because of deep mistrust on a range of disputes from Iran's secretive nuclear programme and support for anti-Israeli militants to U.S. sanctions and hopes of engineering ''regime change'' in Tehran.

Zarif's elevation, however, suggests the moderate new president is keen to make another try at breaking the deadlock.

''He was always trying to do what was possible to improve relations in a very intelligent, open and clear way,'' said a senior Western diplomat who had repeated dealings with Zarif.

''This is someone who knows the United States very well and with all the frustrations of the past is still someone they know in Washington,'' he said.

The usual caveats about Iran apply: under the Islamic Republic's complex institutional set-up, Supreme Leader Ayatollah Ali Khamenei calls the shots in foreign and security policy and controls the nuclear programme, which Western powers say is aimed at developing atomic weapons.

The foreign minister ranks roughly fourth in the foreign policy pecking order, after Khamenei, the head of the National Security Council, who also serves as Iran's chief nuclear negotiator, and the president.

Nevertheless, assuming he is confirmed by Iran's prickly, conservative-dominated parliament, Zarif's appointment would be a strong gesture of positive intent towards the United States.

The two countries have had no official ties since 1980 after Iranian students occupied the U.S. embassy in Tehran, taking 52 diplomats hostage in protest against Washington's admission of the former Shah after he was toppled by the Islamic revolution.

CONTACT BOOK

Zarif's Washington contact book includes Vice President Joe Biden, Secretary of Defence Chuck Hagel and a who's who of U.S. national security officials on both sides of the aisle.

The soft-spoken career diplomat resigned from the nuclear negotiating team after hardline President Mahmoud Ahmadinejad was elected in 2005.

In 2007, he returned from New York after five years as Iran's permanent representative to the United Nations and found himself out of favour as his country turned its back on the notion of seeking better ties with the West and Ahmadinejad sidelined English-speaking diplomats.

Since then, Zarif has been in a holding pattern, nominally senior adviser to the foreign minister from 2007 to 2010, then from 2011 international director of Islamic Azad University, a network of educational institutions established by ex-president Akbar Hashemi Rafsanjani, his political patron.

Rafsanjani, who is also Rouhani's mentor, has long favoured a pragmatic rapprochement with the United States, but Khamenei has stamped on all such efforts since he succeeded the founder of the Islamic Republic, Ayatollah Ruhollah Khomeini, in 1989.

Dennis Ross, a veteran U.S. diplomat who served as President Barack Obama's top Middle East adviser until 2011, said Zarif had shown a willingness to negotiate in good faith and his appointment would be seen in Washington and Europe as an indication that Rouhani wants to ''do business'' with the West.

But he cautioned that the question remained whether this would translate into an easing of Tehran's resistance to curbing its nuclear drive. ''Zarif is not someone who does favours for the United States,'' Ross said. ''He fits the category of a sign or signal until you see Iran actually doing something.''

Brent Scowcroft, national security adviser to President George H.W. Bush, described Zarif as ''reasonable'' but said much would depend on how much leeway he is given.

Western diplomats said Zarif was a central negotiator in the last major effort to negotiate a ''grand bargain'' between Tehran and Washington that began after the Sept. 11, 2001, attacks on the United States and foundered in mid-2003.

U.S. newspapers published in 2007 the bare text of a draft agreement, put together in secret talks in Paris, Geneva and New York, that would have established negotiations between the two countries on all outstanding issues.

While the draft fell short of an agreement on substance, it noted both sides' expectations on issues such as assurances that Iran's nuclear programme has no military capability, and assurances that the United States would act against anti-government People's Mujahideen activists based in Iraq.

''The texts are authentic,'' said a Western diplomat who was involved in the back-channel talks, confirming that Khamenei had given the green light for negotiations to go ahead.

HOSTAGE NEGOTIATOR

Years earlier, as a junior diplomat Zarif was involved in negotiations to win the release of U.S. hostages held by pro-Iranian gunmen in Lebanon, according to the memoirs of former U.N. envoy Giandomenico Picco. Even though the United States did not make a promised reciprocal goodwill gesture at the time, Zarif remained committed to improving ties.

In Washington, Trita Parsi, president of the pro-dialogue National Iranian American Council, said Zarif has been involved in multiple U.S.-Iranian negotiations, including talks on Afghanistan after the U.S.-led 2001 invasion, and Tehran's 2003 proposal for a ''grand bargain'' with the United States.

''Based on my interviews with him, (Zarif) was involved in the drafting of it,'' Parsi said of that offer of a comprehensive new start, which then President George W. Bush's administration spurned.

Veteran U.S. diplomat James Dobbins, the U.S. point man at a 2001 Bonn conference that formed a new Afghan government after the overthrow of the Taliban, credited Zarif with a pivotal, positive role in the diplomacy—and with a sense of humour.

Dobbins—now the State Department's special envoy for Afghanistan and Pakistan—recalled in 2007 testimony to the U.S. Congress how Zarif, then a deputy foreign minister, persuaded the anti-Taliban Northern Alliance to drop its demand for control of an outsize proportion of Afghan ministries.

The Northern Alliance delegate ''remained obdurate. Finally, Zarif took him aside and whispered to him for a few moments, following which the Northern Alliance envoy returned to the table and said: 'Okay, I agree. The other factions can have two more ministries. And we can create three more, which they can also have.' We had a deal,'' Dobbins recalled.

''Zarif had achieved the final breakthrough without which the (Hamid) Karzai government might never have been formed.''

[From the New York Times, July 26, 2013]

IRAN IS SAID TO WANT DIRECT TALKS WITH U.S. ON NUCLEAR PROGRAM

(By Michael R. Gordon)

WASHINGTON.—Prime Minister Nuri Kamal al-Maliki of Iraq told the Obama administration this month that Iran was interested in direct talks with the United States on Iran's

nuclear program, and said that Iraq was prepared to facilitate the negotiations, Western officials said Thursday.

In a meeting in early July with the American ambassador in Baghdad, Mr. Maliki suggested that he was relaying a message from Iranian officials and asserted that Hassan Rouhani, Iran's incoming president, would be serious about any discussions with the United States, according to accounts of the meeting.

Although Mr. Maliki indicated that he had been in touch with confidants of Iran's supreme leader, Ayatollah Ali Khamenei, he did not disclose precisely whom he was dealing with on the Iranian side. Some Western officials remain uncertain whether Iran's leaders have sought to use Iraq as a conduit or whether the idea is mainly Mr. Maliki's initiative.

State Department officials declined to comment on Mr. Maliki's move or what steps the United States might have taken in response. American officials have said since the beginning of the Obama administration that they would be open to direct talks with Iran.

''Iraq is a partner of the United States and we are in regular conversations with Iraqi officials about a full range of issues of mutual interest, including Iran,'' said Patrick Ventrell, a State Department spokesman. ''As we have repeatedly said, we are open to direct talks with Iran in order to resolve the international community's concerns about Iran's nuclear program.''

Gary Samore, who served as the senior aide on nonproliferation issues at the National Security Council during President Obama's first term in office, said that it was plausible that Iran would use Iraq to send a message about its willingness to discuss nuclear issues.

''The Iranians see Maliki as somebody they have some trust in,'' said Mr. Samore, who is the director of the Belfer Center for Science and International Affairs at Harvard. ''From Maliki's standpoint, it would serve a number of different purposes. He does not want to be squeezed between Washington and Tehran.''

In a separate move on Thursday, the State and Treasury Departments announced that the United States was expanding the list of medical devices, like dialysis machines, that could be sold to Iran without a license.

In a conference call with reporters, David Cohen, the under secretary for terrorism and financial intelligence, said that the move was intended to ''accelerate trade'' in these medical devices and address humanitarian needs in Iran. The announcement was also seen by many observers as a good-will gesture before Mr. Rouhani prepares to take office in Tehran on Aug. 4.

Direct talks have the potential to ratchet down some of the pressure on President Obama over one of his greatest foreign policy challenges, the buildup of Iran's nuclear program.

Mr. Obama has said that he will not permit Iran to have a nuclear weapon and has asserted that the use of military force is an option. Israeli officials have staked out a far tougher position, asserting that Iran should not be allowed to have the ability to build a weapon—and that the United States should do more to convince the Iranians that its threat to use force is credible. Israel has not ruled out military action of its own.

International sanctions have taken a serious toll on the Iranian economy and have helped bring Iran to the negotiating table, but have not yet extracted significant concessions from Iran on its nuclear program. For years, the United States and its partners—Britain, France, Germany, Russia and China—have met on and off with Iranian officials in a dialogue that has become known as the ''P5 plus 1'' talks.

Nonproliferation experts continue to argue that it is difficult to make major headway in such a committeelike forum, and that if progress is to be made, it will have to happen in private one-on-one discussions between Iranian officials and the Obama administration.

Whether Iran is genuinely interested in such talks, however, has been a subject of debate. In 2009, William J. Burns, then the under secretary of state for political affairs, met with Saeed Jalili, the Iranian nuclear negotiator, on the margins of the ''P5 plus 1'' talks. They agreed in principle that a portion of Iran's enriched uranium could be used to make fuel for Tehran's research center, which would preclude that material from being further enriched to make nuclear weapons.

But that deal fell through after Ayatollah Khamenei objected, and there have been no direct talks since. In a meeting this month with Iran's departing president, Mahmoud Ahmadinejad, Ayatollah Khamenei was sharply critical of the American stance.

''The Americans are unreliable and illogical, and are not honest in their approach,'' Ayatollah Khamenei said. But he also said that he did not oppose talks ''on certain issues.''

Even if direct talks are agreed to they are almost certain to be tough.

''The establishment of a bilateral channel is a necessary but not sufficient condition for coming to an agreement,'' Mr. Samore said. ''They want a nuclear weapons capability, and we want to deny them a nuclear weapons capability. Finding a compromise between those two objectives is going to be very difficult.''

Mr. Maliki, Western officials said, is not the only Iraqi politician who has encouraged a dialogue between the United States and Iran. Ammar al-Hakim, the leader of a major Shiite party in Iraq, is also said to have made that point.

During the war in Iraq, Iraqi officials also urged direct dealings between the United States and Iran.

Talks were held in Baghdad, but they were focused on the conflict in Iraq and Iran's support for Shiite militias there—not the nuclear question—and got nowhere.

Mr. Maliki's government appears to have been aligned with Iran on some issues, like its support for President Bashar al-Assad of Syria. Iranian aircraft have ferried huge quantities of arms through Iraqi airspace. Iraqi officials have asserted that they do not have the means to stop the flights, but Mr. Maliki has also been concerned that Mr. Assad's fall will lead to an escalation of Sunni challenges to his government in Iraq.

American officials have repeatedly said that Mr. Maliki is not a pawn of Iran and that the United States should try to expand its influence in Iraq, including by selling arms.

CONGRESS OF THE UNITED STATES,
Washington, DC, July 19, 2013.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR PRESIDENT OBAMA: As Members of Congress who share your unequivocal commitment to preventing a nuclear-armed Iran, we urge you to pursue the potential opportunity presented by Iran's recent presidential election by reinvigorating U.S. efforts to secure a negotiated nuclear agreement.

As you know, on June 14 the Iranian people elected Hassan Rouhani president with over 50 percent of the vote in the first round, overcoming repression and intimidation by the Iranian government to cast their ballots in favor of reform. Dr. Rouhani campaigned on the promise to ''pursue a policy of reconciliation and peace'' and has since promised ''constructive interaction with the outside world.'' As Iran's former lead nuclear negotiator, he has also publicly expressed the view that obtaining a nuclear weapon would run counter to Iran's strategic interests and has been critical of the nuclear ''extremism'' of outgoing President Mahmoud Ahmadinejad.

We are mindful of the limitations of the Iranian presidency within the country's political system, of the fact that previous Iranian presidents elected on platforms of moderation have failed to deliver on promised reforms, and of the mixed signals that Dr. Rouhani himself has sent regarding Iran's nuclear ambitions. It remains to be seen whether his election will indeed bring significant change with regard to Iran's relations with the outside world. His government's actions will certainly speak louder than his words.

Even so, we believe it would be a mistake not to test whether Dr. Rouhani's election represents a real opportunity for progress toward a verifiable, enforceable agreement on Iran's nuclear program that ensures the country does not acquire a nuclear weapon. In order to test this proposition, it will be prudent for the United States to utilize all diplomatic tools to reinvigorate ongoing nuclear talks. In addition, bilateral and multilateral sanctions must be calibrated in such a way that they induce significant and verifiable concessions from Iran at the negotiating table in exchange for their potential relaxation.

We must also be careful not to preempt this potential opportunity by engaging in actions that delegitimize the newly elected president and weaken his standing relative to hardliners within the regime who oppose his professed ''policy of reconciliation and peace.'' Likewise, it will be critical for the United States to continue its efforts to foster unprecedented international cooperation on this issue so that the international community remains united in its opposition to Iran obtaining a nuclear weapon.

We look forward to working with your Administration on this important issue in the months ahead.

Sincerely,

CHARLES DENT,
DAVID PRICE,
Members of Congress.

LIST OF COSIGNERS (131)

Dent, Charles (PA–15); Price, David (NC–04); Barber, Ron (AZ–02); Bass, Karen (CA–37); Becerra, Xavier (CA–34); Bera, Ami (CA–07); Bishop, Sanford (GA–02); Bishop, Tim (NY–01); Blumenauer, Earl (OR–03); Bonamici, Suzanne (OR–01); Bordallo, Madeleine (GU); Braley, Bruce (IA–01); Bustos, Cheri (IL–17); Campbell, John (CA–45); Capps, Lois (CA–24).

Capuano, Michael (MA–07); Cárdenas, Tony (CA–29); Carson, André (IN–07); Cartwright, Matthew (PA–17); Christensen, Donna (VI); Clay, William Lacy (MO–01); Cleaver, Emanuel (MO–05); Clyburn, James (SC–06); Coble, Howard (NC–06); Cohen, Steve (TN–09); Cole, Tom (OK–04); Connolly, Gerald (VA–11); Conyers, John (MI–13); Courtney, Joe (CT–02); Cuellar, Henry (TX–28).

Cummings, Elijah (MD–07); Davis, Danny (IL–07); DeFazio, Peter (OR–04); DeGette, Diana (CO–01); DeLauro, Rosa (CT–03); DelBene, Suzan (WA–01); Dingell, John (MI–12); Doggett, Lloyd (TX–35); Doyle, Michael (PA–14); Duckworth, Tammy (IL–08); Duffy, Sean (WI–07); Duncan, Jr., John (TN–02); Edwards, Donna (MD–04); Ellison, Keith (MN–05); Enyart, William (IL–12).

Eshoo, Anna (CA–18); Esty, Elizabeth (CT–05); Farr, Sam (CA–20); Fattah, Chaka (PA–02); Fitzpatrick, Michael (PA–08); Fortenberry, Jeff (NE–01); Foster, Bill (IL–11);

Garamendi, John (CA–03); Grijalva, Raúl (AZ–03); Grimm, Michael (NY–11); Gutiérrez, Luis (IL–04); Hanna, Richard (NY–22); Hastings, Alcee (FL–20); Heck, Denny (WA–10); Higgins, Brian (NY–26).

Himes, James (CT–04); Holt, Rush (NJ–12); Honda, Michael (CA–17); Jackson Lee, Sheila (TX–18); Johnson, Eddie B. (TX–30); Johnson, Hank (GA–04); Jones, Walter (NC–03); Kaptur, Marcy (OH–09); Kelly, Robin (IL–02); Kind, Ron (WI–03); Kuster, Ann (NH–02); Larsen, Rick (WA–02); Larson, John (CT–01); Lee, Barbara (CA–13); Lewis, John (GA–05).

Loebsack, David (IA–02); Lofgren, Zoe (CA–19); Lújan, Ben Ray (NM–03); Lujan Grisham, Michelle (NM–01); Matheson, Jim (UT–04); McCollum, Betty (MN–04); McDermott, Jim (WA–07); McGovern, James P. (MA–02); Meeks, Gregory W. (NY–05); Miller, George (CA–11); Moore, Gwen (WI–04); Moran, James P. (VA–08); Napolitano, Grace F. (CA–32); Neal, Richard E. (MA–01); Nolan, Richard (MN–08).

Norton, Eleanor Holmes (DC); Nugent, Richard B. (FL–11); O'Rourke, Beto (TX–16); Pascrell, Bill, Jr. (NJ–09); Pastor, Ed (AZ–07); Payne, Donald M., Jr. (NJ–10); Perlmutter, Ed (CO–07); Peters, Scott H. (CA–52); Peterson, Collin C. (MN–07); Petri, Thomas E. (WI–06); Pingree, Chellie (ME–01); Pocan, Mark (WI–02); Polis, Jared (CO–02); Rahall, Nick J., II (WV–03); Rangel, Charles B. (NY–13).

Roybal-Allard, Lucille (CA–40); Ruiz, Raul (CA–36); Runyan, Jon (NJ–03); Rush, Bobby L. (IL–01); Ryan, Tim (OH–13); Sablan, Gregorio Kilili Camacho (MP); Schakowsky, Janice D. (IL–09); Scott, Robert C. ''Bobby'' (VA–03); Serrano, José E. (NY–15); Shea-Porter, Carol (NH–01); Sinema, Kyrsten (AZ–09); Slaughter, Louise McIntosh (NY–25).

Speier, Jackie (CA–14); Takano, Mark (CA–41); Thompson, Glenn (PA–05); Thompson, Mike (CA–05); Tiberi, Patrick (OH–12); Tierney, John (MA–06); Tonko, Paul (NY–20); Tsongas, Niki (MA–03); Visclosky, Peter (IN–01); Walz, Timothy (MN–01); Waters, Maxine (CA–43); Welch, Peter (VT-At Large); Whitfield, Ed (KY–01); Yarmuth, John (KY–03).

Mr. ENGEL. Mr. Speaker, I yield myself 3 minutes.

I rise in strong support of H.R. 850, the Nuclear Iran Prevention Act of 2013.

It's been a pleasure working with Chairman ROYCE to craft this bipartisan legislation, which, by the way, passed unanimously in the Foreign Affairs Committee. Every Republican, every Democrat voted ''yes'' on this. It now has more than 370 cosponsors. We share the goal of preventing a nuclear-capable Iran, and I could not ask for a better partner than Mr. ROYCE in this effort.

Mr. Speaker, I think all of us agree that a nuclear-capable Iran would pose a grave threat to the U.S., a threat to our allies in the region, and a threat to the future of the global nonproliferation regime. All of us are aware that Iran has violated numerous U.N. Security Council resolutions and repeatedly blocked IAEA inspectors seeking to investigate its nuclear program.

After many years of deceit and stonewalling by the Iranian regime, I continue to hold out hope that we can achieve a peaceful resolution of the Iranian nuclear crisis through diplomatic means. But time is growing short. According to the IAEA, Iran is installing advanced centrifuges to enrich more uranium and continues to build a heavy water reactor that could produce plutonium.

We must not allow the Iranians to play the same old game, engaging in endless negotiations with no results while continuing to advance the nuclear program. That's why we must continue to pursue a two-track approach to Iran, one that incorporates both pressure and negotiations.

The legislation before us today will significantly ratchet up the pressure and hopefully give our diplomats the leverage they need to persuade Iran that its only viable option is to end its pursuit of nuclear weapons.

Among other things, this bill seeks to cut Iran's oil exports by another 1 million barrels a day, a reduction of two-thirds from current levels. It also strengthens existing sanctions by authorizing the President to restrict significant commercial trade with Iran.

In addition, the bill seeks to deny the Iranian regime hard currency by enhancing efforts to cut off Iran's access to euros.

Finally, the legislation imposes new sanctions against Iranian shipping ports and expands existing sanctions against Iranian human rights violators.

Mr. Speaker, some of my colleagues argue that we should delay sanctions until after the new President of Iran takes office. I respectfully disagree. I know they share the goal of preventing a nuclear-capable Iran, but I believe we should take a different approach.

Our efforts to impose new sanctions should not be based on the Iranian political calendar. In my view, the paramount consideration should be the Iranian nuclear clock, the nuclear calendar, the amount of time it will take Iran to achieve a nuclear weapons capability.

I have no reason to believe that the results of the recent Iranian election will fundamentally alter Iran's current course. The unelected supreme leader, the Ayatollah, remains the one true decision-maker at the pinnacle of the regime. And president-elect Rouhani, who was directly involved in efforts to deceive the international community when he served as Iran's chief nuclear negotiator, made clear during the campaign that he supports Iran's nuclear ambitions.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ENGEL. Mr. Speaker, I yield myself an additional 30 seconds.

If Rouhani truly has the willing authority to make a bold gesture on Iran's nuclear program, like suspending enrichment, he has a small window of opportunity before this bill becomes law. I think all of us would welcome such a gesture, but I'm not holding my breath.

In closing, I would like to reiterate that by strengthening sanctions we are not calling for an end of diplomacy. After many years of fruitless negotiations, it is clear that talks will only succeed if the regime feels pressure to change course. That is what we are trying to accomplish with this legislation today.

I look forward to working with Chairman ROYCE to ensure that the strongest possible sanctions are enacted into law, and I reserve the balance of my time.

Mr. ELLISON. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I rise in reluctant opposition to this measure before us today.

I have supported the repeated rounds of sanctions that Congress has already enacted. I have supported them because of the threat of a nuclear-armed Iran and because of the intransigence of the Iranian Government in defiance of the international community.

These sanctions have brought the Iranian economy to its knees, they have yet to produce meaningful concessions by the Iranian Government. I have thus remained open to the possibility of additional sanctions as part of a broader strategy to induce the Iranian Government to change its course.

But the bill before us today could not come at a worse time. In 3 days, Iran will inaugurate a new President, Hassan Rouhani, elected on promises of moderation and openness despite repression and intimidation by the Iranian regime, trying to deny him that election.

Since his election, Dr. Rouhani has made repeated overtures to the international community, signaling his intent to resume the stalled P–5+1 nuclear talks upon taking office and promising greater transparency and confidence-building measures. He reportedly intends to appoint as his foreign minister a seasoned diplomat who favors closer ties with the West.

Let us be clear: we do not know whether Rouhani truly intends to follow through on these promises. We don't know if he'll be able to overcome the resistance of Iran's hardliners. We do know that history counsels us to be cautious about the prospects for meaningful change in Iran, and Rouhani's actions will surely speak louder than his words.

But to rush through a new round of sanctions before the new President has even taken office could slam the window of opportunity shut before we even have a chance to test whether it is genuine.

A recent letter to the President signed by a group of respected former diplomats and military officials—including Ambassador Tom Pickering and the former commander of CENTCOM, General Joseph Hoar—has warned that further sanctions ''could empower hardliners, in the Iranian Government, who are opposed to nuclear concessions, at the expense of those seeking to shift policy in a more moderate direction.''

Moreover, by removing the President's authority to relax sanctions on countries that are cooperating with

our strategy toward Iran, this bill risks shattering the unprecedented international coalition which we have worked so hard to build, thus making sanctions less effective than they are at this moment.

Some argue that we should not be concerned about the House passing this bill, since it will be some time before the Senate follows with an improved bill, and longer still before the new sanctions take effect. I must say, that is not a very compelling argument for rushing this bill to the floor right now. Why not act when we can assess the diplomatic prospects more accurately?

Mr. Speaker, I will take a back seat to no one when it comes to my concern about the threat posed by a nuclear Iran to our ally Israel, to the broader Middle East, and to the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ELLISON. Mr. Speaker, I yield an additional minute to the gentleman from North Carolina.

Mr. PRICE of North Carolina. I will yield to no one in my concerns about these matters. I believe we must redouble our efforts to secure an enforceable agreement that ensures Iran does not acquire a nuclear weapon.

But sanctions alone are not a strategy. In order to be effective, they must be integrated into a broader strategy that brings all other elements of American power to bear on the challenge. The administration is working hard to advance such a strategy, with unprecedented cooperation from our international partners.

If the strategy fails to induce the new Iranian Government to change its course, then new sanctions may, indeed, be warranted. But to pass them now only undercuts our Nation's strategic objectives.

I urge my colleagues to oppose this ill-timed bill.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the esteemed majority leader.

Mr. CANTOR. Mr. Speaker, I rise today in support of the Nuclear Iran Prevention Act.

I want to commend the gentleman from California, chairman of the Foreign Affairs Committee, in his leadership in bringing this bill to the floor. I also would like to commend Congressman ENGEL for his leadership in working through this issue bringing forward this piece of legislation.

The authoritarian regime in Iran is a brutal theocracy that suppresses dissent at home and sponsors terrorism and chaos abroad. For years, our State Department has listed Iran as the world's leading state sponsor of terrorism, and many Americans have lost their lives at the hands of Iranian-backed killers. In a bid to establish reasonable dominance, Iran foments instability in neighboring countries and is a co-belligerent in Bashar Assad's ruthless war against the Syrian people. Despite rhetoric that may lead some to a contrary conclusion, this is the nature of a regime that continues its headlong effort to acquire nuclear weapons capability.

Like all Americans, I want to see Iran abandon its nuclear aspirations through peaceful negotiations, but its leaders must understand the path they are on now will only lead to more condemnation and pressure.

Considering that Iran continues to flagrantly violate numerous U.N. Security Council resolutions that call for the suspension of its nuclear enrichment program, while denying inspectors access to suspected nuclear sites, it is clear that Iran has negotiated again and again in bad faith. America's policies must be based on facts and not some hope about a new government perhaps in Iran that somehow will change the nature of the clerical regime in Tehran. We must respond to Iran's policies and behavior, not to its rhetoric.

This act will strengthen the sanctions already in place and provide the President with new economic tools to pressure Iran to change course before it is too late.

□ 1715

Strengthening these measures will help our diplomatic efforts to encourage Tehran to become a responsible member of the international community and, once and for all, to abandon its pursuit of nuclear weapons.

Again, I want to thank the gentleman from California, the gentleman from New York, and the rest of the Foreign Affairs Committee for their hard work on this issue, and I urge my colleagues to support this legislation.

Mr. ELLISON. May I inquire as to the time we have remaining.

The SPEAKER pro tempore. The gentleman from Minnesota has 12½ minutes remaining, and the gentleman from New York has 6½ minutes remaining, and the gentleman from California has 5 minutes remaining.

Mr. ELLISON. I yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. I thank the gentleman from Minnesota, my friend.

Mr. Speaker, 29 prominent policymakers and experts who understand Iran and international relations, which includes former CENTCOM Commander, Ambassador Tom Pickering, stated in a letter to President Obama just 2 weeks ago: ''No further sanctions should be imposed or considered at this time.''

There were 131 bipartisan Representatives who also urged the President to test the opportunity presented by Iran's recent election to avoid actions that could delegitimize the democratic election that just took place in Iran, because the fact is that the Iranian people rejected the very cleric of government that we have all opposed that has been defined by hostile actions against the United States. In fact, when Mr. Rouhani was running, the people of Iran knew he was a former nuclear negotiator, and he promised greater nuclear transparency and to pursue, in his words, peace and reconciliation with the outside world.

Isn't that just what we are looking for?

I can't imagine we are looking for another war of choice, that we want to escalate the rhetoric. This is the best opportunity we have had in at least 8 years, if not more. Why throw that away?

Now, some will say, ''Well, what we do in the House doesn't really matter. The Senate isn't going to do anything,'' but that's a nuance. We may understand why the House is acting, but the rest of the world doesn't likely understand what's going on here.

The fact is that this bill empowers the very hard-liners who are the problem. The Iranian people are extraordinarily diverse. In fact, they used to be America's best friend in the Muslim world, and they just rejected a government that represented all of the things we oppose, and they did it democratically. I can't imagine that we have to operate in such a vacuum that we are going to continue to impose sanctions, that we are going to take away the President's ability to exercise leverage in those negotiations, and that, in fact, we are even going to lay it on further by taking away the exemption for necessary food and medicine.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ELLISON. I yield the gentleman an additional 30 seconds.

Mr. MORAN. This is destructive because it punishes the Iranian people and empowers the hard-liners. We have no problem with punishing the clerical government and many of the people in the military. They don't represent our values, but we want the Iranian people to seize democracy, to represent our values, to enter into negotiations. We've got to be able to bring about a more peaceful and productive world.

So I would strongly urge this House to hold off. Let the new President at least be inaugurated. Let him at least take over. Let's see what we can do. Let's not act so prematurely and destructively.

Mr. ROYCE. At this time, Mr. Speaker, I yield 1 minute to the Speaker of the House, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Let me thank my colleague from California—the chairman of the committee—and his whole committee for their hard work on this issue, and a special thanks to the chairman emeritus of the committee, my colleague from Florida (Ms. ROS-LEHTINEN), on whose efforts we are building today.

I also want to thank the committee chairs and the members who have worked so hard to get this bill to the floor today.

Mr. Speaker, I rise in support of H.R. 850, the Nuclear Iran Prevention Act. This legislation recognizes a stark

truth, and that is that Iran is a global menace, and this bill empowers the President to act decisively to address it.

We know Iran is the world's most aggressive sponsor of terrorism, extending now into Syria, Libya, Lebanon, even into our hemisphere. We know that Iran is attempting to build an illicit nuclear weapons capability in willful defiance of both the U.N. Security Council and the IAEA, and we know the Supreme Leader and the Ayatollahs remain committed to the destruction of Israel, one of our dearest allies.

The United States, especially its Congress, has a duty to respond to Iran's actions, not to its rhetoric, so this bill seeks to reduce Iran's oil exports by an additional 1 million barrels a day, which would be a two-thirds reduction from its current levels. We are also looking to target human rights violators, to close loopholes on access to hard foreign currency, and we will give the President the authority to restrict significant commercial trade with Iran. These strong and targeted sanctions will ensure that the administration has both the political and the economic tools to deal with this regime.

Because the American people are not interested in allowing Iran another shot at running out the clock on negotiations while it marches toward developing a breakout of nuclear capability, I will cast my vote for this measure, and I would urge all of my House colleagues to join me.

Mr. ENGEL. It is my pleasure now to yield 1½ minutes to the minority whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

I rise in support of this legislation, but I also thank my friend KEITH ELLISON for his perspective on this, and I want to speak to that as well. I want to thank Chairman ROYCE and Ranking Member ENGEL for their leadership on this bill.

Mr. Speaker, I believe the most dangerous threat to peace and stability in the Middle East continues to be that posed by Iran's pursuit of nuclear weapons, which would launch this turbulent region into a nuclear arms race that no one can afford to risk, including our troops in the region. Time and again, Security Council resolutions after Security Council resolutions, Iran has refused to heed the international community's warnings, and it has, instead, continued along a path toward the bomb, choosing isolation over integration.

We are here today to talk about how to stop Iran's pursuit. As a government, we have many tools to use. Diplomacy is one and diplomacy must continue. Indeed, many feel the time is right to test President-elect Rouhani's sincerity, and I agree, but he must expect us to turn his positive talk of a policy of reconciliation and peace into action. We should welcome and pursue his willingness to come to the table to negotiate. We need to test that, but delay has been too long for us not to pursue concurrent approaches. That tool of economic pressure, which is working, should also be pursued additionally. That is why I support this resolution.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ENGEL. I yield the gentleman an additional 1 minute.

Mr. HOYER. I thank the gentleman for yielding. I thank him for his thoughtfulness.

Hopefully, negotiations will prove successful and such pressure can be either moderated or removed. President-elect Rouhani campaigned on a promise to ease the burden of sanctions on the Iranian people, and he won. We would welcome a second victory for him and the United Nations in seeing that objective of denuclearization realized.

I support today's bill because I believe a robust sanctions regime could help encourage Iran to abandon its pursuit of the bomb and to end its support for terrorist groups and human rights abuses. President-elect Rouhani is uniquely positioned, I believe, to show leadership on this and achieve early success in his new administration.

However, our skepticism about the Iranian leadership's action in the past has been more than justified, but we must nevertheless continue to work for a resolution of this challenging issue. Engaging President-elect Rouhani in our quest for early resolution is appropriate, but these sanctions are also appropriate. Therefore, I rise in their support.

Mr. ENGEL. Mr. Speaker, at this time, I yield 1 minute to the gentleman from California (Mr. SHERMAN), the ranking member of the Foreign Affairs Subcommittee on Terrorism.

Mr. SHERMAN. I thank the gentleman for yielding.

Mr. Speaker, in February, I joined with our ranking member and our chairman and others in introducing this legislation, which passed our committee unanimously.

Congress needs to act now because, while we go on summer break, new, faster centrifuges will be spinning 24–7-365. We are seeing Iran, as we've seen in hearings before our committee, evade the current sanctions. So, if we're going to keep the sanctions in force, we need this legislation to plug the loopholes that they are exploiting.

Two facts remain unchanged by the Iranian elections: first, their program to create nuclear weapons continues; and second, the supreme leader, not the newly elected President, is making the decisions.

Our committee adopted many amendments unanimously, including four of mine, and two I'd like to mention: one provides sanctions for those who sell uranium mining equipment to Iran, and another imposes sanctions on those who sell them dissident-suppressing technology.

Those who oppose this bill need to come to the floor and say why Iran needs uranium mining equipment and dissident-suppressing technology. Let's pass this bill.

Mr. ELLISON. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Thank you.

Mr. Speaker, we have heard on the floor that we shouldn't base our diplomacy on the Iranian political calendar—I agree—but we shouldn't base our diplomacy and our foreign policy based on our political calendar.

Recently, we enacted the most effective, crippling economic sanctions against Iran—ever—and it was done by the hard work of the administration, supported by Congress, to be able to mobilize an unprecedented coalition of people who agreed with us that they wanted to prevent Iran from having nuclear weapons and sending that signal.

But sadly, you can forget about President-elect Rouhani. This weakens President Obama. The optics now are to pull the rug out from underneath the newly elected moderate candidate. He's not my guy, he's not yours, but of the choices, it was a signal by the Iranian people.

Think about the future tools. Are you really going to be able to ratchet up these sanctions much more dramatically? Do you expect China and Japan are going to follow that path? And, if they work, what about the dislocations to the American economy and the global economy in moving this oil off the market? I think people ought to consider that. Ultimately, the only solution is a diplomatic solution to try and work this through. We're not going to go to war and nuclear bomb them. We are not going to occupy Iran.

It's ironic. Until recently—maybe still—Iran is the only country in the Middle East that had a positive view of Americans despite the fact that we helped the British overthrow their popularly elected President, Mossadegh, in 1953 and install the Shah as a dictator to rule over them.

□ 1730

I think there is a possibility that that recent election makes a difference in Iran. I hope it does. But one way to guarantee that it doesn't is to tell the Iranian people, We don't care what you do. We're going to rachet up the sanctions. We're going to undercut the new guy. We're going to tell you that we're just going to go down this path. It ought to be based on facts, on reason. Let these sanctions work. Don't undercut our President and the ability to be flexible if there is some daylight. Don't poke the Iranian people in the eye and ignore the sorry history we've had of fumbling the relationship with that country.

Mr. ENGEL. Mr. Speaker, it is now my pleasure to yield 1 minute to the Democratic leader, Ms. PELOSI.

Ms. PELOSI. I thank the gentleman for yielding, and I thank you for the time and for your leadership as the ranking member on the Foreign Affairs Committee.

Mr. Speaker, I rise today to reiterate my strong belief that one of the basic objectives of U.S. foreign policy is to build a world free of nuclear weapons. I applauded President Jimmy Carter at his inauguration in 1977 on a cold January day; I saluted President Reagan when he made his visit to Reykjavik, Iceland; and the commitment that many of our Presidents have made, including President Obama on this score.

One of the pillars of our foreign policy must be to end the proliferation of weapons of mass destruction; that is, to get rid of them. To meet that task today, our actions must be clear and our commitment must be unwavering. It must be to continue this policy of the United States to prevent any country from developing a nuclear weapons capability. That is why I offer my support for this bill today, the Nuclear Iran Prevention Act.

This legislation recognizes that an Iran with a nuclear weapon would be an urgent threat to regional security and to global security, and, therefore, to the security of the United States of America. This measure builds on the progress made in 2010 when we enacted the Comprehensive Iran Sanctions, Accountability, and Divestment Act. That law imposed sanctions to companies that sell Iran technology, services, know-how, and materials for its energy sector. It was the strongest Iran sanctions legislation ever passed by the Congress, but we must do more.

With President Obama's strong, clear, and effective leadership, with broad bipartisan backing for a comprehensive strategy to halt Iran's nuclear program, we are seeing the results of the actions we have taken. More and more, Iran is being cut off from the financial system. Iran's oil is coming off the market. Iran's partners are cutting off ties of trade, business, and commerce. That's the way I think we should get this done, with economic sanctions.

In short, Iran is feeling the bite of our sanctions, but we must keep the pressure on. Iran's nuclear pursuits continue. Iran's leaders refuse to change their approach and their policies. Iran's neighbors still feel the threat of the regime's declarations and actions. So our message must remain firm: Iran must suspend uranium enrichment, return to the negotiating table, and abandon its reckless pursuit of nuclear weapons.

Now I appreciate and I have listened carefully and have the highest respect for Mr. MCGOVERN and others, Mr. ELLISON, who are opposing the resolution and have a different idea. I think as we weigh the equities, as they say, with all due respect to that approach, which I think is a reasonable one if we were dealing with a reasonable country with a reasonable leadership, but we are not.

I know that the proximity to Israel is a cause for concern for Israel, our partner in the Middle East, and a concern for those of us who value the Israel-U.S. relationship. Israel has proximity, but we all have the problem. If Iran were to go farther in the development of a nuclear weapon, who else would want one in the region? What message does that send about our resolve to arrive at a world free of nuclear weapons?

Anyway, I hope, as our colleagues say, a new regime is going to do all these things. I happen to think that no matter who is in power in Iran, that they probably would not abandon a nuclear program, calling it one for domestic and civilian use. That may be true. I hope it is. But I do think it is really important for us, because we have to make this opportunity—I hope that the inauguration of a new President, talks with the U.S. and the European allies and all the rest, can bear fruit. We can only hope that those reports prove true. We hope that progress is made toward an agreement that puts an end to Iran's pursuit of nuclear weapons and advances the cause of peace and security in the Middle East and around the world. Until that day comes, the Congress must continue to apply pressure. We must pursue all avenues of diplomacy and international leadership.

Again, what are the pillars of our foreign policy? To promote our economy, the creation of jobs by promoting exports—that's on the economic side; export our values, the commitment to freedom and democracy throughout the world. What does that mean? To protect the American people and our national security. An important part of that pillar of our foreign policy is to rid the world of weapons of mass destruction and make sure that we're not adding countries to that club. For that reason, we must prevent a nuclear armed Iran. Let's do it diplomatically. Let's do it with economic sanctions. Let's do it by encouraging dialogue, engagement, and the rest. But let's do that engagement from strength.

I urge a ''yes'' vote on the resolution.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentlelady from Florida (Ms. ROS-LEHTINEN), the chairman emeritus of the Foreign Affairs Committee and the author of the previous Iran sanctions legislation.

Ms. ROS-LEHTINEN. I thank the gentleman.

Mr. Speaker, a nuclear Iran is one of our biggest national security threats and the number one existential threat to our ally, the democratic Jewish State of Israel. We cannot and must not allow Iran, who is a designated state sponsor of terrorism, to reach nuclear breakout capability.

The Obama administration should not be mistaken. The Iranian regime does not want peace. It still wants to wipe Israel off the map. Iran may be able to process low-enriched uranium for a nuclear weapon by next year.

Iran has agreed to offer Syria a $3.6 billion credit facility to buy oil products to help keep Assad's murderous regime afloat. Iran supports and fights alongside Assad's forces, brutally slaughtering thousands of Syrians. Rouhani has no intention of changing Iran's dangerous path, and the ultimate decisionmaker in this oppressive regime remains the Ayatollah Khamenei, who has a blatant hatred of us and our allies.

This bill includes my amendment that would eliminate the authority to waive sanctions against persons who are guilty of the most egregious activities in direct support of the Iranian regime's nuclear program.

This is a commonsense provision. This is a strong bill, and I urge all of my colleagues to fully support its passage

Mr. ELLISON. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I have great respect for Chairman ROYCE and Ranking Member ENGEL and incredible respect for my Democratic leaders and the Republican leaders who have spoken in favor of this bill. But I must rise in opposition to H.R. 850.

This Sunday on August 4, Iran will inaugurate a new President, Hassan Rouhani. It is a moment that allows President Obama, Secretary of State Kerry, Secretary of Defense Hagel, and the international community an opportunity to reengage with Iran on key issues of concern, most importantly the development of Iran's capacity to develop and launch a nuclear weapon.

This may be a very small window of opportunity for a fresh start on dialogue and action on the future of a nuclear Iran. It may be short-lived, depending on how Iran's new President views this moment. But it is a time when I, for one, want to support the White House, the State Department, and the Pentagon's ability to move forward our relationship and dialogue with Iran on this most serious matter.

It is not the moment for Congress to increase and expand the level of U.S. sanctions against Iran. We have plenty of sanctions right now against Iran. If for some reason we need to increase even further the pressure against Iran and its new President, then we have the time to do so. It does not need to be done before the new Iranian President even takes office. We have time to weigh his sincerity and, more importantly, his actions to improve Iran's relations with the international community in the weeks and months to come. If he does not, if Iran remains intransigent and determined to develop a nuclear weapon, then the current onerous regimen of sanctions can be increased. But now is not the time to undermine U.S. diplomacy before it even has a chance to take shape.

Like all my House colleagues on both sides of the aisle, I'm skeptical that President-elect Rouhani will change the course of Iran's nuclear development, but I am willing to give him a chance. I'm willing to give Secretary

Kerry a chance. If nothing changes, then we can revisit this bill or others at a later date. But not now.

I urge all of my colleagues to join me and vote against the untimely consideration of this bill.

Mr. ENGEL. At this time, I yield to the gentleman from Florida (Mr. HASTINGS) for the purpose of making a unanimous consent request.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman, and I rise in support of the measure that is being offered.

Mr. ROYCE. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH), the chairman of the Subcommittee on Africa, Global Health, and Global Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, first of all, let me thank Chairman ROYCE for offering this urgent and necessary bill, and ELIOT ENGEL for his good cooperation on this important bill.

The Iranian government is estimated to be a little more than a year away from developing nuclear weapons, an unprecedented and absolutely unacceptable threat. Iran's repeated threats to annihilate Israel are unconscionable and constitute a direct and public incitement to commit genocide in violation of article III of the 1948 Genocide Convention. Iran's Supreme Leader Khamenei speaks of Israel as a cancerous tumor, calls for the annihilation and destruction of the Jewish state, and the leveling of Tel Aviv and Haifa. These are not idle threats. President-elect Rouhani, the past master of using negotiations as a cover to move Iran's nuclear program forward, is now being presented as a moderate, yet last year referred to Israel as the ''Great Zionist Satan.''

Mr. Speaker, this bill dramatically ramps up sanctions pushed so effectively by Congresswoman ROS-LEHTINEN last Congress not only to pressure Iran to negotiate, but also to mitigate Iran's emerging capability to launch the genocidal war against Israel it has been threatening for years.

This is a bipartisan bill, and it sends a clear, unmistakable message to Iran that we mean business. Those loopholes need to be closed, and Iran needs to be told that we want the sanctions to work. This tightens those loopholes and moves us in that direction.

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Mr. ELLISON. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. MCDERMOTT)

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, I am standing here asking: What's the rush? The Iranian President is being sworn in in 4 days. For the first time in years, there is a moderate who's been elected as head of Iran, who promises us progress on the issues that are of most concern to us.

I'm not a blind optimist, and I have no illusions about the nature of Iran's Government. I understand that one election won't ensure us peace, but it could mean change, and we need to see what it looks like. Experts and former military officers, including the Commander in Chief of Central Command, warn that more sanctions right now will ''undercut the new President and his pledged plan of moderation.'' It gives ammunition to the hardliners who will operate against him. So the timing of this bill could not be worse from a foreign policy perspective.

In addition, Members have not had a chance to fully review the bill, which is significantly different than when it was marked up coming out of the Foreign Affairs Committee. The marked-up version became public only a few days ago, and I know that many Members who cosponsored the original bill are not aware of the changes made in it. For these reasons, we sent a letter to our leadership asking, along with 15 other Members, urging them to delay consideration until after September. We could come back after our vacation and deal with this if it's really needed. It doesn't have to happen now, except because we're going out on Friday.

Passing this legislation would support the hardliners' claims that we have no intention of negotiating; we hit the President before he even sits down in the chair. It's a dangerous sign to send and it limits our ability to find a diplomatic solution on nuclear arms in Iran.

There is no public support in this country for another war. We've seen this movie before. We put sanctions on Iraq. I was here when they put them on. I saw us squeeze them for 10 years. The World Health Organization said 500,000 Iraqi kids died because we cut off medicine and food and other essentials to the Iraq community. Did it end in a change? No. We went to war with them. And if you think that this is going to squeeze and bring us to war, and you think that what happened in Iraq is going to happen here, remember we're 11 years in Iraq. And we do not have a stable democracy today. We have a government that's about to collapse.

What we think we can do by squeezing people—and you're squeezing Iranian children today. Iranians cannot buy medicine on the world market and pay because we have cut off all of the banking connections everywhere so that there's no way for them to slip money through the banking system to pay for medicine for kids.

We should delay this vote. Vote ''no.''

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. ENGEL. I yield 30 seconds to the gentleman from Illinois (Mr. SCHNEIDER), a member of the Foreign Affairs Committee.

Mr. SCHNEIDER. I want to thank the ranking member.

Mr. Speaker, preventing Iran from acquiring a nuclear weapon through sanctions and diplomatic pressure is one of the paramount issues of our time, and I am appreciative that today we will continue this important work to contain the threat.

The bill before us seeks to expand the instruments available to the administration in implementing targeted sanctions against the Iranian Government, while at the same time providing flexibility to relieve undue burden on the population of Iran. I want to thank the chairman and the ranking member and the committee for working diligently on this bill, and I want to thank the members of the committee for joining me in support of this bill.

Mr. ROYCE. I yield 30 seconds to the gentleman from Texas (Mr. POE), the chairman of the Subcommittee on Terrorism and Nonproliferation.

Mr. POE of Texas. This new so-called President of Iran is no different than Ahmadinejad. Rouhani is no moderate; he's just slick. He has lied to the United States in the past. Don't be deceived; he is not even in charge of Iran.

The Ayatollah is in charge, and the Ayatollah picked all of the candidates running for president. The Ayatollah is still running the shots and is determined to get nuclear weapons and eliminate Israel and then the United States. And then what? Are we going to say, Oops, we made a mistake.

We need these sanctions. We need a regime change in Iran, a peaceful one with the Iranian people. This Ayatollah has Hezbollah running all over the world causing terror, including killing his own people in Camp Liberty. We need to pass this legislation.

Mr. ENGEL. I am pleased to yield 30 seconds to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, with respect to all of my colleagues and the various positions that are being put forth, I support H.R. 850, a copy of which I happen to have in my hand; and I would point to page 38, line 11, which deals with exceptions for the sale of agricultural commodities, food, medicine, and medical devices. I wanted to bring some clarity to this issue.

With global security at risk, I don't think that we can take the risk. I do believe that we can proceed with diplomacy and sanctions at the same time. I support H.R. 850.

Mr. ROYCE. Mr. Speaker, I yield 30 seconds to the gentleman from Arkansas (Mr. COTTON), who helped forge this legislation, H.R. 850.

Mr. COTTON. Mr. Speaker, Hassan Rouhani is no moderate. He was a devoted follower of the 1979 revolutionary cabal in Iran. He led the 1999 crackdown on students in Iran. He's bragged about deceiving Western nuclear inspectors. He's called Israel a Zionist Satan. He's not even a President-elect because he was chosen in a sham democracy and a sham election.

Iran isn't looking for a chance to get to ''yes'' in negotiations. They are looking to give you a pretext to get to ''no'' on this legislation. Stand strong and vote ''yes'' to sanction Iran to stop their nuclear weapons capabilities.

Mr. ENGEL. At this time I yield 1½ minutes to the gentleman from Florida (Mr. DEUTCH), the ranking member of the Middle East Subcommittee.

Mr. DEUTCH. Mr. Speaker, I would like to thank Chairman ROYCE and Ranking Member ENGEL for working so hard to shepherd this bill through the House in a bipartisan way.

This legislation before us today takes a significant step forward in our efforts to prevent the Iranian regime from acquiring nuclear weapons capabilities. Sanctions passed by this House have had devastating effects on the Iranian economy, and this legislation will continue our efforts to financially squeeze the regime by dramatically reducing Iran's oil exports and by diminishing Iran's ability to access other currencies, all of this while ensuring that humanitarian aid will continue to flow.

Despite claims made earlier, this does not cut off medicine for children.

Beyond that, this bill recognizes that despite a somewhat surprising outcome to the June presidential elections, the Iranian people are still living under a regime that too often brutally represses democratic ideals, and it imposes sanctions on those who aid the regime's active violation of human rights.

To my friends who argue that this is the wrong time, I'd ask you to consider this: newly elected President Rouhani is scheduled to be sworn in in 4 days. He campaigned on economic sanctions relief. This relief will only come when the Ayatollah, when the supreme leader, decides to relinquish the nuclear weapons program. Now is the time to let President-elect Rouhani's actions speak louder than his words. Let him tell the supreme leader that the United States House of Representatives has passed new, devastating sanctions, and the only way to relief is through a negotiated end to the nuclear weapons program.

Our policy on Iran has always been dual track: sanctions and diplomacy. Now is not the time to give up on either.

Mr. ENGEL. Mr. Speaker, I yield myself the remaining time.

We have to look at things as they really are, not as we wish them to be. To my friends who say, What's the hurry? The hurry is we don't have time to wait. While we're talking, centrifuges are spinning and Iran is getting ever closer to having a nuclear weapon. By waiting, we're only aiding and abetting them.

Mr. Rouhani is no moderate. Moderates were not allowed to run in this Iranian election. He may be the least hard-core of all the hardliners; but make no mistake about it, he was directly involved in efforts to deceive the international community when he served as Iran's chief nuclear negotiator. And he made clear during his campaign that he supports Iran's nuclear ambitions.

This is a bipartisan bill, and for good reason we have over 370 cosponsors. I respectfully ask my colleagues to vote ''yes.''

I yield back the balance of my time.

Mr. ROYCE. Yes, Mr. Speaker, the centrifuges are, indeed, spinning. And it is Mr. Rouhani as chief negotiator who met the international community with delay, with more centrifuges, more missiles, more stonewalling. And as my colleagues have pointed out, during that campaign he was the hand-picked candidate of the Ayatollah, one of eight hand-picked candidates because reformers were not allowed to run, was the one on the campaign who said—who boosted—about how he, as chief negotiator in Iran, didn't suspend enrichment but instead completed the program.

This is the individual who, when he chaired Iran's National Security Council between 1989 and 2005, was at the table when Iran masterminded the 1994 bombing of the Jewish center in Buenos Aires. He is the individual who gave the order and boasted of it; the man who called on the regime's besieging militia to attack the students in 1999 and crush them, in his words, crush them mercilessly, crush them monumentally—a thousand arrested; hundreds tortured; 70 disappeared; many, many killed. This is the nature of that man. Do not misunderstand his intentions. That's why we need this legislation.

I yield back the balance of my time.

Ms. McCOLLUM. Mr. Speaker, last week The Hill published a column entitled ''Don't force an irresponsible vote on Iran sanctions.'' The column started with the following two sentences: ''The House of Representatives is under pressure to vote on a new Iran sanctions bill, H.R. 850, before members leave town for August recess. Scheduling such a vote would be irresponsible and highly counterproductive to U.S. strategy on Iran.''

The authors of the column were not some peaceniks or pundits, but experts with real life experiences in military, diplomacy and fighting for a future of freedom for the people of Iran—Gen. (retired) Joseph Hoar, former Commander in Chief of United States Central Command, Col. (retired) Lawrence Wilkerson, former Chief of Staff to General Colin Powell, and Trita Parsi, president of the National Iranian American Council.

Today, the House of Representatives is advancing this ''irresponsible and highly counterproductive'' bill to push Iran deeper into a state of isolation and push the U.S. further away from a diplomatic resolution to Iran's pursuit of nuclear weapons. Most disturbing, by severely limiting diplomatic options for the U.S. and our international partners, this bill advances the agenda of those who seek to once again push the U.S. towards military confrontation. Our nation has been down this irresponsible, dangerous and costly path before with the war in Iraq and I completely reject the idea that war with Iran is inevitable or a viable solution to this situation.

On August 3rd the new president of Iran, Dr. Hassan Rouhani, will take office. Dr. Rouhani was elected as a moderate voice who campaigned to ''pursue a policy of peace and reconciliation'' with the West. The new president was Iran's former lead nuclear negotiator and was critical of the nuclear ''extremism'' of his dangerous predecessor, President Ahmadinejad. This is the absolute best opportunity and most favorable conditions to proceed with a diplomatic course.

Just in the past month, I received over 100 calls, e-mails and letters urging me to sign a letter to President Obama calling for a renewed diplomatic effort with Iran's new leader.

On July 19th I joined 130 Democrats and Republicans in signing the letter to Mr. Obama urging him ''to pursue the potential opportunity presented by Iran's recent presidential election by reinvigorating U.S. efforts to secure a negotiated nuclear agreement.'' Our letter goes on to say, ''we believe it would be a mistake not to test whether Dr. Rouhani's election represents a real opportunity for progress toward a verifiable, enforceable agreement on Iran's nuclear program that ensures the country does not acquire a nuclear weapon. In order to test this proposition, it will be prudent for the United States to utilize all diplomatic tools to reinvigorate ongoing nuclear talks.''

H.R. 850 and its extreme sanctions takes the opposite course. It sends the signal that the U.S. wishes to punish the Iranian people and will only settle for submission, rather than a negotiated, face saving solution that meets the security needs of the United States, Israel, and the entire international community and the economic needs of the Iranian people. This bill is a blunt instrument that harms U.S. interests, undercuts President Obama, and gives no hope to the millions of Iranians who look to the U.S. as a beacon of freedom and inspiration.

Clearly there are no guarantees that diplomacy will work in the near term and preventing a nuclear-armed Iran is an absolute. So, advancing H.R. 850 and tougher sanctions can proceed at anytime in the months ahead if Iran rejects negotiations or refuses to take tangible, verifiable steps towards an agreement. The House could vote on this bill in October or November, giving President Obama, our international partners, and the new Iranian leadership a legitimate window of time to seek peaceful progress.

This bill has 375 co-sponsors so there is absolute certainty that this bill will pass and then Congress can go on its August recess. This bill will not move in the U.S. Senate in the days ahead so nothing will be accomplished by the passage of H.R. 850 other than some chest pounding by politicians, the imposition of an embarrassing obstacle to U.S. diplomats, and a victory for the hardliners in Iran who reject negotiations as much as hardliners in this country.

Today, at this moment in time, this is a bill that harms U.S. interests and I will vote against it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to express concern about the decision to bring H.R. 850 to the floor for a vote today. We must act strongly and strategically to prevent a nuclear-armed Iran, and I believe diplomatic negotiations are currently the best possible means at our disposal for achieving this goal.

Unfortunately, I am concerned that voting on H.R. 850 now may undermine efforts to

achieve a peaceful, negotiated elimination of Iranian nuclear capacity. At a time when a new Iranian President-elect has made statements indicating a greater openness to diplomacy, returning this message with a vote on tougher sanctions only serves to empower Iranian hardliners and weaken Iranian moderates.

U.S. policy must make it clear that the goal of sanctions on Iran is to elicit verifiable concessions from Iran that have a material impact on its ability to develop a nuclear weapon. In order to achieve this goal, the President must have the ability to waive sanctions in exchange for Iranian concessions. Yet H.R. 850 places significant restrictions on the President's authority to waive sanctions.

Mr. Speaker, while we must maintain a credible military threat towards Iran, we must also make every effort to promote the success of diplomatic negotiations with Iran. If we fail to negotiate a solution that ensures the safety of the U.S. and our close ally Israel by verifying that Iran does not have the capacity to develop nuclear weapons, we will be left with few alternatives but military engagement. I urge my colleagues to come together and support tough but fair diplomacy with Iran.

Mr. CONNOLLY. Mr. Speaker, I rise in support of H.R. 850, which provides our diplomats the leverage they need to persuade Iran that the only viable course of action is to suspend work on its nuclear program.

The bill restricts oil exports from Iran and cuts off various Iranian industries from the global marketplace. It also expands sanctions on Iranian human rights violators. Lastly, this bill provides flexibility for the President to not apply sanctions when he deems it appropriate.

There is adequate time to test the willingness and ability of President Rouhani to pursue good faith talks and reach an acceptable resolution. That said, complete inaction could signal indifference or a weakening of our resolve to pro-nuclear forces in Iran. Incoming President Rouhani and the other regime leaders must be made to understand that U.S. economic pressure and other sanctions will remain in force until there is a reliable and verifiable halt to Iran's nuclear program. Given Iran's progress in nuclear enrichment, time is of the essence and Iran's past delaying tactics cannot be allowed to continue.

As an original cosponsor of H.R. 850, I urge my colleagues to send a strong, unequivocal message to the Iranian regime.

Mr. HOLT. Mr. Speaker, I am a co-sponsor of this legislation and I urge my colleagues to support it today.

It is clear that the current regime in Iran poses troubling security challenges to the world community and our allies in the Middle East. The hateful and threatening comments made by the President of Iran against Israel cannot be tolerated. Further, the provocative actions taken by Iran to further their nuclear weapons program must be stopped. A nuclear Iran would destabilize the region and threaten the United States and our allies. Iran must alter its dangerous course, and the United States needs to be fully involved to help bring this about.

I continue to support the Obama Administration's actions to seek a diplomatic solution to Iran's unnecessary and unwise pursuit of nuclear weapons. It is unacceptable for Iran to possess nuclear weapons. However, despite having imposed some of the most stringent sanctions on Iran ever, the United States and our international partners have thus far been unable to compel Iran to abandon its quest for a nuclear weapon. Accordingly, the House has no choice but to pass H.R. 850.

This bill would designate the Iranian Revolutionary Guard Corps as a foreign terrorist organization, impose sanctions on specific Iranian officials (i.e., the Supreme Leader, Guardians Council, MOIS, Quds Force, etc.), and tie additional sanctions to human rights abuses. I regret that the failure of Iran's government to change its course makes this bill necessary, as many ordinary Iranians have already suffered much as a result of the existing sanctions. We all want to see the people of Iran freed from the tyranny and oppression of the current clerical regime, but above all our greatest obligation is to prevent Iran from building and fielding nuclear weapons. This bill, if enacted into law, will hopefully bring us one step closer to that goal.

Mr. ROYCE. Mr. Speaker, I, along with the Gentleman from Arkansas, Mr. COTTON, recognize that this critical legislation requires countries still purchasing oil from Iran to reduce their combined imports by 1 million barrels per day within a year. Iran's energy sector provides the regime the resources needed to fund its nuclear weapons program. We remain extremely concerned with the pace of Iran's nuclear program. Some estimate that Iran may achieve a nuclear weapons breakout capability next year.

For this reason, we remain committed to sending the toughest possible sanctions bill to the President's desk, as quickly as possible.

Mr. GINGREY of Georgia. Mr. Speaker, I rise in strong support of H.R. 850—the Nuclear Iran Prevention Act of 2013. As a cosponsor of this important legislation, I would like to commend the bipartisan leadership of Foreign Affairs Committee Chairman ROYCE of California and Ranking Member ENGEL of New York on this issue.

Mr. Speaker, it goes without saying that our strongest ally in the Middle East is the State of Israel. It is, therefore, incumbent upon us to provide them with our unwavering support. In order to uphold this commitment, we must stop Iran's nuclear proliferation efforts. That is why I am pleased that from the outset of this legislation, the statement of policy is absolutely clear when it states, "It shall be the policy of the United States to prevent Iran from acquiring a nuclear weapons capability."

Congress took an important step during 2012 to implement economic sanctions on Iran through the Iran Threat Reduction and Syria Human Rights Act of 2012. This important legislation punishes individuals who knowingly sell more than 1,000,000 barrels of refined product, or individuals that sell, lease, or provide Iran with goods, services, technology, or information.

However, despite this effort, Iran's nuclear program has continued to grow. It was reported today that Iran has an additional 5,000 new centrifuges are ready to start operation to complement the existing 12,000 already in place. This comes on the heels of the International Atomic Energy Agency's statement in June that Tehran was violating international regulations by increasing the number of centrifuges. This continued growth in Iran's nuclear proliferation is simply unacceptable.

Mr. Speaker, while we took a critical first step in the 112th Congress, it is abundantly clear that further action is needed to curtail Iran's nuclear program. H.R. 850 today will only expand sanctions targeting Iran's human rights violations, and—for the first time—allow the President of the United States to impose sanctions on any entity that maintains significant commercial ties to Iran. H.R. 850 hits Iran where it hurts the most. By strengthening existing sanctions on 1,000,000 barrels of crude per day, this bill essentially takes money away from the Iranian regime that it would potentially use on the nuclear program.

Once again, this legislation will show our strong support of Israel and its ability to remain a beacon of democracy in the Middle East. I urge my colleagues to join me in supporting H.R. 850.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 850, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1911, by the yeas and nays;

H.R. 850, by the yeas and nays;

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

BIPARTISAN STUDENT LOAN CERTAINTY ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the 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, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and concur in the Senate amendment.

The vote was taken by electronic device, and there were—yeas 392, nays 31, not voting 10, as follows:

[Roll No. 426]

YEAS—392

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cicilline
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Grayson
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Holding
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
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
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schneider
Schock
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
Stewart
Stivers
Stockman
Swalwell (CA)
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Wenstrup
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—31

Bass
Broun (GA)
Capuano
Chu
Clarke
Conyers
Cotton
Ellison
Fudge
Gohmert
Green, Gene
Grijalva
Honda
Kind
Lee (CA)
Luján, Ben Ray (NM)
Lynch
McGovern
Pallone
Payne
Pocan
Richmond
Sanford
Schakowsky
Speier
Stutzman
Takano
Tierney
Tsongas
Welch
Westmoreland

NOT VOTING—10

Campbell
Collins (GA)
Graves (MO)
Herrera Beutler
Holt
Horsford
McCarthy (NY)
Rush
Webster (FL)
Young (FL)

□ 1821

Mr. BEN RAY LUJÁN of New Mexico and Ms. SPEIER changed their vote from ''yea'' to ''nay.''

Messrs. CICILLINE and BUTTERFIELD changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair would like to reiterate the announcement of February 26, 2013, concerning proper attire on the floor of the House.

Members should wear appropriate business attire during all sittings of the House, however brief their appearance on the floor.

This standard applies even when a Member is entering the Chamber only to vote by electronic device or by card in the well.

Members are reminded of the unique tradition and dignity of the House that sets it apart from other institutions and workplaces.

The Chair expresses gratitude for those Members that meet this standard, especially those who have had to change longtime personal customs or traditions to do so.

The Chair appreciates the attention of the Members to this matter.

NUCLEAR IRAN PREVENTION ACT OF 2013

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 850) to impose additional human rights and economic and financial sanctions with respect to Iran, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 400, nays 20, answered ''present'' 1, not voting 13, as follows:

[Roll No. 427]

YEAS—400

Aderholt
Alexander
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Boehner
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)

Hensarling
Higgins
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (MI)
Miller, Gary
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
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
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoho
Young (AK)
Young (IN)

NAYS—20

Amash
Blumenauer
Carson (IN)
Edwards
Ellison
Grijalva
Johnson, E. B.
Jones
Lee (CA)
Massie
McCollum
McDermott
McGovern
Miller, George
Moran
O'Rourke
Payne
Price (NC)
Visclosky
Waters

ANSWERED ''PRESENT''—1

Johnson (GA)

NOT VOTING—13

Campbell
Collins (GA)
Conyers
Graves (MO)
Herrera Beutler
Holt
Horsford
King (IA)
McCarthy (NY)
Miller (FL)
Schock
Yoder
Young (FL)

□ 1834

Mr. PAYNE changed his vote from ''yea'' to ''nay.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MILLER of Florida. Madam Speaker, due to being unavoidably detained, I missed the following Rollcall Vote: No. 427 on July 31, 2013. If present, I would have voted: Rollcall vote No. 427—H.R. 850, Nuclear Iran Prevention Act, as amended, "aye."

ENERGY CONSUMERS RELIEF ACT OF 2013

GENERAL LEAVE

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 1582.

The SPEAKER pro tempore (Mr. JOYCE). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 315 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1582.

The Chair appoints the gentlewoman from Florida (Ms. ROS-LEHTINEN) to preside over the Committee of the Whole.

□ 1838

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 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, with Ms. ROS-LEHTINEN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Madam Chairman, I yield myself such time as I may consume.

This evening, we will be debating H.R. 1582, the Energy Consumers Relief Act of 2013, authored by the distinguished gentleman from Louisiana (Mr. CASSIDY), a member of the Energy and Commerce Committee.

Madam Chairman, one of the major issues that the American people face today is a slow growth in its economy. Our economy has been sluggish for some time. The last quarter of 2012 and the first quarter of 2013, gross domestic product grew by less than 2 percent. And in the last 15 quarters, the growth of our economy in America has been the slowest since World War II. So we need to do everything in this country to promote economic growth, and this bill looks at the impact of regulations as obstacles to economic growth.

I want to just read a few of the regulations that have been adopted by EPA since January 2009:

Greenhouse gas regulations for cars, and these are EPA numbers. It cost $52 billion. Greenhouse gas standards for cars 2017–2025, $144 billion; greenhouse gas standards for trucks, $8 billion; Utility MACT, $9.6 billion annually; Boiler MACT, $2.2 billion annually.

Now, I could go on and on, but I think that that shows that the cost of some of these regulations present serious obstacles to economic growth. So the legislation that we consider tonight is simply a commonsense approach, a way to review the impact of energy-related regulations at the Environmental Protection Agency.

All this legislation does is this:

The Administrator of the Environmental Protection Agency may not promulgate as final an energy-related rule that is estimated to cost more than $1 billion unless:

One, they make a report to Congress setting out what the regulation does; and

Two, the Secretary of Energy, working with the Federal Energy Regulatory Commission, the Administrator of the Energy Information Administration, the Secretary of Commerce, and the Small Business Administration will look at these regulations and look at the impact on consumer energy cost, the impact on employment, and the impact on economic growth. The Department of Energy certainly has the expertise to analyze these kinds of figures, and if the Secretary determines that it would be harmful to economic growth, then the Secretary can actually stop the regulation from taking effect.

Now, the good news is, at that point, EPA could go back and redo the process. But I can tell you, from my personal experience of working with people in my district who are affected by regulations every day, most people genuinely believe that there's not anything wrong with having other government agencies review the impact of the cost of regulations on the economy, on jobs, on the price of fuel. That's precisely what Dr. CASSIDY's bill does. I think it's a commonsense approach and something that the American people need as additional protections.

With that, I reserve the balance of my time.

Affordable and reliable energy is critical for our basic necessities, from heating or cooling

homes, to transportation and obtaining healthcare. When energy prices rise, it threatens public health because it hurts the poor and disadvantaged disproportionately.

Energy is also critical for a growing economy. When energy prices rise, it can cause job losses that can be devastating to public health.

Given the prolonged weakness in the economy, high unemployment, and rising gasoline and other energy prices, the Nation can ill-afford to be further burdened by billion-dollar energy regulations that destroy jobs and significantly harm the economy.

Today we have an opportunity to help protect families, consumers, and manufacturers from rising energy costs triggered by billion-dollar energy regulations imposed by the Environmental Protection Agency. We can do this by requiring greater transparency and more inter-agency scrutiny of EPA's most expensive energy regulations, and that is why I urge all of my colleagues to support H.R. 1582, the "Energy Consumers Relief Act."

This additional scrutiny of EPA's costs and benefits analysis is warranted. For example, EPA estimated that only 4,700 MW of coal-fired generation would be lost as a result of its Utility MACT rule. Yet, with 2 years left until the 2015 compliance deadline, nearly 44,000 MW of coal-fired generation have already announced retirement.

Further, we received testimony before the Energy and Power Subcommittee that under EPA's formula used to measure job impacts, the more costly the regulation, the greater the job increase EPA's formula will project. The use of such fuzzy math to calculate employment impacts led one economist to conclude, "one cannot characterize the current formula favored by EPA as an economic methodology at all."

It's exactly these types of skewed methodologies and flawed results that H.R. 1582 will help shine a light on. We owe it to the American people to ensure that our federal agencies are not overstating benefits or understating economic impacts to further political agendas.

Such scrutiny will become increasingly critical as EPA and the Administration attempt to justify its forthcoming greenhouse gas regulations on coal-fired power plants with unsound and untested "Social Cost of Carbon" methodology.

With more EPA billion-dollar energy-related rules on the horizon, it is imperative that we understand the impacts of these rules on jobs and the economy before they are implemented.

By passing the "Energy Consumers Relief Act" we have the chance to protect American consumers and businesses from billion-dollar regulations that significantly harm the economy. And I might add that this Act does nothing to affect existing laws and regulations that protect public health and the environment.

I urge all my colleagues to support this bill.

Mr. WAXMAN. Madam Chair, I yield myself such time as I may consume.

This Republican bill is simply a disguised assault on EPA rules that protect human health and the environment. That's why the White House has said that the President would veto this bill—if it got to him.

Last Congress, this House, under Republican leadership—they know how to dress, but they don't know how to legislate. The Republicans voted over 300 times to roll back environmental laws. Nearly half of these votes were efforts to block EPA rules.

The House voted to block EPA standards for mercury, a serious toxin, and other air pollutants that are similarly poisonous from power plants and incinerators.

□ 1845

The House voted to strip EPA of authority to set water quality standards. The House even voted to overturn EPA's scientific finding that carbon pollution endangers health and the environment.

The problem the Republicans face is that the public doesn't want more air and water pollution. They don't support these attacks on public health standards that protect our kids and our seniors. The public doesn't want to weaken the Clean Air Act or the Clean Water Act or the Safe Drinking Water Act. The public supports our bedrock environmental laws.

So it should come as no surprise that none of these attacks on EPA in the last Congress became law. They all died in the Senate.

Now, House Republicans are trying a new approach: rather than blocking EPA action directly, they want to give another agency veto power over EPA rules.

Under this bill, if the Department of Energy determines that a rule proposed by EPA would cause any "significant adverse effects to the economy," EPA would be blocked from finalizing the rule.

This bill would set a terrible precedent. If we give DOE a veto power over EPA, where do we stop? Are we next going to give the Department of Commerce a veto over the State Department or the IRS a veto over the FDA? This kind of thinking would mean that our government would be so dysfunctional that the whole government would look like the Congress of the United States.

Even if DOE does not veto an EPA rule, the extensive analysis required under the bill could delay EPA rules for years, which means more air pollution, more asthma for our kids, and more danger to our planet.

We have an obligation to our children and future generations to protect our atmosphere while there is still time. We need to be acting faster, not putting on the brakes to benefit the big polluters.

This is a costly bill. The Congressional Budget Office says that the price tag for all the reviews and the reports required under this legislation would be $35 million over 5 years. This is money that we don't have to spend, especially since the DOE reviews will simply be duplicative of exhaustive analysis already done by the EPA. And while EPA is acting, they can give EPA their point of view.

And consider this point: at the same time that the House Republicans are telling DOE to undertake exhaustive analysis of EPA rules, they are slashing DOE's budget. DOE could end up with no resources to do these reviews. Existing statutory deadlines for EPA to issue public health standards would be replaced with indefinite delay.

This bill is a recipe for making the Federal agencies dysfunctional. No one should want that.

Let me give you an example of the kind of public health standard this bill is designed to block. During the committee markup, the chairman of the Energy and Power Subcommittee argued that this legislation is needed because he was not satisfied with EPA's analysis of the mercury and air toxics rule. He wasn't satisfied. EPA did a whole analysis. They got the costs; they got the benefits. It was all quantified.

Every year, EPA's standards will help reduce mercury pollution, prevent up to 11,000 premature deaths, and deliver up to $90 billion in benefits to the Nation. But this individual Member wasn't satisfied. It's a tremendous success story that will deliver up to $9 of benefits for every $1 spent. That's what EPA was proposing to do. No Member of Congress, no other department, should stop those kinds of regulations from being put in place.

The fact that this rule is the poster child for the public health rule this legislation is designed to block shows just how misguided this legislation truly is.

This bill is deeply flawed; it is a veiled assault on critical public health and environmental protections. I urge all Members to oppose this latest Republican attempt to gut our Nation's cornerstone environmental laws, which were adopted by bipartisan votes. And now the Republicans in a partisan way are trying to make sure those laws do not work to protect public health and the environment.

Madam Chair, I reserve the balance of my time.

Mr. WHITFIELD. Madam Chair, I might say, with all due respect to my friend from California, that he is exactly correct. I was not satisfied with Utility MACT, but primarily because EPA misled the American people. Publicly they were always talking about the mercury reductions and that the benefits would come from mercury reductions. Yet at the hearing, EPA's own analysis showed that the benefits were not there for mercury reductions; the benefits were there from particulate matter reduction. So I don't see why they deliberately misled the American people on that.

I might just make one other brief comment. We were talking about the money involved by the Department of Energy in implementing this bill. At the end of fiscal year 2012, the Department of Energy had over $2.36 billion in excess carry-over balances.

At this time, I would like to yield 5 minutes to the gentleman from Louisiana, Dr. CASSIDY, the author of this bill.

Mr. CASSIDY. Madam Chair, I want to thank Chairman UPTON, Chairman WHITFIELD, and their staff for their hard work in preparing this important legislation and bringing it to the House floor, which, by the way, passed the committee with bipartisan support.

Currently, millions of Americans are unemployed or underemployed, millions more have left the labor force entirely, and our economy continues to struggle to recover.

This is particularly true among blue collar workers, blue collar workers who have traditionally been employed in mining, manufacturing, and construction. Those three are related because the mining, the bringing of resources from underneath the ground, fuels literally energy-intensive manufacturing enterprises, which will then go on to make steel, use the steel to construct pipelines, or first make steel pipes, then to construct pipelines. It is an energy-intensive economy that brings good jobs with good benefits to blue collar workers. I have no clue why folks on the other side of the aisle are so hostile to our blue collar workers.

While we have all these millions unemployed, the EPA has been advancing an expansive regulatory assault on the production and distribution of affordable and reliable energy.

Now, by the way, current regulations don't change. That does not roll back anything. This is only about prospective regulations. So if there is a concern about the Clean Water Act and the Clean Air Act, those regulations as they have currently been enforced remain the same. It is just that numerous new regulations have created uncertainty, contributing to an unprecedented number of announced power plant shutdowns, destroying blue collar jobs, increasing energy costs on manufacturers, and raising concern regarding electrical grid reliability.

Although the EPA attributes large public health benefits to billion-dollar regulations, their scientific analysis has been sharply criticized, with one public health expert saying their method of analysis is misleading to public policymakers.

Another, the National Academy of Science, on a formaldehyde rule saying that the conclusions are not justified by the methodology or the research that was presented.

We are using faulty research to justify the destruction of blue collar jobs. I don't know why anybody wouldn't want to be for this, but some are not.

There are concerns that the EPA ignores a significant public health cost associated with energy prices and result in job losses. I'm a doc. I know that when someone loses their job with good benefits and goes on something like Medicaid their health suffers.

There is a researcher, Dr. Till von Wachter, currently an associate professor of economics at UCLA, who testified that job losses can lead to significant reductions in life expectancy of 1 to 1.5 years. This isn't just a parent, the worker; it's their children as well. It is so well documented, and yet folks are just cavalier and casual about the job losses that EPA regulation brings about. When energy becomes expensive or unreliable, public health is threatened, as that research shows.

All we are asking for here is accountability and transparency to determine the full impact of EPA's major energy-related regulations—the impact it will have on jobs, energy prices, and our Nation's economy. If the benefit outweighs the cost, the rule goes forward; but if the cost greatly outweighs the benefit, then let's just stick up for the blue collar worker, her family, let's just stick up for them so maybe they don't have to go on government dependency.

By the way, it is not unprecedented. OMB has previously put a hold on EPA rules, and EPA has the right to put a hold on Army Corps of Engineer rulings. Commonly, agencies are accountable to one another. All we ask is that the EPA will be accountable to the Department of Energy, but, if you will, to the American people.

This rule requires that if the energy rules are appropriately reviewed by the Secretary of Energy, consulting with the other relevant agencies to determine whether the proposed rules will cause significant adverse effects to the economy if this review takes place and it does not outweigh the benefits, then the rule is put on hold. By so doing, the legislation ensures energy cost and economic and job impacts are given appropriate consideration.

It is important to note, again, nothing in the legislation prevents consideration of both cost and benefits in the proposed rule; and an independent and thorough review by Federal departments with expertise in energy and economic analysis is merely a check, merely a call, for EPA to be transparent, which they have not been in the past.

The CHAIR. The time of the gentleman has expired.

Mr. WHITFIELD. Madam Chair, I yield an additional minute to the gentleman from Louisiana.

Mr. CASSIDY. The bill will protect consumers from higher energy prices by providing additional oversight of EPA's most expensive rules that regulate the production, supply, distribution, or use of energy. Most importantly, it protects blue collar jobs from construction by an overzealous bureaucrat who just decides because they have something that they want to do and they don't wish to be transparent about it, it is okay to destroy blue collar jobs.

I urge all Members to support H.R. 1582, the Energy Consumers Relief Act of 2013.

Mr. WAXMAN. Madam Chair, I am pleased at this time to yield 5 minutes to the gentleman from Illinois (Mr. RUSH), the ranking member of the subcommittee from which this bill emerged.

Mr. RUSH. I want to thank the gentleman for yielding.

Madam Chair, I rise today in strong opposition to this horrendous bill, H.R. 1582.

Although this bill is called the Energy Consumers Relief Act, a more appropriate title would be the Shamelessly Blocking Public Health Protections Act.

While the gentleman from Louisiana and the rest of my Republican colleagues may attempt to fool the American people into thinking that this is some kind of a jobs bill, the fact of the matter is, as the Republican leadership admitted on national television a few days ago, the majority party is not interested in working on legislation to address the real problems that American families face, but rather they are more concerned with trying to overturn and undo any and all of the initiatives that the President has already accomplished. Whatever President Obama has done, the Republicans want to undo.

So, Madam Chair, while the majority party proudly wears the label as the leaders of one of the most ineffective, do-nothing Congresses of all times, we are here today yet again spending valuable time debating yet another rhetorical, meaningless message bill that will never ever become law, instead of working on real problems that confront the American people.

□ 1900

Madam Chairman, I am here today to say enough is enough.

Let us get back to the business of governing by working on legislation to put Americans back to work and to get our economy running at full steam once again for the benefit of all the American people. Instead, we are here debating a bill that we know and that my colleagues on the other side of the aisle know is dead on arrival in the Senate due to its radical and extreme positions.

Make no mistake about it, Madam Chairman. This bill is not about making government more open and more accountable to the American people. In fact, the opposite is true. This bill is simply and solely about blocking the EPA from finalizing rules that would make our air and our water cleaner and help avert catastrophic climate change.

This bill has many problems, but its most egregious flaw is that it gives the Department of Energy an unprecedented veto over the most important EPA rules, which are to protect human health and to protect our Nation's environment.

The EPA regulations most likely to be delayed or the most likely to be destroyed by this legislation have tremendous benefits for human health and the environment, including money saved on energy bills and at the gas pump; reductions in the emissions of toxic pollutants, which cause cancer and developmental delays in children;

hospitalizations that will be averted; and the prevention of asthma attacks and premature deaths, all of which provide real benefits to the American people—real people.

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield the gentleman an additional 30 seconds.

Mr. RUSH. The title of this bill is the Energy Consumers Relief Act, but yet the majority prevented me from offering an amendment that simply stated that the EPA rules could not be blocked if they resulted in consumers saving money at the gas pump. So, if the purpose of this bill were truly to provide relief to consumers, then allowing my amendment would have been, simply, a no-brainer.

Madam Chairman, you can fool some of the people some of the time, but you cannot fool all of the people all of the time. Enough is enough. Let us get back to considering real legislation.

Mr. WHITFIELD. Madam Chairman, I would like to remind everyone once again that this legislation applies only to energy-related regulations that exceed $1 billion. That's all that it applies to.

At this time, I would like to yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. ROTHFUS).

(Mr. ROTHFUS asked and was given permission to revise and extend his remarks.)

Mr. ROTHFUS. Madam Chairman, I rise in support of the Energy Consumers Relief Act.

This commonsense legislation will protect workers, families, small businesses, and manufacturers by providing for more rigorous oversight and public disclosure of expensive and job-killing EPA regulations.

Yesterday, President Obama's new EPA Administrator demonstrated how out of touch she was by denying that regulations have an impact on jobs. She is quoted as saying: ''Can we stop talking about environmental regulations killing jobs, please, at least for today?''

We'll stop talking about it when they stop robbing us of the jobs that support our communities.

Within the last month, regulations have cost another 300 jobs in western Pennsylvania. The damage wrought by these regulations extends far beyond the individual families affected. They hurt their surrounding communities where these moms and dads live, work, and send their kids to school. They increase the cost of energy, which is a direct cost on families and businesses. It is especially painful for seniors and others who live on fixed incomes.

I urge my colleagues to vote for this legislation that will protect workers, families, and businesses from higher electricity prices, less reliable energy, and more lost jobs.

Mr. WAXMAN. Madam Chair, I am now pleased to yield 3 minutes to the gentleman from New York (Mr. TONKO), who is the ranking member of the subcommittee called Environment and the Economy.

Mr. TONKO. Thank you, Ranking Member WAXMAN, for the opportunity to share some thoughts on this legislation.

Madam Chair, H.R. 1582 is yet another attempt to block the Environmental Protection Agency from fulfilling its mission, which is to protect public health and our environment.

The bill is premised on the false notion that the protection of public health and the environment comes at the price of jobs. Simply, it does not. H.R. 1582 is not about transparency or fairness. The bill creates a burdensome and duplicative requirement for analysis by the Department of Energy, designed to block EPA from moving forward to address climate change.

The people standing in the way of policy to address climate change are willing to subject us to ever-increasing costs of natural disasters, damaged infrastructure, and the loss of lives and livelihoods.

Why? To preserve our dependence on a fossil fuel-only energy economy.

Proposed regulations are analyzed and reviewed now under multiple laws and multiple executive orders. Rules in the Federal Register consume more page numbers now due to the requirements for additional analyses and documentation under the Paperwork Reduction Act, the Unfunded Mandates Act, the Regulatory Flexibility Act, and multiple executive orders. These additional analyses, studies, and peer reviews have repeatedly shown that EPA's rules are justified and deliver many more benefits to people's health and our environment than costs to business. If and when they do not, either the rule does not go forward or opponents can have their day in court.

H.R. 1582 pits one department against another. The Secretary of the Department of Energy should not have veto power over regulations that EPA is empowered by law to issue. There are ample opportunities for interagency consultation during the rulemaking process. Regulations to improve our air quality and to address other pollution problems have been opposed over the years with the threat that controlling pollution would bankrupt our industries and our economy. That has not happened. We have managed to create a cleaner, healthier environment for our people and have a robust, dynamic recovery. H.R. 1582 is designed to hamstring the EPA and continue to delay action on the looming, serious challenge of climate change.

We can and must do better. We have the innovative capacity to meet these challenges. The only thing lacking is political will—political will to move forward. This Nation did not become great by denying and avoiding challenges. Avoiding this problem will only increase costs and risks across the Nation. I oppose H.R. 1582, and I urge my colleagues to do the same.

Mr. WHITFIELD. Madam Chair, may I ask how much time is remaining.

The CHAIR. The gentleman from Kentucky has 18 minutes remaining, and the gentleman from California has 15 minutes remaining.

Mr. WHITFIELD. I reserve the balance of my time.

Mr. WAXMAN. Madam Chair, I would like to yield 3 minutes to a very important member of our full committee, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Madam Chair, I rise in strong opposition to this bill.

As far as I am concerned, this is just another attack on the EPA. Some of my colleagues have spent hundreds of hours this session attacking the EPA. May I remind them that Congress set up the EPA to regulate dangerous and toxic substances in order to keep our air and water clean. We must continue to support the EPA in this task. Who would not want clean air and clean water? I think the EPA does a fine job in protecting us.

My district has one of the highest asthma rates in the country. It is one of the reasons that I championed clean energy and have argued for strong EPA rules to help protect our children.

If this bill had been law already, the EPA could have been delayed or blocked from finalizing the Mercury and Air Toxics Standards, which set emissions limits for new coal- and oil-fired power plants for mercury and other toxic air pollutants. Why would anyone want to block the EPA from doing that? The EPA estimates that these new standards will save up to 11,000 lives and prevent 130,000 asthma attacks. That's good enough for me.

There are many, many reasons to continue to support the EPA. This bill, unfortunately, does not do that, so I urge my colleagues to oppose this bill and to support the EPA in a goal we should all share of protecting our air and water.

Mr. WHITFIELD. I continue to reserve the balance of my time.

Mr. WAXMAN. Madam Chair, I only have one more speaker on my side.

May I inquire of the manager of the bill, how about you?

Mr. WHITFIELD. We have no other speakers.

Mr. WAXMAN. So, under those circumstances, I would like to yield myself the balance of my time.

Madam Chair, there was a claim from one of the supporters of this bill that the EPA is using faulty science to justify its rules. In fact, the proponents of this bill are using faulty examples to try to justify this ridiculous bill. For example, the gentleman from Louisiana's chief example of a faulty EPA rule is what he refers to as a ''formaldehyde rule.'' In fact, this isn't a rule. It is a draft scientific assessment that is completely unrelated to the energy-related rules that are the subject of this bill. I do want to point out that pollution control regulations create jobs because they create clean technologies that the whole world wants.

The proponents of this bill claim they are worried about jobs and the unemployed. I think they're crying crocodile tears. The Republicans are for the sequestration, which is costing hundreds of thousands of jobs. They are threatening the U.S. with default. They are against food stamps for people who don't have jobs and who don't have food to eat. Give me a break. They're not trying to save jobs; they're trying to save some of these big polluting industries that have to pay to reduce their pollution.

Now, we've heard that this bill is going to provide more checks and balances because the EPA will then have its rules reviewed by the Department of Energy, but EPA rules go through a very extensive interagency process. Other agencies, including the Department of Energy, can make their views known to the EPA. The Office of Management and Budget already has the ability to have any concerns addressed before they allow EPA rules to go forward. These rules go through months or even years of scrutiny before they are issued, but this bill creates a new, unchecked authority for the Department of Energy to veto public health rules. That's a terrible idea.

Why would we give one agency the unchecked authority to block another agency's rules? There are plenty of checks and balances in the existing law.

□ 1050

Then we hear the argument that this bill is really about transparency because somebody else should be overseeing EPA rulemaking. But, in fact, this bill will do the opposite. The bill creates a duplicative and confused regulatory process for EPA rules. After EPA has done its analysis, they've weighed the risks and the costs and the benefits, they've heard from people who are claiming the costs are too high, they've heard from people claiming the benefits are not enough. Whatever the claims are, they evaluate those claims based on science. And according to the nonpartisan Congressional Budget Office, if we let EPA review all these regulations again from scratch, the taxpayers are going to pay $35 billion.

The bill gives the Department of Energy an unprecedented veto over EPA public health rules. And you know what? There's no public comment when DOE does that. They don't hear from the public. They'll hear from the industry, but they won't hear from the public. They're not equipped to evaluate the scientific health benefits. They're looking at the costs. It's a skewed DOE analysis. This bill is not about transparency.

We were told this is not over any simple rules; it's only over the expensive ones, regulations that will cost over a billion dollars. A billion dollars over a year? A billion dollars over 10 years? A billion dollars over 20 years? There is no definition of that. They say a billion dollars. Okay. But that could, then, be used to stop a rule that is far less than what people think it would cost, and, of course, the benefits have to outweigh the cost before the rule can even be issued by EPA.

I want to give a good example of regulations that would be stopped by this legislation. EPA and the Department of Transportation work together on tailpipe standards and fuel efficiency rules for automobiles and other motor vehicles. There are huge benefits. They help consumers save money at the pump. When you have a car that runs on more miles per gallon, you're saving money. We're also protecting the environment because we're not burning as much carbon.

Under the rules, by 2025, Americans will be able to travel twice as far on a gallon of gas, which will save consumers thousands of dollars. But that rule won't go into effect because the DOE now has to get involved. Transportation and EPA are proposing rules over their jurisdiction, over transportation and over air pollution. These rules, which could lead to consumers seeing gasoline at the pump drop by over a dollar a gallon, could be held up.

And even though these rules are all supported by the major auto companies, including Ford, GM, and Chrysler, these rules will cut U.S. emissions and carbon pollution by $6 billion, but this bill could prevent EPA from adopting new vehicle rules that will save consumers even more money and continue to address the threat of climate change.

This is a very bad bill. It doesn't make sense, and I urge my colleagues to vote against it.

I yield back the balance of my time.

Mr. WHITFIELD. Madam Chair, I yield myself the balance of my time.

Once again I want to thank Dr. CASSIDY for authoring this bill and bringing it to the House floor.

I would like to remind everyone that EPA has made great strides. We all recognize the improvements that have been made in our air quality, water quality, particulate matter, et cetera. As a matter of fact, carbon dioxide emissions are the lowest that they've been in 20 years here in America. Yet I would say that EPA is not the Holy Grail. The EPA does make mistakes.

I would like to just read a couple of comments from some witnesses who testified over the last year at the Energy and Commerce Committee's Energy and Power Subcommittee. Dr. Peter Valberg, former member of the Harvard School of Public Health, testified that ''there are major questions about EPA's forecast of serious health effects caused by small increments in particulate matter levels. EPA's statistical approach is fraught with numerous assumptions and uncertainties.''

Dr. Tony Cox of the Colorado School of Public Health testified that ''the use of statistical associations to address causal questions about health effects of regulation is not only technically incorrect, but, as practiced by EPA and others, is also highly misleading to policymakers.''

Then Dr. Anne Smith, an economist with NERA Economic Consulting, talked about the uncertainties and the statistical models used by EPA having serious flaws.

All we're saying is at a time when the economy is struggling—particularly now—and when EPA is the most aggressive that it has been in recent memory—as a matter of fact, even though our CO_2 emissions are down to the lowest level in 20 years, America is the only country in the world where you cannot build a new coal-powered plant. All this legislation does is it says if EPA comes up with a new regulation, energy related, that costs over a billion dollars, they've got to make a report to Congress.

Then the Secretary of Energy, working with the Secretary of Commerce and the Small Business Administration and the Energy Information Agency, they will look and they will see what is the impact of this regulation upon the cost of energy, the cost of gasoline, the cost of electricity; what is the impact on causing jobs to be lost or a plant maybe not to be built and a job will be lost or a plant will close. So it's not dictating anything.

It's the Cabinet members of the same administration simply reviewing all of the evidence, doing its own analysis, and then deciding that if it has significant impact on the economy, then they can rule that the regulation will not take effect, at which point the EPA can go back, make some adjustments, and redo it.

I think it's a good piece of legislation that provides additional transparency and additional review of the regulation, the impact on the economy, the impact on jobs, the impact on prices. And what is wrong with that? What is wrong with the Congress getting a report back from the agency and letting the other Department heads in the government review it? That's all this legislation is about.

I urge Members to support this legislation, and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-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.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1582

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 ''Energy Consumers Relief Act of 2013''.

SEC. 2. PROHIBITION AGAINST FINALIZING CERTAIN ENERGY-RELATED RULES THAT WILL CAUSE SIGNIFICANT ADVERSE EFFECTS TO THE ECONOMY.

Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not promulgate as final an energy-related rule that is estimated to cost more than $1 billion if the Secretary of Energy determines under section 3(3) that the rule will cause significant adverse effects to the economy.

SEC. 3. REPORTS AND DETERMINATIONS PRIOR TO PROMULGATING AS FINAL CERTAIN ENERGY-RELATED RULES.

Before promulgating as final any energy-related rule that is estimated to cost more than $1 billion:

(1) REPORT TO CONGRESS.—The Administrator of the Environmental Protection Agency shall submit to Congress a report (and transmit a copy to the Secretary of Energy) containing—

(A) a copy of the rule;

(B) a concise general statement relating to the rule;

(C) an estimate of the total costs of the rule, including the direct costs and indirect costs of the rule;

(D) an estimate of the total benefits of the rule, an estimate of when such benefits are expected to be realized, and a description of the modeling, the assumptions, and the limitations due to uncertainty, speculation, or lack of information associated with the estimates under this subparagraph;

(E) an estimate of the increases in energy prices, including potential increases in gasoline or electricity prices for consumers, that may result from implementation or enforcement of the rule; and

(F) a detailed description of the employment effects, including potential job losses and shifts in employment, that may result from implementation or enforcement of the rule.

(2) INITIAL DETERMINATION ON INCREASES AND IMPACTS.—The Secretary of Energy, in consultation with the Federal Energy Regulatory Commission and the Administrator of the Energy Information Administration, shall prepare an independent analysis to determine whether the rule will cause—

(A) any increase in energy prices for consumers, including low-income households, small businesses, and manufacturers;

(B) any impact on fuel diversity of the Nation's electricity generation portfolio or on national, regional, or local electric reliability;

(C) any adverse effect on energy supply, distribution, or use due to the economic or technical infeasibility of implementing the rule; or

(D) any other adverse effect on energy supply, distribution, or use (including a shortfall in supply and increased use of foreign supplies).

(3) SUBSEQUENT DETERMINATION ON ADVERSE EFFECTS TO THE ECONOMY.—If the Secretary of Energy determines, under paragraph (2), that the rule will cause an increase, impact, or effect described in such paragraph, then the Secretary, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Commerce, the Secretary of Labor, and the Administrator of the Small Business Administration, shall—

(A) determine whether the rule will cause significant adverse effects to the economy, taking into consideration—

(i) the costs and benefits of the rule and limitations in calculating such costs and benefits due to uncertainty, speculation, or lack of information; and

(ii) the positive and negative impacts of the rule on economic indicators, including those related to gross domestic product, unemployment, wages, consumer prices, and business and manufacturing activity; and

(B) publish the results of such determination in the Federal Register.

SEC. 4. DEFINITIONS.

In this Act:

(1) The terms ''direct costs'' and ''indirect costs'' have the meanings given such terms in chapter 8 of the Environmental Protection Agency's ''Guidelines for Preparing Economic Analyses'' dated December 17, 2010.

(2) The term ''energy-related rule that is estimated to cost more than $1 billion'' means a rule of the Environmental Protection Agency that—

(A) regulates any aspect of the production, supply, distribution, or use of energy or provides for such regulation by States or other governmental entities; and

(B) is estimated by the Administrator of the Environmental Protection Agency or the Director of the Office of Management and Budget to impose direct costs and indirect costs, in the aggregate, of more than $1,000,000,000.

(3) The term ''rule'' has the meaning given to such term in section 551 of title 5, United States Code.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 113–174. 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 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.

AMENDMENT NO. 1 OFFERED BY MR. WAXMAN

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 113–174.

Mr. WAXMAN. Madam Chair, I have an amendment under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, lines 4 through 13, strike section 2.

The CHAIR. Pursuant to House Resolution 315, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Madam Chair and my colleagues and anybody listening to this debate, under this bill, if DOE determines that a rule by the Environmental Protection Agency would cause any significant adverse effects to the economy, EPA would be permanently blocked from finalizing that rule. That's a pretty broad assault on the rules that EPA might issue because EPA rules are to protect public health and the environment.

So if this bill became law, a lot of clean air and clean water protections would be at risk, and the terms in the bill are so expansive and vague that nearly every major public health proposed rule could be delayed and would be affected because DOE is not going to do this extensive analysis.

My amendment is straightforward. It eliminates the bizarre provision in this bill that gives the Secretary of Energy the unprecedented authority to effectively veto public health rules. It makes no sense for DOE to veto an EPA public health rule, especially since the veto would be based on DOE's analysis of the economic impact, which is by its terms a macroeconomic analysis.

What is this going to do to the economy if this rule goes into effect? Did anybody ever think that the DOE does not do that kind of analysis? Perhaps they should have had the Department of the Treasury do a macroeconomic evaluation. They do things like that. But instead, the authors of this bill want DOE to do it. All right. It's outside of DOE's area of expertise. This, I think, would be a terrible precedent.

Time and time again, Congress has turned to the EPA to trust the agency with the mission of protecting our air and our water from pollution. The Department of Energy should not have the power to veto the public health protections that Congress required in the Clean Air Act or the Clean Water Act or other bedrock environmental laws. The DOE veto is inconsistent with the stated purpose of this bill because the other side of this bill thinks DOE ought to do an independent analysis. We would concede it: let DOE do an independent analysis, but don't let it stop the rule from going into effect.

EPA's analysis, before they issue their proposed regulation, goes through an interagency process, DOE can intervene, the Office of Management and Budget can review it and even hold up the regulation. So let the regulation go forward and let DOE do its additional analysis, but don't let that analysis lead to paralysis if we're talking about affecting the public health in this country.

This amendment would stop the veto of an EPA regulation by DOE. It does not stop the Department of Energy from doing its analysis, but it would stop them from—while they're doing the analysis particularly—holding up a regulation and then leaving it to them exclusively to decide that they're going to veto the regulation based on a different kind of analysis than one would expect, which is to look at the benefits, to look at the costs, and make sure those benefits are more of a benefit in dollars and cents even. Put a price on life. That's what we're talking about. Put a price on a kid's asthma. That's what we're talking about.

□ 1930

But EPA tries to do that analysis and has to show that its regulation is going to be more economically beneficial than the cost of the regulation. And of course you imagine when they look at costs and benefits, the costs are always overstated. I've seen that in all of the years I've been here, and I've been here for decades. The costs are always overstated by the polluting corporation that doesn't want to have to take the steps to reduce their pollution.

EPA hears what they have to say, but they do their own analysis of the cost to do the regulation.

So I would urge support for this amendment. Leave the bill if you want

it, but don't give that veto power to DOE.

I yield back the balance of my time.

Mr. WHITFIELD. Madam Chair, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. As the gentleman said, his amendment would, in effect, strike the provisions preventing EPA from finalizing rules that the Energy Secretary determined will cause significant adverse effects to the economy, and that's precisely why I respectfully oppose the gentleman's amendment.

All of the debate this afternoon has focused on how EPA is focused totally on health benefits, and health benefits are vitally important. We recognize that.

I think I also pointed out from experts that EPA makes mistakes in their benefit analysis, in their cost analysis when they look at costs. And so once again, what we're trying to do with the Cassidy bill is look at health, yes, but what is the impact on jobs. What is the impact on those families who lose a job because of the regulation? What is the impact on the children of the family who loses the job because of the regulation? What is the effect on their ability to provide the needs for their family, their health insurance, their food, and so forth?

So all we're saying is that the Secretary of Energy in the same Cabinet as the administrator of the EPA would head up an analysis to review the EPA rule that exceeds $1 billion and affects energy alone. And if they decide that it will have significant adverse impact on the economy, then they can stop it. And by the way, under the legislation, EPA would also have to give a report to Congress on the impact on energy cost, how much will gasoline go up, electricity, how many jobs would be lost, how many jobs would be created.

So when we have a struggling economy, the last thing we want to do is to create additional obstacles that really are not necessary at a time when you can do other things and protect health also.

So with that, I would respectfully oppose the gentleman's amendment and ask that Members vote against the gentleman's amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. WAXMAN).

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

Mr. WAXMAN. Madam Chair, I demand a recorded vote.

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

The Chair understands that amendment No. 2 will not be offered.

AMENDMENT NO. 3 OFFERED BY MR. CONNOLLY

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 113–174.

Mr. CONNOLLY. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, line 13, after ''effects to the economy.'' insert ''This section shall not apply with respect to any rule that relates to air quality or water quality.''

The CHAIR. Pursuant to House Resolution 315, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. I thank the Chair, and at this time I am pleased to yield 2½ minutes to the gentleman from Michigan (Mr. KILDEE), my co-author of this amendment.

Mr. KILDEE. Madam Chair, I thank my friend, Mr. CONNOLLY, for his leadership and for working on this amendment with me.

I represent nearly 100 miles of Great Lakes shoreline. When I ran for Congress, I made a commitment to my constituents in the Fifth District that I would fight every day to create jobs, to strengthen the economy, and to protect our precious water resources. Our amendment would do just that.

In Michigan, we know well the value of clean water since we're surrounded by the largest bodies of surface freshwater on Earth, the Great Lakes. As a kid, I spent many summer weekends with my family at a city campground in East Tawas, a lakefront city that I now have the privilege of representing in Congress.

Our amendment would protect our precious waters from pollution. Without our amendment, today's legislation would put the safety of the Great Lakes, of our lakes and waterways in jeopardy. History has repeatedly taught us what polluters will do if left unregulated. We have seen disastrous oil spills—including the Enbridge oil spill in Michigan—that threatened our State and our Nation's natural resources.

I will not sit idly by and allow the very rules that protect towns like East Tawas, Oscoda, Bay City, Au Gres, and other towns in my district be tossed aside for political expediency.

This bill, as written, would give the Department of Energy unprecedented power to veto EPA rules that protect public health, save lives, and protect the Great Lakes. Our amendment would prevent the DOE from being able to veto rules that regulate air or water quality.

I have heard a lot of discussion about jobs. Michigan's Great Lakes are an economic asset for my State, supporting 1.5 million jobs and pumping over $62 billion into our economy. These jobs and Michigan's recreational economy depend on clean water for fishing for swimming and for drinking. We must protect them from pollution and harm.

Today's legislation is clearly misguided and fails to provide the necessary tools to protect our Nation's critical natural resources. Republicans in committee have already voted to decrease funding for the Great Lakes Restoration Initiative by almost 80 percent, something that I strongly oppose; and now they want to make it easier for polluters to poison our waters. I will fight these bad proposals every day I am in Congress.

I urge my colleagues to support our commonsense amendment to protect the Great Lakes and protect our natural waterways.

Mr. WHITFIELD. I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from Kentucky is recognized for 5 minutes.

Mr. WHITFIELD. Madam Chair, I would say, first of all, with all due respect, we have no intent to pollute additionally the waterways that the gentleman referred to in Michigan, and I rise to oppose his amendment simply because he would say that this legislation would not apply to any rule that relates to air quality or water quality. So this amendment would exclude virtually all EPA rules from the transparency and inner-agency review requirements of the act.

I would just summarize, once again, we are talking about energy-related rules that exceed $1 billion. We know that EPA looks closely at health benefits, health impacts; and we certainly favor that. But that's not the only thing that should be examined, and that's what this legislation is about. The Secretary of Energy, with other Cabinet officials in the Obama administration, would look at the impact of the regulation on the cost of electricity, the cost of gasoline, how many jobs might be lost, how many jobs might be created, would it have significant adverse impact to the economy as a whole.

And I would think that everyone would say if it does, particularly with the slow economic growth we have today, the last 15 quarters have been the slowest since World War II, and the last quarter of 2012, the first quarter of 2013, the gross domestic product increased less than 2 percent. So we need to pay special attention to the impact that regulations may have on creating job loss and the impact on those families that lose those jobs, and that's what the gentleman's legislation is all about.

I know the gentleman rose with the very best intentions, but I would respectfully oppose this amendment and ask Members to defeat his amendment.

With that, I yield back the balance of my time.

Mr. CONNOLLY. Madam Chair, I rise to join my colleague, Mr. KILDEE from Michigan, in offering what I think is a commonsense amendment that protects public health and safety.

I didn't think it was possible, Madam Chair, but this bill may actually be worse than the anti-regulatory legislation Republicans rammed through the last Congress. The House majority

calls this latest version the Energy Consumers Relief Act, an Orwellian name if there ever was one, deceptively titled as Congress heads for recess, but the title does not reflect reality. This bill more aptly might be called the Blocking Public Health Protections Act.

Shamefully, this is yet another attempt by the majority to gut public health and safety protections so they can give more handouts to big energy producers, many of which of course have financed the majority in this House.

Not only does this bill block or delay the EPA from finalizing rules, Madam Chairman, to reduce pollution that threatens the air we breathe and the water we drink. It also gives unprecedented power, as the distinguished ranking member of the committee pointed out, to the Department of Energy to veto EPA rules—nonsensical and a non sequitur if there ever was one.

We know rules already in place, like the mercury and air toxic standards that effectively regulate carcinogens, neurotoxins, smog and soot pollution, prevent up to 11,000 premature deaths, 47 heart attacks, and 130,000 asthma attacks every year. So I ask my colleagues: Why are we trying to prevent proven protections on public health?

Our amendment will continue to put public health first by ensuring that EPA retains that authority to implement the vital safeguards that protect air and water quality that previous generations in this House on a bipartisan basis believed were necessary and important to protect the public we serve.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

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

Mr. CONNOLLY. Madam Chair, I demand a recorded vote.

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

Mr. WHITFIELD. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LANKFORD) having assumed the chair, Ms. ROS-LEHTINEN, 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. 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, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

□ 1945

VIETNAM HUMAN RIGHTS ACT OF 2013

Mr. ROYCE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1897) to promote freedom and democracy in Vietnam.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1897

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 ''Vietnam Human Rights Act of 2013''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purpose.
Sec. 3. Prohibition on increased non-humanitarian assistance to the Government of Vietnam.
Sec. 4. United States public diplomacy.
Sec. 5. United Nations Human Rights Council.
Sec. 6. Annual report.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially since the end of the trade embargo in 1994, with annual trade between the two countries reaching nearly $25,000,000,000 in 2012.

(2) The Government of Vietnam's transition toward greater economic freedom and trade has not been matched by greater political freedom and substantial improvements in basic human rights for Vietnamese citizens, including freedom of religion, expression, association, and assembly.

(3) The United States Congress agreed to Vietnam becoming an official member of the World Trade Organization in 2006, amidst assurances that the Government of Vietnam was steadily improving its human rights record and would continue to do so.

(4) Vietnam remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to deny the right of citizens to change their Government.

(5) Although in recent years the National Assembly of Vietnam has played an increasingly active role as a forum for highlighting local concerns, corruption, and inefficiency, the National Assembly remains subject to the direction of the CPV and the CPV maintains control over the selection of candidates in national and local elections.

(6) The Government of Vietnam forbids public challenge to the legitimacy of the one-party state, restricts freedoms of opinion, the press, and association and tightly limits access to the Internet and telecommunication.

(7) Since Vietnam's accession to the WTO on January 11, 2007, the Government of Vietnam arbitrarily arrested and detained numerous individuals for their peaceful advocacy of religious freedom, democracy, and human rights, including Father Nguyen Van Ly, human rights lawyers Nguyen Van Dai, Le Thi Cong Nhan, Cu Huy Ha Vu, and Le Cong Dinh, and bloggers Nguyen Van Hai, Ta Phong Tan, and Le Van Son.

(8) The Government of Vietnam continues to detain, imprison, place under house arrest, convict, or otherwise restrict persons for the peaceful expression of dissenting political or religious views.

(9) The Government of Vietnam continues to detain labor leaders and restricts the right to organize independently.

(10) The Government of Vietnam continues to limit the freedom of religion, restrict the operations of independent religious organizations, and persecute believers whose religious activities the Government regards as a potential threat to its monopoly on power.

(11) Despite reported progress in church openings and legal registrations of religious venues, the Government of Vietnam has halted most positive actions since the Department of State lifted the ''country of particular concern'' (CPC) designation for Vietnam in November 2006.

(12) Unregistered ethnic minority Protestant congregations, particularly Montagnards in the Central and Northwest Highlands, suffer severe abuses because of actions by the Government of Vietnam, which have included forced renunciations of faith, arrest and harassment, the withholding of social programs provided for the general population, confiscation and destruction of property, subjection to severe beatings, and reported deaths.

(13) There has been a pattern of violent responses by the Government to peaceful prayer vigils and demonstrations by Catholics for the return of Government-confiscated church properties. Protesters have been harassed, beaten, and detained and church properties have been destroyed. Catholics also continue to face some restrictions on selection of clergy, the establishment of seminaries and seminary candidates, and individual cases of travel and church registration.

(14) In May 2010 the village of Con Dau, a Catholic parish in Da Nang, faced escalated violence during a funeral procession as police attempted to prohibit a religious burial in the village cemetery; more than 100 villagers were injured, 62 were arrested, five were tortured, and at least three died.

(15) The Unified Buddhist Church of Vietnam (UBCV) suffers persecution as the Government of Vietnam continues to restrict contacts and movement of senior UBCV clergy for refusing to join the state-sponsored Buddhist organization, the Government restricts expression and assembly, and the Government continues to harass and threaten UBCV monks, nuns, and youth leaders.

(16) The Government of Vietnam continues to suppress the activities of other religious adherents, including Cao Dai and Hoa Hao Buddhists who lack official recognition or have chosen not to affiliate with the state-sanctioned groups, including through the use of detention, imprisonment, and strict Government oversight.

(17) Many Montagnards and others are still serving long prison sentences for their involvement in peaceful demonstrations in 2001, 2002, 2004, and 2008. Montagnards continue to face threats, detention, beatings, forced renunciation of faith, property destruction, restricted movement, and reported deaths at the hands of Government officials.

(18) Ethnic minority Hmong in Northern Vietnam, the Northwest Highlands, and the Central Highlands of Vietnam also suffer restrictions, confiscation of property, abuses,

and persecution by the Government of Vietnam.

(19) The Government of Vietnam restricts Khmer Krom expression, assembly, and association, has confiscated nearly all the Theravada Buddhist temples, controls all Khmer Kaon Buddhist religious organizations and prohibits most peaceful protests.

(20) The Government of Vietnam controls nearly all print and electronic media, including access to the Internet, jams the signals of some foreign radio stations, including Radio Free Asia, and has detained and imprisoned individuals who have posted, published, sent, or otherwise distributed democracy-related materials.

(21) People arrested in Vietnam because of their political or religious affiliations and activities often are not accorded due legal process as they lack full access to lawyers of their choice, may experience closed trials, have often been detained for years without trial, and have been subjected to the use of torture to admit crimes they did not commit or to falsely denounce their own leaders.

(22) Vietnam continues to be a source country for the commercial sexual exploitation and forced labor of women and girls, as well as for men and women legally entering into international labor contracts who subsequently face conditions of debt bondage or forced labor, and is a destination country for child trafficking and continues to have internal human trafficking.

(23) There are many reports of Vietnamese officials and employees participating in, facilitating, condoning, or otherwise being complicit in severe forms of human trafficking.

(24) United States refugee resettlement programs, including the Humanitarian Resettlement (HR) Program, the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) Program, general resettlement of boat people from refugee camps throughout Southeast Asia, the Amerasian Homecoming Act of 1988, and the Priority One Refugee resettlement category, have helped rescue Vietnamese nationals who have suffered persecution on account of their associations with the United States or, in many cases, because of such associations by their spouses, parents, or other family members, as well as other Vietnamese nationals who have been persecuted because of race, religion, nationality, political opinion, or membership in a particular social group.

(25) While previous programs have served their purposes well, a significant number of eligible refugees from Vietnam were unfairly denied or excluded, including Amerasians, in some cases by vindictive or corrupt Vietnamese officials who controlled access to the programs, and in others by United States personnel who imposed unduly restrictive interpretations of program criteria. In addition, the Government of Vietnam has denied passports to persons who the United States has found eligible for refugee admission.

(26) The Government of Vietnam reportedly is detaining tens of thousands of people, with some as young as 12 years old, in government-run drug detention centers and treating them as slave laborers.

(27) In 2012, over 150,000 people signed an online petition calling on the Administration to not expand trade with communist Vietnam at the expense of human rights.

(28) Congress has passed numerous resolutions condemning human rights abuses in Vietnam, indicating that although there has been an expansion of relations with the Government of Vietnam, it should not be construed as approval of the ongoing and serious violations of fundamental human rights in Vietnam.

(b) PURPOSE.—The purpose of this Act is to promote the development of freedom and democracy in Vietnam.

SEC. 3. PROHIBITION ON INCREASED NONHUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM.

(a) ASSISTANCE.—

(1) IN GENERAL.—Except as provided in subsection (b), the Federal Government may not provide nonhumanitarian assistance to the Government of Vietnam during any fiscal year in an amount that exceeds the amount of such assistance provided for fiscal year 2012 unless—

(A) with respect to the limitation for fiscal year 2014, the President determines and certifies to Congress, not later than 30 days after the date of the enactment of this Act, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period ending on the date of the certification; and

(B) with respect to the limitation for subsequent fiscal years, the President determines and certifies to Congress, in the most recent annual report submitted pursuant to section 6, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period covered by the report.

(2) REQUIREMENTS.—The requirements of this paragraph are the following:

(A) The Government of Vietnam has made substantial progress toward releasing all political and religious prisoners from imprisonment, house arrest, and other forms of detention.

(B) The Government of Vietnam has made substantial progress toward—

(i) respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference, harassment, or involvement of the Government, for all of Vietnam's diverse religious communities; and

(ii) returning estates and properties confiscated from the churches and religious communities.

(C) The Government of Vietnam has made substantial progress toward respecting the right to freedom of expression, assembly, and association, including the release of independent journalists, bloggers, and democracy and labor activists.

(D) The Government of Vietnam has made substantial progress toward repealing or revising laws that criminalize peaceful dissent, independent media, unsanctioned religious activity, and nonviolent demonstrations and rallies, in accordance with international standards and treaties to which Vietnam is a party.

(E) The Government of Vietnam has made substantial progress toward allowing Vietnamese nationals free and open access to United States refugee programs.

(F) The Government of Vietnam has made substantial progress toward respecting the human rights of members of all ethnic and minority groups.

(G) Neither any official of the Government of Vietnam nor any agency or entity wholly or partly owned by the Government of Vietnam was complicit in a severe form of trafficking in persons, or the Government of Vietnam took all appropriate steps to end any such complicity and hold such official, agency, or entity fully accountable for its conduct.

(b) EXCEPTION.—

(1) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST.—Notwithstanding the failure of the Government of Vietnam to meet the requirements of subsection (a)(2), the President may waive the application of subsection (a) for any fiscal year if the President determines that the provision to the Government of Vietnam of increased nonhumanitarian assistance would promote the purpose of this Act or is otherwise in the national interest of the United States.

(2) EXERCISE OF WAIVER AUTHORITY.—The President may exercise the authority under paragraph (1) with respect to—

(A) all United States nonhumanitarian assistance to Vietnam; or

(B) one or more programs, projects, or activities of such assistance.

(c) DEFINITIONS.—In this section:

(1) NONHUMANITARIAN ASSISTANCE.—The term ''nonhumanitarian assistance'' means—

(A) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than—

(i) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(ii) assistance which involves the provision of food (including monetization of food) or medicine;

(iii) assistance for environmental remediation of dioxin-contaminated sites and related health activities;

(iv) assistance for demining and unexploded ordnance (UXO) remediation, and related health and educational activities;

(v) assistance to combat severe forms of trafficking in persons;

(vi) assistance to combat pandemic diseases;

(vii) assistance for refugees; and

(viii) assistance to combat HIV/AIDS, including any assistance under section 104A of that Act; and

(B) sales, or financing on any terms, under the Arms Export Control Act.

(2) SEVERE FORM OF TRAFFICKING IN PERSONS.—The term ''severe form of trafficking in persons'' means any activity described in section 103(8) of the Trafficking Victims Protection Act of 2000 (Public Law 106–386 (114 Stat. 1470); 22 U.S.C. 7102(8)).

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act and shall apply with respect to the provision of nonhumanitarian assistance to the Government of Vietnam for fiscal year 2014 and subsequent fiscal years.

SEC. 4. UNITED STATES PUBLIC DIPLOMACY.

(a) RADIO FREE ASIA TRANSMISSIONS TO VIETNAM.—It is the sense of Congress that the United States should take measures to overcome the jamming of Radio Free Asia by the Government of Vietnam and that the Broadcasting Board of Governors should not cut staffing, funding, or broadcast hours for the Vietnamese language services of the Voice of America and Radio Free Asia, which shall be done without reducing any other broadcast language services.

(b) UNITED STATES EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH VIETNAM.—It is the sense of Congress that any programs of educational and cultural exchange between the United States and Vietnam should actively promote progress toward freedom and democracy in Vietnam by providing opportunities to Vietnamese nationals from a wide range of occupations and perspectives to see freedom and democracy in action and, also, by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

(c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—It is the sense of Congress that the Secretary of State should strongly oppose, and encourage other members of the United Nations to oppose, the candidacy of Vietnam for membership on the United Nations Human Rights Council for the term beginning in 2014.

SEC. 5. RELIGIOUS FREEDOM AND HUMAN TRAFFICKING.

(a) COUNTRY OF PARTICULAR CONCERN.—It is the sense of Congress that Vietnam should be designated as a country of particular concern for religious freedom pursuant to section 402(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)).

(b) MINIMUM STANDARDS FOR THE ELIMINATION OF HUMAN TRAFFICKING.—It is the sense of Congress that the Government of Vietnam does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to bring itself into compliance, and this determination should be reflected in the annual report to Congress required pursuant to section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)).

SEC. 6. ANNUAL REPORT.

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act and every 12 months thereafter, the Secretary of State shall submit to Congress a report on the following:

(1) The determination and certification of the President that the requirements of subparagraphs (A) through (G) of section 3(a)(2) have been met, if applicable.

(2) If the President has waived the application of section 3(a) pursuant to section 3(b) during the reporting period—

(A) the national interest with respect to which such a waiver was based;

(B) the amount of increased nonhumanitarian assistance provided to the Government of Vietnam; and

(C) a description of the type and amount of commensurate assistance provided pursuant to section 3(b)(1).

(3) Efforts by the United States Government to promote access by the Vietnamese people to Radio Free Asia transmissions.

(4) Efforts to ensure that programs with Vietnam promote the policy set forth in section 102 of the Human Rights, Refugee, and Other Foreign Policy Provisions Act of 1996 regarding participation in programs of educational and cultural exchange.

(5) Lists of persons believed to be imprisoned, detained, or placed under house arrest, tortured, or otherwise persecuted by the Government of Vietnam due to their pursuit of internationally recognized human rights. In compiling such lists, the Secretary shall exercise appropriate discretion, including concerns regarding the safety and security of, and benefit to, the persons who may be included on the lists and their families. In addition, the Secretary shall include a list of such persons and their families who may qualify for protections under United States refugee programs.

(6) A description of the development of the rule of law in Vietnam, including—

(A) progress toward the development of institutions of democratic governance;

(B) processes by which statutes, regulations, rules, and other legal acts of the Government of Vietnam are developed and become binding within Vietnam;

(C) the extent to which statutes, regulations, rules, administrative and judicial decisions, and other legal acts of the Government of Vietnam are published and are made accessible to the public;

(D) the extent to which administrative and judicial decisions are supported by statements of reasons that are based upon written statutes, regulations, rules, and other legal acts of the Government of Vietnam;

(E) the extent to which individuals are treated equally under the laws of Vietnam without regard to citizenship, race, religion, political opinion, or current or former associations;

(F) the extent to which administrative and judicial decisions are independent of political pressure or governmental interference and are reviewed by entities of appellate jurisdiction; and

(G) the extent to which laws in Vietnam are written and administered in ways that are consistent with international human rights standards, including the rights enumerated in the International Covenant on Civil and Political Rights.

(b) CONTACTS WITH OTHER ORGANIZATIONS.—In preparing the report under subsection (a), the Secretary shall, as appropriate, seek out and maintain contacts with nongovernmental organizations and human rights advocates (including Vietnamese-Americans and human rights advocates in Vietnam), including receiving reports and updates from such organizations and evaluating such reports. The Secretary shall also seek to consult with the United States Commission on International Religious Freedom for appropriate sections of the report.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

Mr. ROYCE. Madam Speaker, I yield myself such time as I might consume.

This bill, which we rise in support of, H.R. 1897, is the Vietnam Human Rights Act of 2013, and it is authored by the chairman of the Africa, Global Human Rights, and Health Subcommittee, Mr. CHRIS SMITH of New Jersey.

And I thought I would just take a moment and, as a prelude, talk about the efforts that Mr. SMITH has put in over the years, not just to the issue of human rights but, in particular, identifying those most at risk, identifying those who are held captive in prison, and taking the personal effort to go and try to visit them in these horrible conditions which they find themselves in.

I remember him saying to me once, Can you imagine what it is like for someone who's a prisoner, a prisoner because he attempts to speak out for some modicum of free speech, or for religious liberty, and he finds himself there in confinement, not knowing, when they open that door, when they come for you, what they might do to you next, not knowing what type of torture might be applied?

It takes a strong constitution for a Member of this House, year after year after year, to continue to go to bat for those who are held in captivity, those who are subject to show trials and then disappear. And part of his efforts have been to pass this particular legislation because he's concerned with the magnitude of what is happening in Vietnam, but also what he has seen with his own eyes with respect to some of those victims.

Over the years, the Foreign Affairs Committee has held many hearings on this subject, and if these hearings have had one consistent theme, it's the deterioration of human rights. And I think this is the thing we really find most regrettable: that at a time when we hoped that Vietnam might change its policies, it actually has regressed.

And we've heard from the witnesses of the use of the government by government agents, by militias—some call them thugs—who use everything from electric batons to metal prods to beat those who are demonstrating in Vietnam and who are in the process of speaking up for religious liberty or speaking up for the rights of free speech.

And now it's gotten to the point that any young person who dares to blog those words, ''freedom of speech,'' those words, ''democracy,'' anyone who publishes material promoting democracy or criticizing totalitarian rule, faces so many years in jail. It is so disproportionate, it is so ridiculous to put a young person in jail for 6 or 7 years because they blog on democracy.

But the thing that I think CHRIS SMITH and I and others here, ELIOT ENGEL, find so objectionable is the physical abuse that they are subject to in confinement.

So, as we say, religious freedom is also under attack with freedom of speech. Residents of Con Dau, Da Nang, have suffered severe violence. I've seen some of the photographs of the consequences of these beatings with batons and electric rods during a May assault at the hands, again, of Vietnamese Government officials. And again, this was because the parishioners attempted to protect their historic Catholic cemetery from seizure by the government.

We have over 350 Montagnard Christians who remain in prison for their beliefs, and other religious groups.

When I was in Vietnam, I talked to the leader of the Unified Buddhist Church of Vietnam, the venerable Thich Quang Do, who was under house arrest, and Le Quang Liem, another. He was the leader of the Hoa Hao Buddhists at the time. He has subsequently, in a protest, been beaten so badly I don't think he can carry on a conversation today.

The Cao Dai Buddhists face severe persecution from the government, the communist government there.

So what brings us here tonight is that Vietnam has actually taken steps backwards. As we heard from the witnesses who testified before our committee, in the first 6 weeks of this year, 40 dissidents have been convicted in show trials, more than all of last year. That's how bad things are deteriorating.

And that means that the communist government is not only eclipsing their past bad performance, but, paradoxically, the government is also actively pursuing a seat on the U.N. Human Rights Council. That is why we need to

take this step and why passage of the Vietnam Human Rights Act is so important and why we've got to use what leverage we have. And part of that leverage is nonhumanitarian U.S. assistance to Vietnam. And we do that unless the Vietnamese Government improves its respect for human rights to meet specified requirements.

Let's send a message to that regime that the status quo is unacceptable. This bill does that. I strongly urge its passage.

And once again, I strongly commend and thank its author for his perseverance on this issue.

I reserve the balance of my time.

Mr. ENGEL. Madam Speaker, I yield myself as much time as I might consume.

Madam Speaker, I rise in strong support of H.R. 1897. I'd like to thank the sponsor of this legislation, the gentleman from New Jersey (Mr. SMITH), and once again thank the chairman of the Foreign Affairs Committee, Mr. ROYCE, for their leadership in advocating for human rights in Vietnam.

Despite Vietnam's transition to a more open economy in recent years, political and religious freedoms for the people of Vietnam remain severely curtailed.

Just last week, President Obama hosted the President of Vietnam for a visit. I was there for the luncheon at the State Department, and I am pleased that he urged the Vietnamese leader to respect freedom of expression, freedom of religion, and freedom of assembly. At that very luncheon, I sat next to one of the Vietnam ministers and urged the same thing to him as well.

As the United States and Vietnam build a closer and more cooperative relationship, we must continue to be candid in calling for more progress in protecting the human rights and civil liberties of the Vietnamese people.

I certainly remember the Vietnam War, as I know many of my colleagues do, and it seems a bit strange that the United States and Vietnam are, in many ways, allied and working together. That's fine. But human rights is so important to us, and it's not something we can just sweep under the rug.

This legislation, the Vietnam Human Rights Act of 2013, takes a step in the right direction by prohibiting an increase in nonhumanitarian assistance to Vietnam above fiscal year 2012 levels unless the Government of Vietnam makes significant progress on critical human rights issues.

The bill makes it clear to Vietnam that the only factor limiting U.S. aid is positive action by the Vietnamese Government on political, human, and religious rights.

The Government of Vietnam has an important choice to make: Will it protect human rights and provide religious and political freedom to its citizens, or will it shirk those responsibilities and forsake the closer relationship that it wants with the United States?

Again, I think a closer relationship with Vietnam is something that I would like to see. But, you know what? We have principles, and the Vietnamese have to respect those principles. We respect them. They need to respect us.

So I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. ROYCE. Madam Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH), chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, and the author of this bill.

Mr. SMITH of New Jersey. Madam Speaker, I want to thank, first of all, you for your very kind remarks, but also for moving this legislation very swiftly through the full committee, along with ELIOT ENGEL's full support, and the chairwoman emeritus, ILEANA ROS-LEHTINEN. Thank you for your steadfast support for human rights, now presiding over this session.

And, Mr. Chairman, I do want to thank you for being a champion on behalf of the dissidents, the bloggers, the religious dissidents, political and religious in Vietnam, who suffer daily beatings at the hands of an increasingly absurd and worsening dictatorship.

Vietnam is in a race to the bottom with some of the dictatorships around the world, including Cuba, including China, Somalia, and other places where people's human rights are systematically trashed by the regimes.

I do rise to ask, respectfully, that Members support the Vietnam Human Rights Act of 2013. The purpose of this bipartisan legislation is simple: to send a clear, strong, and compelling message to the increasingly repressive communist regime in power in Vietnam that says that the United States is serious about combating human rights abuse in Vietnam.

Underscoring the worsening situation in Vietnam, John Sifton of Human Rights Watch testified at a June 4 hearing that I chaired, and he noted that ''in the first few months of 2013, more people have been convicted in political trials as in the whole of the last year.'' And that has only gotten worse as each week passes in Vietnam.

Reporters Without Borders have put out their numbers, and there's at least 35 netizens, bloggers, journalists who write online who have been incarcerated by this dictatorship.

I'll never forget, on one particular trip to Vietnam, I met with Dr. Pham Son; I met with his wife. He was in prison. And what was his crime? He went on U.S. Embassy Hanoi, took an essay entitled, ''What is Democracy?'' translated it, and rebroadcast, resent it out online, and for that he got a multi-year sentence in jail.

I met with his wife, who lived in great fear that they would go after her as well. And certainly, when I had dinner with her one night, sitting as far away as Chairman ROYCE, at the next table at a hotel were three bully boys from the—three thugs from the secret police of Vietnam, very, very visibly standing up and taking pictures to let us know that they were watching. Of course, I took their picture as well. But that's the kind of intimidation campaign this wonderful wife of a dissident was experiencing.

Boat People at the SOS suggest that there are well over 625 political prisoners and religious prisoners, as we meet here tonight, who are suffering. And of course that number often goes up. One might be let out, two more incarcerated by this dictatorship.

Madam Speaker, H.R. 1897 is designed to promote the development of freedom of democracy in Vietnam. The bill will bring much-needed scrutiny to a seriously deteriorating situation. It stipulates that the United States can increase nonhumanitarian assistance to Vietnam above the 2012 levels only if the President is able to certify that the Government of Vietnam has made substantial progress in establishing a democracy and promoting human rights, including respecting religious freedom and the release of political prisoners and religious prisoners, repealing and revising laws that criminalize peaceful dissent, respecting human rights of members of all ethnic groups—there's an enormous amount of racism in Vietnam, particularly directed at people who happen to be Montagnard, and others—taking all appropriate steps, including the prosecution of government officials to end government complicity in that nefarious practice called human trafficking. There are also very clear benchmarks articulated in the legislation.

Madam Speaker, in the last 4 months alone, on April 11 and June 4, I've held two more congressional hearings on this deteriorating situation. We heard stories about individuals and groups who are being persecuted in a variety of ways. Their testimony confirmed that religious, political, and ethnic persecution has worsened, and that there is complicity by leadership, by the people who are in the Government of Vietnam, in human trafficking.

The U.S. Commission on International Religious Freedom, in 2013, in their report, noted:

> The Government of Vietnam continues to expand control over all religious activities, severely restricting independent religious practice and to repress individuals and religious groups it views as challenging their authority.

□ 2000

The Commission says very candidly that Vietnam ought to be a country of particular concern—a CPC designation—pursuant to the International Religious Freedom Act of 1998. Unfortunately, that was removed by President Bush—a misguided move on his part—in 2006, when it was thought that the bilateral trade agreement and the

permanent normal trading relations might lead to a matriculation from a dictatorship to a democracy. Things actually have gotten worse since this government got this trade benefit. Rights have suffered and people—real casualties—have endured unspeakable hardships.

Mr. Speaker, on several human rights trips to Vietnam, I have met, as has Chairman ROYCE and other Members—and I know when you meet these people you are forever moved—courageous leaders who struggle, sacrifice and endure numbing hardships, including torture, to promote fundamental human rights in their beloved country. Many of these remarkable individuals hale from virtually every denomination of faith, whether it be Christian, Falun Gong, or Buddhists, and suffer, again, horrifically because of their faith.

I met with the Venerable Thich Quang Do, under pagoda arrest—a great Buddhist leader who has been relegated to his pagoda. He couldn't step one foot outside of that pagoda without the secret police rushing in. He told me if he took one step out with me to say good-bye, there would be an onslaught of these bully boys who would push and shove or mistreat him.

I met with Father Ly when he was under house arrest before being re-arrested. He was a great democracy activist who was being so callously mistreated by this dictatorship. And he is only one of many.

It is not just the religious leaders in particular or individuals who are victimized by the government. Entire communities are also targeted by the regime. Mr. Tien Tran testified at our April 11 meeting and told my subcommittee of the brutality experienced by the Con Dau Catholic Parish, which has been repressed like you can't believe, Mr. Speaker. Individuals have been beaten to a pulp. Some have died. And they have confiscated their property. So they're kleptomaniacs as well.

Also, at the April 11 meeting we heard from the sister of a Vietnamese woman who was forced to work in a brothel in Russia with 14 other Vietnamese women. When there was an effort made by the Russian Government to liberate those women, it was the Embassy of Vietnam in Moscow that tipped off the traffickers—because they were complicit with them—to ensure that these women were not liberated but continued to be hurt by the traffickers. There was another one dealing with women who were trafficked to Jordan. Those officials of the Vietnamese Government were complicit in that as well.

Again, that's only the tip of the iceberg of this terrible complicity with heinous crimes against women.

I think the State Department report on trafficking was a good one, but they made a gross exception when it came to Vietnam, and actually improved their grade, when the information even in the narrative about Vietnam and the TIP report would have suggested otherwise.

I'm the prime author of the Trafficking Victims Protection Act and worked to create those minimum standards. It's appalling that Vietnam is not where it ought to be, a Tier 3 country, an egregious violator subject to sanctions.

This will be the fourth time, if this bill passes, Mr. Speaker, that we've been able to get the Vietnam Human Rights Act passed. In 2004, 2007, and last year, 2012, iterations of this bill have gotten over to the Senate, only to die through holds and other very nondemocratic means of suppressing the will of the Senate in working on this bill. I hope that changes.

We have seen a deterioration, as my colleagues and I have all pointed out tonight, in the human rights situation in Vietnam. It is time to stand with the oppressed people who are yearning to be free in Vietnam and to stand up against this dictatorship. It's time to meet with them, talk with them, and talk to President Sang, who was here last week to meet with President Obama, and lay down very specific benchmarks on simple respect for the fundamental liberties of people in Vietnam who just yearn to be free and to experience their God-given rights.

Mr. ENGEL. I yield back the balance of my time.

Mr. ROYCE. In closing, I, again, want to thank my colleague, Mr. SMITH from New Jersey, for his dedication to human rights in Vietnam, and for human rights in general, and for not only his work on this bill but, again, the time and energy that he has put into attempting to intervene on behalf of those who have been subject to these beatings that he has cited, to this maltreatment, to these long prison terms.

Last week, we had President Sang of Vietnam visiting Washington for the first official visit, I think, since 2007. While we've been assured that human rights were on the agenda during these meetings with the President and with the State Department, we did all we could to make certain that this time they were on the agenda. But I think the Vietnamese people need more than talk. And that is why we need to pass this legislation. It's a sign to all Vietnamese people that the U.S. is committed to the cause of human rights, but it is also leverage that can be used to guarantee some measure of attention from the regime.

This is Congress's chance to speak to those Vietnamese people who are yearning for freedom. It's our chance to do so by vocally supporting a human rights agenda in Vietnam. We've got to get this back on the agenda.

I strongly urge my colleagues to support this important bill, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I fully support HR 1897—the Vietnam Human Rights Act and I thank my distinguished colleague from the Foreign Affairs Committee and champion of human rights—CHRIS SMITH for bringing this legislation forward and I am happy to cosponsor this bill.

We all want to see a prosperous, democratic and free Vietnam under which all people enjoy equal opportunities and fundamental freedoms.

This bill prohibits U.S. non-humanitarian assistance to the government of Vietnam unless the President certifies to Congress that Vietnam has made substantial progress respecting political, media, and religious freedoms, minority rights, access to U.S. refugee programs, and actions to end trafficking in persons and the release of political prisoners.

I continue to be concerned about the deteriorating human rights situation in Vietnam. The United States should stop sending American taxpayer money to governments that deny its citizens even the most basic human rights. Instead, we should leverage our assistance to push these governments into implementing democratic reforms, improving their human rights practices and allowing their citizens their fundamental rights, and that is what this bill will do.

My husband Dexter is a Vietnam combat veteran and former Army Ranger who was wounded defending the ideals of freedom and democracy—not just for Americans, but for all those who seek them. As the leading nation of the free world, the United States must stand with the Vietnamese people who are being brutally oppressed by their authoritarian government so that they may all live in a free and democratic country.

Ms. LOFGREN. Mr. Speaker, I rise today in support of H.R. 1897, the Vietnam Human Rights Act. I am proud to be an original cosponsor of this legislation, and I thank my colleague Mr. SMITH for introducing it.

This bill would prohibit any increase in U.S. non-humanitarian assistance to Vietnam until substantial progress has been made with regard to political and religious freedom for the citizens of Vietnam. The bill also expresses the sense of Congress that Vietnam should be designated as a Country of Particular Concern for religious freedom, and that the government does not meet the minimum standards for the elimination of human trafficking. In addition, the bill urges the Secretary of State to strongly oppose Vietnam's candidacy for membership on the United Nations Human Rights Council.

I strongly support this bill. Vietnam's record on human rights is appalling. The government in Vietnam continues to repress its citizens, including peaceful democracy activists, bloggers, and religious minorities. Reporters Without Borders ranks Vietnam as 172nd of 179 countries, only two places above China, and the U.S. Commission on International Religious Freedom has once again identified Vietnam as a "Tier 1 Country of Particular Concern," grouping it with nations such as North Korea, Burma, and Iran. The Vietnamese government has clearly indicated by its actions that it lacks a meaningful commitment to reform. This Congress needs to send a message to the government that the status quo is unacceptable, and if the Vietnamese government wants to continue to engage with the United States, these violations must end. I support this bill, and I urge my colleagues to do so as well.

The SPEAKER pro tempore (Mr. MESSER). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 1897, as amended

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROYCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

ENCOURAGING PEACE AND REUNIFICATION ON THE KOREAN PENINSULA

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 41) encouraging peace and reunification on the Korean Peninsula, as amended.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 41

Whereas the Republic of Korea (in this resolution referred to as ''South Korea'') and the Democratic People's Republic of Korea (in this resolution referred to as ''North Korea'') have never formally ended hostilities and have been technically in a state of war since the Armistice Agreement was signed on July 27, 1953;

Whereas the United States, representing the United Nations Forces Command which was a signatory to the Armistice Agreement, and with 28,500 of its troops currently stationed in South Korea, has a stake in the progress towards peace and reunification on the Korean Peninsula;

Whereas progress towards peace and reunification on the Korean Peninsula would mean greater security and prosperity for the region and the world;

Whereas, at the end of World War II, Korea officially gained independence from Japanese rule, as agreed to at the Cairo Conference on November 22, 1943, through November 26, 1943;

Whereas, on August 10, 1945, the Korean Peninsula was temporarily divided along the 38th parallel into two military occupation zones commanded by the United States and the Soviet Union;

Whereas, on June 25, 1950, communist North Korea attacked the South, thereby initiating the Korean War and diminishing prospects for a peaceful unification of Korea;

Whereas, during the Korean War, more than 36,000 members of the United States Armed Forces were killed and approximately 1,789,000 members of the United States Armed Forces served in-theater along with the South Korean forces and 20 other members of the United Nations to secure peace on the Korean Peninsula and in the Asia-Pacific region;

Whereas, since the end of the Korean War era, the United States Armed Forces have remained in South Korea to promote regional peace;

Whereas provocations by the Government of North Korea in recent years have escalated tension and instability in the Asia-Pacific region;

Whereas North Korea's human rights abuses, suppression of dissent, and hostility to South Korea remain significant obstacles to peace and reunification on the Korean Peninsula;

Whereas North Korea's economic policies have led to extreme economic privation for its citizens, whose quality of life ranks among the world's lowest;

Whereas North Korea's proliferation of nuclear and missile technology threatens international peace and stability;

Whereas North Korea has systematically violated numerous International Atomic Energy Agency and United Nations Security Council Resolutions with respect to its nuclear weapons and ballistic missile programs;

Whereas the refusal of the Government of North Korea to denuclearize disrupts peace and security on the Korean Peninsula;

Whereas, beginning in 2003, the United States, along with the two Koreas, Japan, the People's Republic of China, and the Russian Federation, have engaged in six rounds of Six-Party Talks aimed at the verifiable and irreversible denuclearization of the Korean Peninsula and finding a peaceful resolution to the security concerns resulting from North Korea's nuclear development;

Whereas the three-mile wide buffer zone between the two Koreas, known as the Demilitarized Zone, or DMZ, is the most heavily armed border in the world;

Whereas the Korean War separated more than 10,000,000 Korean family members, including 100,000 Korean Americans who, after 60 years of separation, are still waiting to see their families in North Korea;

Whereas reunification remains a long-term goal of South Korea;

Whereas South Korea and North Korea are both full members of the United Nations, whose stated purpose includes maintaining international peace and security, and to that end ''take effective collective measures for the prevention and removal of threats to the peace'';

Whereas the Governments and people of the United States and South Korea have continuously stood shoulder-to-shoulder to promote and defend international peace and security, economic prosperity, human rights, and the rule of law both on the Korean Peninsula and beyond, and the denuclearization of North Korea; and

Whereas July 27, 2013, marks the 60th anniversary of the Armistice Agreement of the Korean War: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the historical importance of the Korean War, which began on June 25, 1950;

(2) honors the noble service and sacrifice of members of the United States Armed Forces and the armed forces of allied countries that have served in Korea since 1950;

(3) reaffirms the commitment of the United States to its alliance with South Korea for the betterment of peace and prosperity on the Korean Peninsula; and

(4) calls on North Korea to respect the fundamental human rights of its citizens, abandon and dismantle its nuclear weapons program, and end its nuclear and missile proliferation as integral steps toward peace and eventual reunification.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

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

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

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. RANGEL), the author of this bill and a hero of the Korean War, who served his country with valor during that tough campaign. After surviving an onslaught by waves of Chinese troops, he led his surviving comrades, while wounded, to safety from behind enemy lines, for which he was awarded a Purple Heart and also a Bronze Star for Valor.

Mr. RANGEL. Mr. Speaker, I was prepared to respond to the chairman and ranking member for their legislative courtesies they had extended to me. I appreciate the tribute being paid to me which, unusually, I was awkwardly unprepared for. But I do want to thank the gentleman for his friendship in more ways than just this resolution, as well as Tom Sheehy, who worked with your staff, and, of course, my friend from New York, J.J., on the committee staff. He guided to make certain that this almost-legislatively impossible resolution was so expediently brought up to be considered by this august House.

On Saturday last, the President of the United States, along with our congressional colleague, who is now the Secretary of the Department of Defense, and the Secretaries of all of the Armed Forces groups, got together to honor the veterans of the Korean War. It was a sight to see so many Korean veterans from so many different parts of the country.

They were reminded by the President that we had been labeled—those that participated—as what was referred to as ''the forgotten war.'' Because most all of the world knew about the importance of America being involved in saving democracy in World War II. And Vietnam, for good or bad, everyone knew people that went there. But somehow, in the middle of that, no one really missed us or knew where Korea was—or it didn't appear there was too much concern. When we did return, unlike the Vietnam veterans, who really had unfairly been treated, but fortunately for us, we were never missed, except by our families and friends. People never knew where we were. The Congress was not as kind to us as they had been to the veterans.

Having said all of that, it was a wonderful tribute. Veterans turned out from all over. Certainly, there were comrades that were part of the 20 countries that were part of the United Nations. And when the North Koreans invaded South Korea, those of us that were called to go to South Korea to defend them were going to a country that we never knew to fight for a people that we never met and for causes that were not well known.

And the war has never really been called a war. It's never been called a truce. It still is a division between these people. But as a result of the United States and the United Nations' efforts, millions of lives lost—54,000

Americans killed, 100,000 Americans wounded, and close to 9,000 either captured or missing in action—one would say, With all of the blood and money, what did we get out of this?

And that's what we discussed Saturday with the Korean War veterans. What we got out of this was the integrity of the United States of America. That any commitment that we had made to the United Nations not only would we be participating but we would lead, as we did under the direction of General MacArthur.

And today, as we look back and see that, out of the rubble of a country that had been reduced by war, and we take a look at what exists in the northern part, as this division still exists today, in Communist North Korea, we have seen a people that had no jobs, no homes, no resources, but they did have hope.

□ 2015

Out of the South Korean hope and dream came a nation, a new nation, a nation that demonstrated what democratic people can do; an economy was built, and a friendship and a partnership with the United States and freedom-loving people all over the world.

So today, we don't just say as Korean veterans that we know where Korea is. We say that no matter how little a part we played, that we can look back and be proud as Americans that we have, in a small part, been possible to see this small nation become a world power, not only in terms of its military, but its friendship in terms of America's national defense; not only in terms of friendship, but being one of our wonderful trading partners that provides jobs for Koreans and Americans.

So it only makes sense, as a great country of ours that still has the scars of the Civil War, that we should want Koreans, North and South, to find some way to seek unity, to find some way to understand the values of democracy, to find some way that the thing that democracies are willing to fight and die for exists in that peninsula.

I want to specifically thank Hannah Kim of my office for doing what staff does for all of us in getting people even from the other body to understand how important this was to the President and to the Congress; and, of course, to the Speaker's staff, who worked closely with Chairman ROYCE—that's Mike Sommers and Dave Schnittger. And on the other side of the Capitol, Todd Womack, chief of staff of Senator CORKER, and Mike Henry and his gang, as chief of staff of Senator TIM KAINE.

And on behalf of all of the veterans, I can tell you, as I yield my time back to the chairman, that we all have felt that America really did love us; they just needed an opportunity to express it.

So we thank you for this resolution. It's not just for me and Koreans, but it's also for Korean Americans. So many Asians, and especially Korean Americans, they love Korea, but they love our country best.

Mr. ROYCE. I thank Mr. RANGEL, and I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I rise in support of House Concurrent Resolution 41, as amended, and I yield myself such time as I may consume.

Let me say, first of all, that I want to thank my colleague and friend from New York, Congressman RANGEL, for his service to our country in the Korean War; also, for his long service in the House of Representatives and for offering this important resolution.

If you grew up in New York, as I did, and you grew up in politics, everyone knows who CHARLIE RANGEL is, anyplace in New York—New York City or New York State. And now we actually have adjoining districts, back-to-back districts. He obviously means so much to so many people, and I'm proud to call him my colleague and even more proud to call him my friend. So I want to thank Congressman RANGEL, who sponsored this legislation. I want to thank our chairman, ED ROYCE, for his leadership as well on this resolution.

What this does is H.Con.Res 41 recognizes the historical importance of the Korean War, which ended 60 years ago this past weekend. The resolution also affirms the strong bonds between the United States and the Republic of Korea which were forged in blood during the Korean War.

During that conflict, nearly 1.8 million American soldiers served in the theater to defend freedom and democracy. Sadly, almost 55,000 were killed, over 100,000 were wounded, and about 8,000 were listed as missing in action or prisoners of war.

Just as I thank Congressman RANGEL, my good friend, I want to also say that the House has other Korean War veterans in the House—Representative JOHN CONYERS, Representative SAM JOHNSON, and Representative HOWARD COBLE. CHARLIE RANGEL and all the other Korean War veterans in the House I just mentioned all deserve our recognition and sincere thanks.

From the ruins of that conflict 60 years ago, we've seen the rise of a strong alliance between the United States and South Korea, the emergence of South Korea as one of the major economies of the world and a leading trading partner of the United States.

This past January, I visited South Korea with Chairman ROYCE, where we had an opportunity to meet South Korea's new President—and we also met her when she came here and spoke before the joint session of Congress a few months ago—and we also met with other senior officials when we were in Seoul. Based on these conversations, I can tell you that the U.S.-South Korea relationship has never been stronger. With the continued threat posed by North Korea, the U.S.-Korea alliance is needed more than ever to safeguard peace and stability in that region of the world.

More than 28,000 American armed services personnel serve in Korea today, and Chairman ROYCE and I met many of those people when we were over in Korea. And just as Korean War veterans fought for freedom, so, too, do these current-day defenders stand ready to help protect freedom on the Korean Peninsula and throughout the region.

So I urge my colleagues to support this resolution, and I reserve the balance of my time.

Mr. ROYCE. Well, Mr. Speaker, I would close my remarks by saying that I rise in strong support of this resolution.

I'd like to add my voice to others grateful for the sacrifices so many Americans made to protect the freedom of South Korea. And I again acknowledge the four Members of this House—Congressman CHARLIE RANGEL, JOHN CONYERS, SAM JOHNSON, and HOWARD COBLE—the veterans of that war, to thank them for their service in the Armed Forces.

I commend Congressman RANGEL for offering this resolution here on the 60th anniversary of this special relationship that we have with South Korea. We recall that 22 nations came together to defend the Republic of Korea, and fighting stopped 3 years later with an armistice that still remains in place. 5.7 million Americans served during that conflict. As noted, the casualties were 56,000, if you count those missing and presumed dead. Over 100,000 Americans were wounded in that war. And 140,000 South Koreas were killed in action, many of whom fought side by side with American forces for the cause of freedom. But when you calculate the more than 3 million Korean civilians killed in that conflict, you begin to appreciate the enormity of the human loss.

The heroic deeds of these servicemen, both Korean and American, laid the foundation for that alliance that we speak of here that has lasted some 60 years, but also brought relative stability, as Mr. RANGEL pointed out, to northeast Asia, and certainly laid that foundation for the prosperity that we see in Seoul and around the country today.

Yet Korea remains a divided peninsula. This is a calamity for the Korean people. The United States and South Korea have spent much of the last 20 years offering to engage North Korea with aid, with trade, and with diplomacy. All of these initiatives, unfortunately, have failed. And the North Korean response? Besides its aggressive behavior towards South Korea, the regime there continues to develop nuclear weapons, to test missiles, and to supply weapons to countries like Iran and Syria.

Mr. Chairman, we have tried many strategies. I think only one has worked, really, and that was financial pressure. I recall in 2005 when an Under Secretary of the Treasury caught North Korea counterfeiting $100 bills, so what he did was used the power of the U.S. financial system to cut off

Kim Jong Il's access to his vast offshore wealth. And while the North Korean people were starving at the time, as you know, the country's dictator had billions of dollars stashed away in foreign banks that suddenly he did not have access anymore to that money when the sanctions were put on the Banco Delta Asia. Blocking those accounts denied Kim Jong Il the cash he needed to sustain that vast police state, to sustain that million-man army, to pay for his nuclear weapons and his luxurious lifestyle.

For a while, the world had his attention. For a while, he wanted to come back to the table. I think that approach worked. I suspect North Korea will only change when it's forced to change, and I think we must resurrect a successful strategy of financial pressure.

But, Mr. Speaker, today what we do, what we dedicate ourselves to is recognizing the 60th anniversary of the Armistice Agreement of the Korean War. Importantly, this resolution not only honors the service and sacrifices of the members of the Armed Forces, but it also reaffirms our commitment to the U.S.-Korea alliance. And this resolution sends a message that the U.S. goal remains that which thousands of Americans, including four of our Members, fought for; that goal remains peace on the Korean Peninsula.

I urge my colleagues to support this resolution, and I yield back the balance of my time.

Mr. ENGEL. Before I yield back, I want to thoroughly embarrass my colleague and friend from New York because we found, in our cloakroom, this wonderful picture. This good-looking guy is CHARLIE RANGEL when he was a soldier in Korea. And now you know why he was elected to Congress. Anyone who looks that good, everyone votes for. It's nice to hold a picture of a hero.

Mr. RANGEL. If the gentleman would yield, I thank you so much, my dear colleague from New York.

Mr. ENGEL. I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I fully support H. Con. Res 41—Encouraging peace and reunification on the Korean Peninsula. I would like to thank Congressman RANGEL for bringing this bill forward and thank him for his service as a Korean War Veteran.

This past week marked the 60th Anniversary of the Korean War Armistice and I want to thank all of our service men and women who served and continue to serve in Korea. This timely resolution recognizes the historical importance of the Korean War and honors the service and sacrifice of the U.S. Armed Forces and the armed forces of allied countries that served, and continue to serve, in Korea. It reaffirms the commitment of the United States to our alliance with South Korea, and calls on North Korea to abide by international law and cease its nuclear proliferation in order to resume talks that could lead to peace and reunification.

As one of our strongest allies in that region, South Korea stands firmly for the ideals of democracy and freedom. This bill sends a strong message to the people of South Korea that we stand with them on their struggle against North Korean oppression. Our policy should be clear: the oppressive Pyongyang regime will face continued sanctions and isolation unless it ceases its illicit activities and its persistent threats against us and our allies.

I hope that one day Koreans will be able to reunite, and this bill helps promote this noble cause.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 41, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO THE DWIGHT D. EISENHOWER MEMORIAL COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 8162 of Public Law 106–79, as amended, and the order of the House of January 3, 2013, of the following Members on the part of the House to the Dwight D. Eisenhower Memorial Commission:

Mr. BISHOP, Georgia

Mr. THOMPSON, California

HONORING THE LIFE AND LEGACY OF GEORGE MITCHELL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. OLSON) is recognized for 60 minutes as the designee of the majority leader.

Mr. OLSON. Mr. Speaker, as a member of the House Energy Action Team, I want to open this Special Order by paying tribute to a man who made American energy independence possible in the 21st century, George Mitchell.

Mr. Mitchell left us this past Friday. He was 94 years old, 6 years short of a century. He was truly a larger-than-life figure in Texas, America, and the world. He spent more than 20 years of his life risking tens of millions of his own dollars looking to unlock the natural gas and oil that he knew existed in shale plates all across this country.

□ 2030

In the mid-1990s, Mr. Mitchell finally succeeded in tapping into the Barnett shale plate outside of Dallas and Fort Worth. He got his first operation well, profit well, after 35 wells. The 36th one was the one that made the difference.

The Barnett shale plate led to the Haynesville shale plate in western Louisiana and eastern Texas. That led to the Marcellus shale plate in western New York, western Pennsylvania, and West Virginia. That led to the Bakken shale plate in North Dakota and eastern Montana. And that led back home to the Eagle Ford shale plate south of San Antonio, going down to the Rio Grande border with Mexico.

Mr. Mitchell came into this world with a very special title—''BOI,'' born on island, a title of reverence for someone who is born on Galveston Island. He was born on May 21, 1919. Galveston was still struggling to recover from America's worst natural disaster—the Galveston hurricane of 1900, in which at least 6,000 Americans died in one night in September of that year.

But being ''BOI,'' Mr. Mitchell did not despair. He felt resurgence, he felt hope. He took that resurgence and hope to College Station and Texas A&M University where he studied petroleum engineering and geology. He finished first in his class and was the captain of the varsity tennis team. Texas A&M gave him the tools he needed to succeed.

He gave tools back to Texas A&M. He donated $4.2 million for a new Aggie tennis stadium and $35 million for two new physics buildings.

When Alzheimer's took his wife of nearly 70 years, Cynthia, he gave the University of Texas Medical Branch in Galveston, Texas' oldest medical school, millions to study research like Alzheimer's.

He gave $20 million for biomedical research at the MD Anderson Cancer Center and brought Dr. Steven Hawking to Texas A&M to help with studying degenerative diseases, like the one Dr. Hawking had that he overcame for most of his adult life.

George Mitchell literally built The Woodlands north of Houston, one of the fastest growing and safest communities in America. George Mitchell has a very special place in my heart because my daughter, Kate, saw her idol Taylor Swift at the Cynthia Woods Mitchell Pavilion in The Woodlands.

Mr. Mitchell never forgot his hometown of Galveston, Texas. He had the vision to restore the Galveston Strand, bringing the cruise ships back to Galveston, and started a Mardi Gras celebration larger than New Orleans.

George Mitchell was a visionary who tapped into American exceptionalism and left a lasting mark on Texas, America, and the world.

George Mitchell gave my kids and every kid in America a very special gift—the gift of freedom that comes from knowing that a foreign nation cannot hurt our economy by taking away the oil and gas we need.

I saw this firsthand in 1979 when the Ayatollah overthrew the Shah of Iran. The Shah came here to America in exile being treated for cancer that ultimately took his life. The Arab world was not happy that we let the Shah come to America, and so OPEC took away every drop of oil that they had been giving our country for over 20 years.

I was 16 years old when that happened. I had just got my driver's license. My job was to drive our Chevy

Silverado pick-up truck down to the gas station, depending upon the last digit of my license plate, odd or even, to fill up the truck with a maximum of 20 gallons of gasoline. The price of that gasoline doubled overnight.

Because of George Mitchell, American children will never have to go through that again if we can follow his dream of developing shale plates all across this great Nation.

George Mitchell embodied the qualities of hard work, innovation, compassion, and a can-do spirit that make America the greatest Nation on Earth.

We are better off today because of George and Cynthia Mitchell. May God bless the Mitchell family, their 10 children, and everyone whose life was touched by their presence.

In naval aviation we say ''bravo zulu, Mr. Mitchell, bravo zulu.'' You are cleared to depart the pattern and rejoin Cynthia in a life of shared eternity.

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

RECESS

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

Accordingly (at 8 o'clock and 37 minutes p.m.), the House stood in recess.

□ 2138

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN) at 9 o'clock and 38 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 367, REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2013; PROVIDING FOR CONSIDERATION OF H.R. 2009, KEEP THE IRS OFF YOUR HEALTH CARE ACT OF 2013; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM AUGUST 3, 2013, THROUGH SEPTEMBER 6, 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 2879, STOP GOVERNMENT ABUSE ACT

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 113–187) on the resolution (H. Res. 322) providing for consideration of the bill (H.R. 367) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; providing for consideration of the bill (H.R. 2009) 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; providing for proceedings during the period from August 3, 2013, through September 6, 2013; and providing for consideration of the bill (H.R. 2879) to provide limitations on bonuses for Federal employees during sequestration, to provide for investigative leave requirements for members of the Senior Executive Service, to establish certain procedures for conducting in-person or telephonic interactions by executive branch employees with individuals, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MEADOWS (at the request of Mr. CANTOR) for July 30 on account of attending the installation of Sheriff Frye as president of the Sheriffs' Association in Wilmington, North Carolina.

Mr. MILLER of Florida (at the request of Mr. CANTOR) for today after 6 p.m. and the balance of the week on account of attending the funeral of Colonel George E. ''Bud'' Day, Medal of Honor recipient.

Mr. YOUNG of Florida (at the request of Mr. CANTOR) for today on account of bronchitis.

ADJOURNMENT

Mr. COLE. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 40 minutes p.m.), consistent with the fourth clause in section 5 of article I of the Constitution, and notwithstanding section 132 of the Legislative Reorganization Act of 1946, under its previous order, the House adjourned until tomorrow, Thursday, August 1, 2013, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the second quarter of 2013 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. FRANK D. LUCAS, Chairman, July 19, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Tom Rice	5/26	5/27	Kosovo		194.95						194.95
	5/27	5/28	Germany		267.08						267.08
	5/28	5/29	Qatar		339.77						339.77
	5/29	5/31	Afghanistan		56.00						56.00
	5/31	6/1	United Arab Emirates								
							11,826.45				11,826.45
Hon. Bill Flores	4/19	4/19	United Arab Emirates								
	4/19	4/29	Afghanistan		43.00						43.00
	4/29	4/29	Bahrain		124.00						124.00
							10,709.60				10,709.60
Committee total					1,024.80		22,536.05				23,560.85

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. PAUL RYAN, Chairman, July 24, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
David Redl	5/13	5/17	Switzerland		1,597.41		2,002.70				3600.11
Shawn Chang	5/13	5/17	Switzerland		1,597.41		2002.70				3600.11
Hon. Michael C. Burgess	5/24	5/25	United Arab Emirates		372.00		13,065.10				13,437.10
	5/25	5/26	Afghanistan		28.00						28.00
	5/26	5/27	United Arab Emirates		221.07						221.07
Committee total					3,815.89		17,070.50				20,886.39

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Includes entire roundtrip for the Honorable Michael C. Burgess.

HON. FRED UPTON, Chairman, June 17, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Judy Chu	5/24	5/24	Cuba				415.90				415.90
Committee total							415.90				415.90

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. BOB GOODLATTE, Chairman, July 23, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LAMAR SMITH, Chairman, July 24, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Steve King	5/28	6/3	Russia		3,588.00		20,207.42				23,795.42
Committee total					3,588.00		20,207.42				23,795.42

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. SAM GRAVES, Chairman, July 15, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]

HOUSE COMMITTEES
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Chairman, July 16, 2013.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2433. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

2434. A letter from the Secretary, Department of Health and Human Services, transmitting FY 2012 PDUFA financial report to Congress required by the Prescription Drug User Fee Act, as amended; to the Committee on Energy and Commerce.

2435. A letter from the Deputy Director, Office of State, Local, and Tribal Affairs, Office of National Drug Control Policy, transmitting the Annual Progress and Evaluation Report on the National Youth Anti-Drug Media Campaign for Fiscal Year 2012; to the Committee on Energy and Commerce.

2436. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-37, 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.

2437. A letter from the General Counsel, Peace Corps, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

2438. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Grouper Fishery of the South Atlantic; 2013 Commercial Accountability Measure and Closure for the South Atlantic Lesser Amberjack, Almaco Jack, and Banded Rudderfish Complex [Docket No.: 100812345-2142-03] (RIN: 0648-XC714) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2439. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC722) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2440. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3148-02] (RIN: 0648-XC724) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2441. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Snapper-Grouper Fishery of the South Atlantic; 2013 Recreational Accountability Measure and Closure for South Atlantic Golden Tilefish [Docket No.: 120403249-2492-02] (RIN: 0648-XC671) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2442. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Amendment 4 to the Corals and Reef Associated Plants and Invertebrates Fishery Management Plan of Puerto Rico and the U.S. Virgin Islands; Seagrass Management [Docket No.: 120718255-3500-02] (RIN: 0648-BC38) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2443. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Amendment 94 to the Gulf of Alaska Fishery Management Plan and Regulatory Amendments for Community Quota Entities [Docket No.: 120223143-3489-02] (RIN: 0648-BB94) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2444. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Actions #4 and #5 [Docket No.: 130108020-3409-01] (RIN: 0648-XC705) received July 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2445. A letter from the Director, Administrative Office of the United States Courts, transmitting the 2012 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005; to the Committee on the Judiciary.

2446. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Boothbay, ME [Docket No.: FAA-2012-0792; Airspace Docket No.: 12-ANE-00] received July 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2447. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Coverage of Certain Preventive Services Under the Affordable Care Act [TD-9624] (RIN: 1545-BJ60) received July 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2448. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's quarterly report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects (dated July 15, 2013); jointly to the Committees on Armed Services and Appropriations.

2449. A letter from the Secretaries, Department of the Interior, Department of Defense, Department of State, transmitting draft legislation to amend Title I of Public Law 99-658 (100 Stat. 3672), regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau; jointly to the Committees on the Judiciary, Foreign Affairs, and Natural Resources.

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. ISSA: Committee on Oversight and Government Reform. H.R. 2579. A bill to amend title 5, United States Code, to provide for investigative leave requirements with respect to Senior Executive Service employees, and for other purposes; with an amendment (Rept. 113–186). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 322. Resolution providing for consideration of the bill (H.R. 367) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; providing for consideration of the bill (H.R. 2009) 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; providing for proceedings during the period from August 3, 2013, through September 6, 2013; and providing for consideration of the bill (H.R. 2879) to provide limitations on bonuses for Federal employees during sequestration, to provide for investigative leave requirements for members of the Senior Executive Service, to establish certain procedures for conducting in-person or telephonic interactions by Executive branch employees with individuals, and for other purposes. (Rept. 113–187). Referred to the House Calendar.

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. ROGERS of Michigan (for himself and Ms. MATSUI):

H.R. 2869. A bill to amend title XVIII of the Social Security Act to establish payment parity under the Medicare program for ambulatory cancer care services furnished in the hospital outpatient department and the physician office setting; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, 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. BRADY of Texas (for himself, Mr. CROWLEY, Ms. JENKINS, Mr. BLUMENAUER, Mr. RANGEL, Mr. ROSKAM, Mr. PASCRELL, Mr. VAN HOLLEN, Mr. SAM JOHNSON of Texas, Mr. LARSON of Connecticut, Mr. SESSIONS, Mr. GERLACH, Mr. KIND, and Mr. KING of New York):

H.R. 2870. A bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes; to the Committee on Ways and Means.

By Mr. COBLE (for himself, Mr. WATT, Mr. HOLDING, and Mr. THOMPSON of Mississippi):

H.R. 2871. A bill to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes; to the Committee on the Judiciary.

By Ms. LORETTA SANCHEZ of California:

H.R. 2872. A bill to secure the borders of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Foreign Affairs, the Judiciary, and Ways and Means, 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 Ms. ESTY:

H.R. 2873. A bill to evaluate and authorize the continuation of the activities of the Economy, Energy, and Environment (E3) Initiative to Support Sustainable Manufacturing, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, Education and the Workforce, Small Business, and Agriculture, 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 Ms. SCHAKOWSKY (for herself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HONDA, Ms. TSONGAS, Mr. KEATING, Ms. JACKSON LEE, Ms. LEE of California, Ms. SPEIER, Mr. MORAN, Mr. CONYERS, Mr. MCGOVERN, and Mr. FARR):

H.R. 2874. A bill to ensure that the United States promotes women's meaningful inclusion and participation in mediation and negotiation processes undertaken in order to prevent, mitigate, and resolve violent conflict and implements the United States National Action Plan on Women, Peace, and Security; to the Committee on Foreign Affairs, and in addition to the Committee on 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 Ms. VELÁZQUEZ:

H.R. 2875. A bill to authorize programs and activities for the improvement and protection of ports and harbors, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, 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. FLORES (for himself, Mr. BENISHEK, Mr. COOK, Mr. GOHMERT, Mr. ROE of Tennessee, Mr. FLEMING, and Mr. COFFMAN):

H.R. 2876. A bill to amend the Internal Revenue Code of 1986 to provide veterans with a 1-year exemption from the requirement to maintain minimum essential coverage under the Patient Protection and Affordable Care Act; to the Committee on Ways and Means.

By Mr. FLORES (for himself, Mr. GENE GREEN of Texas, Mr. MARINO, Mr. CUELLAR, Mr. OLSON, and Mr. MICHAUD):

H.R. 2877. A bill to prevent certain discriminatory taxation of natural gas pipeline property; to the Committee on the Judiciary.

By Mr. PRICE of North Carolina (for himself, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CONYERS, Mr. GRIJALVA, Mr. MCINTYRE, Ms. BORDALLO, and Mr. WALZ):

H.R. 2878. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants for innovative teacher retention programs; to the Committee on Education and the Workforce.

By Ms. JENKINS (for herself, Mr. MEADOWS, and Mr. KELLY of Pennsylvania):

H.R. 2879. A bill to provide limitations on bonuses for Federal employees during sequestration, to provide for investigative leave requirements for members of the Senior Executive Service, to establish certain procedures for conducting in-person or telephonic interactions by Executive branch employees with individuals, 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. KIND:

H.R. 2880. A bill to require the Secretary of Education to use the excess revenue generated from the William D. Ford Federal Direct Loan Program to carry out the Federal Pell Grant Program; to the Committee on Education and the Workforce.

By Mr. BUTTERFIELD (for himself, Mr. PRICE of North Carolina, Ms. LEE of California, Mrs. BEATTY, Ms. KELLY of Illinois, Ms. JACKSON LEE, Mr. MCINTYRE, Mr. BISHOP of Georgia, Mr. JEFFRIES, Mr. PAYNE, Ms. BASS, Mr. CARSON of Indiana, Ms. CLARKE, Mr. RICHMOND, Mr. LEWIS, Ms. KAPTUR, Mr. CLEAVER, Mr. SCOTT of Virginia, Ms. BROWN of Florida, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 2881. A bill to amend the Higher Education Act of 1965 to increase the amount of loan forgiveness available to highly-qualified teachers employed in low-income schools who teach in the same school district for five consecutive years; to the Committee on Education and the Workforce.

By Mr. COFFMAN (for himself, Mr. GRAVES of Missouri, Mr. MILLER of Florida, Mr. FLORES, Mr. HANNA, and Mr. CONNOLLY):

H.R. 2882. A bill to amend the Small Business Act and title 38, United States Code to provide for a consolidated definition of a small business concern owned and controlled by veterans, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Small Business, 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. COOPER (for himself and Mr. RYAN of Wisconsin):

H.R. 2883. A bill to provide, for purposes of mitigating the effects of a sequestration, the Secretary of Defense transfer authority with respect to amounts made available to the Department of Defense in fiscal years 2014 through 2021, and for other purposes; to the Committee on Appropriations.

By Mr. CUMMINGS:

H.R. 2884. A bill to require the Attorney General to make competitive grants to State, tribal, and local governments to establish and maintain witness protection and assistance programs; to the Committee on the Judiciary.

By Mr. FLEISCHMANN:

H.R. 2885. A bill to amend the Internal Revenue Code of 1986 to temporarily exclude capital gain from gross income; to the Committee on Ways and Means.

By Mr. HUNTER (for himself and Mr. CULBERSON):

H.R. 2886. A bill to require agency notice and receipt of public comment before using any estimate for the social cost of carbon, to require reports on the results of and methods used to calculate any cost-benefit or regulatory impact analysis, 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. ISRAEL (for himself, Mr. ENGEL, Ms. MENG, Mr. SIRES, Mr. CROWLEY, Mr. KING of New York, Mr. NADLER, Mr. PALLONE, Mrs. MCCARTHY of New York, Mr. JEFFRIES, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE, and Mr. PASCRELL):

H.R. 2887. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for condominiums and housing cooperatives damaged by a major disaster, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. CONYERS, Mr. CROWLEY, Mr. FARR, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. LOFGREN, Ms. MCCOLLUM, Mr. MCDERMOTT, Ms. MOORE, Mr. MORAN, and Ms. SPEIER):

H.R. 2888. A bill to authorize assistance to aid in the prevention and treatment of obstetric fistula in foreign countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GEORGE MILLER of California (for himself, Ms. SCHAKOWSKY, Ms. KAPTUR, Mr. NADLER, Mr. LEWIS, Ms. MOORE, Ms. CLARKE, Mr. HINOJOSA, Mr. CONYERS, Mr. HOLT, Mr. POCAN, Ms. SLAUGHTER, Mr. HUFFMAN, Mr. CARTWRIGHT, Ms. BROWNLEY of California, Ms. NORTON, Ms. FRANKEL of Florida, and Mr. SABLAN):

H.R. 2889. A bill to provide funds to States, units of general local government, and community-based organizations to save and create local jobs through the retention, restoration, or expansion of services needed by local communities, and for other purposes; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 2890. A bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for investment in the District of Columbia; to the Committee on Ways and Means.

By Mr. PALLONE:

H.R. 2891. A bill to amend the Solid Waste Disposal Act to require the Administrator of the Environmental Protection Agency to promulgate regulations on the management of medical waste; to the Committee on Energy and Commerce.

By Mr. PERLMUTTER (for himself and Mr. BACHUS):

H.R. 2892. A bill to amend the Fair Debt Collection Practices Act to preclude law firms and licensed attorneys from the definition of a debt collector when taking certain actions; to the Committee on Financial Services.

By Mr. RANGEL (for himself, Ms. BASS, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONYERS, Mr. CUMMINGS, Mr. ELLISON, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Ms. JACKSON LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KING of New York, Ms. LEE of California, Mr. LEWIS, Mr. MCDERMOTT, Mr. MEEKS, Mr. PAYNE, Mr. RUSH, Mr. SERRANO, Ms. SLAUGHTER, Ms. WATERS, Ms. WILSON of Florida, and Mrs. CAROLYN B. MALONEY of New York):

H.R. 2893. A bill to address the dramatic increase of HIV/AIDS in minority communities; to the Committee on Energy and Commerce.

By Mr. RIBBLE:

H.R. 2894. A bill to discontinue eligibility of former Members of Congress and their dependents for coverage under the Federal Employees Health Benefit Program (FEHBP) if the Patient Protection and Affordable Care Act is repealed; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, 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. RICHMOND:

H.R. 2895. A bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary, and Homeland Security, 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 Ms. SLAUGHTER (for herself, Mr. HIGGINS, Mr. MAFFEI, and Mr. TONKO):

H.R. 2896. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, 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. TAKANO:

H.R. 2897. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants for core curriculum development; to the Committee on Education and the Workforce.

By Mr. THOMPSON of Mississippi (for himself, Mr. HARPER, and Mr. PALAZZO):

H.R. 2898. A bill to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi, and for other purposes; to the Committee on the Judiciary.

By Mr. WELCH (for himself and Mr. HANNA):

H.R. 2899. A bill to amend the Internal Revenue Code of 1986 to increase the quarterly wages paid threshold for classification as an agricultural labor employer for purposes of unemployment taxes; to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

110. The SPEAKER presented a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 13 supporting the congressional action to reverse the suspension of new student enrollments in the Job Corps; to the Committee on Education and the Workforce.

111. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 2 commending its conscientious educators who teach about human rights and genocide; to the Committee on Foreign Affairs.

112. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 151 encouraging and supporting the Nagorno Karabakh Republic's continuing efforts to develop as a free and independent nation in order to guarantee its citizens those rights inherent in a free and independent society; to the Committee on Foreign Affairs.

113. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 180 memorializing the Congress to take such actions as are necessary to operate the fleet of the United States Postal Service vehicles on natural gas; to the Committee on Oversight and Government Reform.

114. Also, a memorial of the General Assembly of the State of Utah, relative to Joint Resolution H.J.R. 4 memorializing Congress to pass S. 336 and H.R. 684, the Marketplace Fairness Act; to the Committee on the Judiciary.

115. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 192 urging and requesting the Louisiana Congressional Delegation to review the basis for the discontinuance of funding of the Bossier Sheriff's Young Marines Program through a Juvenile Accountability Block Grant with the U.S. Department of Justice, Office of Civil Rights; to the Committee on the Judiciary.

116. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 88 memorializing Congress to adopt the Constitution Restoration Act; to the Committee on the Judiciary.

117. Also, a memorial of the General Assembly of the State of California, relative to Assembly Joint Resolution No. 7 urging the President and the Congress to exclude Social Security, Medicare, and Medicaid from being part of any legislation to reduce the federal deficit; jointly to the Committees on Energy and Commerce and Ways and Means.

118. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 81 urging the Congress to enact federal legislation to propose a constitutional amendment granting full voting rights residents of the District of Columbia; jointly to the Committees on Oversight and Government Reform and the Judiciary.

119. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 119 memoralizing Congress to establish a task force to study and make recommendations relative to implementation of the Federal REAL ID Act of 2005 in Louisiana; jointly to the Committees on the Judiciary, Homeland Security, and Oversight and Government Reform.

120. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 125 memorializing Congress to urge the U.S. Department of State to approve the Presidential permit application allowing the construction and operation of the TransCanada Keystone XL pipeline between the United States and Canada; jointly to the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources.

121. Also, a memorial of the Legislature of the Commonwealth of Virgin Islands, relative to Resolution No. 1794 memorializing Congress to pass and adopt H.R. 92, which would authorize a grant to the Virgin Islands Water and Power Authority to alleviate the energy crisis in the territory; jointly to the Committees on Energy and Commerce, Transportation and Infrastructure, Financial Services, and Education and the Workforce.

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. ROGERS of Michigan:

H.R. 2869.

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. BRADY of Texas:

H.R. 2870.

Congress has the power to enact this legislation pursuant to the following:

Article I, 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 Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COBLE:

H.R. 2871.

Congress has the power to enact this legislation pursuant to the following:

Article III, Section I of the U.S. Constitution.

By Ms. LORETTA SANCHEZ of California:

H.R. 2872.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4: To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Ms. ESTY:

H.R. 2873.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. SCHAKOWSKY:

H.R. 2874.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the powers of Congress, as enumerated in Article I, Section 8.

By Ms. VELÁZQUEZ:

H.R. 2875.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution

By Mr. FLORES:

H.R. 2876.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. FLORES:

H.R. 2877.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mr. PRICE of North Carolina:

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution provides Congress with the authority to ''make all Laws which shall be necessary and proper'' to provide for the ''general Welfare'' of Americans. In the Department of Education Organization Act (P.L. 96–88), Congress declared that ''the establishment of a Department of Education is in the public interest, will promote the general welfare of the United States, will help ensure that education issues receive proper treatment at the Federal level, and will enable the Federal Government to coordinate its education activities more effectively.'' The Department of Education's mission is to ''promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.''

By Ms. JENKINS:

H.R. 2879.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18,—''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. KIND:

H.R. 2880.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BUTTERFIELD:

H.R. 2881.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. COFFMAN:

H.R. 2882.

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, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. COOPER:

H.R. 2883.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the U.S. Constitution.

By Mr. CUMMINGS:

H.R. 2884.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. FLEISCHMANN:

H.R. 2885.

Congress has the power to enact this legislation pursuant to the following:

Article I, 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 Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Mr. HUNTER:

H.R. 2886.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under article I of the United States Constitution, including the power granted to Congress under article I, section 8, clauses 3 and 18, of the United States Constitution.

By Mr. ISRAEL:

H.R. 2887.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2888.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which reads: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mr. GEORGE MILLER of California:

H.R. 2889.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1, 3, and 18 of the Constitution of the United States; Article I, Section 9, Clause 7 of the Constitution of the United States.

By Ms. NORTON:

H.R. 2890.

Congress has the power to enact this legislation pursuant to the following:

Clause 17 of section 8 of article I of the Constitution.

By Mr. PALLONE:

H.R. 2891.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. PERLMUTTER:

H.R. 2892.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. RANGEL:

H.R. 2893.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 ''to provide for the common Defense and Welfare of the United States.''

By Mr. RIBBLE:

H.R. 2894.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. RICHMOND:

H.R. 2895.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for this bill stems from Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. SLAUGHTER:

H.R. 2896.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution.

By Mr. TAKANO:

H.R. 2897.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. THOMPSON of Mississippi:

H.R. 2898.

Congress has the power to enact this legislation pursuant to the following:

Clause IX and clause XVIII of section VIII of Article I of the Constitution; and section I of Article III of the Constitution.

By Mr. WELCH:

H.R. 2899.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power 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. . .

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. FRANKS of Arizona.
H.R. 25: Mrs. BACHMANN.
H.R. 107: Mr. PITTENGER and Mr. FLORES.
H.R. 129: Mr. LOWENTHAL and Mr. HOLT.
H.R. 183: Mr. MORAN.
H.R. 259: Mr. ROONEY, Mr. DESJARLAIS, Mr. MEADOWS, Mr. BRIDENSTINE, and Mr. DESANTIS.
H.R. 280: Mr. CARTWRIGHT.
H.R. 303: Mr. MILLER of Florida.
H.R. 320: Mr. NEAL.
H.R. 322: Mr. YOHO.
H.R. 351: Ms. ESTY.
H.R. 366: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SERRANO, Mr. WITTMAN, and Mr. FORBES.
H.R. 411: Mr. MATHESON.
H.R. 436: Mr. GRAVES of Georgia, Mr. ROGERS of Michigan, Mr. MCCAUL, Mr. CASSIDY, Mr. CRAWFORD, Mr. DESANTIS, Mr. STEWART, Mr. FLORES, Mr. AUSTIN SCOTT of Georgia, and Mr. GINGREY of Georgia.
H.R. 495: Mr. MULVANEY, Mr. HULTGREN, Mrs. CAPITO, and Mr. HUDSON.
H.R. 508: Ms. DELBENE.
H.R. 515: Mr. BISHOP of New York.
H.R. 523: Mr. JORDAN.
H.R. 525: Mr. O'ROURKE.
H.R. 526: Mr. CARSON of Indiana, Mrs. CAPPS, and Mr. LOWENTHAL.
H.R. 543: Mr. TAKANO.
H.R. 556: Mr. REICHERT.
H.R. 609: Mr. MURPHY of Florida.
H.R. 647: Mr. FORTENBERRY, Mr. NEUGEBAUER, Mr. SIMPSON, Mr. TERRY, Mr. DESANTIS, Mr. RADEL, Mr. PITTENGER, and Mr. FARENTHOLD.
H.R. 679: Mr. STIVERS.
H.R. 685: Mr. VEASEY, Mr. JORDAN, Mr. HUIZENGA of Michigan, Mrs. KIRKPATRICK, Mr. LOBIONDO, Mr. GINGREY of Georgia, and Mr. MCKEON.
H.R. 686: Mr. KIND.
H.R. 721: Mr. WALZ.
H.R. 794: Ms. LOFGREN.
H.R. 808: Mr. HOLT.
H.R. 822: Mr. YARMUTH.
H.R. 842: Mr. PERLMUTTER.
H.R. 855: Mr. RICE of South Carolina.
H.R. 920: Mr. RICE of South Carolina.
H.R. 938: Mr. WITTMAN.
H.R. 946: Mr. MARCHANT.
H.R. 960: Mr. MCINTYRE.
H.R. 961: Mr. NEAL.
H.R. 975: Mr. STIVERS.
H.R. 997: Mr. WOMACK.
H.R. 1000: Ms. CHU and Ms. CLARKE.
H.R. 1020: Mr. MASSIE.
H.R. 1024: Ms. CHU, Mr. VALADAO, and Mr. ROONEY.
H.R. 1027: Mr. COURTNEY.
H.R. 1095: Mr. LUETKEMEYER, Mr. RYAN of Ohio, and Mr. KING of Iowa.
H.R. 1105: Mr. LUETKEMEYER and Mr. PETERSON.
H.R. 1123: Mr. CHAFFETZ and Ms. MCCOLLUM.
H.R. 1139: Mrs. NEGRETE MCLEOD.
H.R. 1154: Ms. BASS.
H.R. 1176: Mr. LATTA.
H.R. 1179: Mr. PETERS of California.
H.R. 1186: Mr. MCCLINTOCK and Mr. TAKANO.
H.R. 1209: Mr. MURPHY of Florida.
H.R. 1226: Mr. MCCLINTOCK, Mr. UPTON, and Ms. JENKINS.
H.R. 1250: Mr. WILLIAMS and Mr. WOMACK.
H.R. 1254: Mr. WEBER of Texas and Mr. BARR.
H.R. 1287: Mr. HUIZENGA of Michigan.
H.R. 1288: Mr. O'ROURKE.
H.R. 1313: Ms. SHEA-PORTER.
H.R. 1339: Mr. GENE GREEN of Texas.
H.R. 1351: Mr. KIND and Mrs. KIRKPATRICK.
H.R. 1354: Mr. FARENTHOLD, Mr. GARDNER, and Mr. CARNEY.
H.R. 1420: Ms. SHEA-PORTER.
H.R. 1466: Mr. KENNEDY.
H.R. 1488: Mr. CARTWRIGHT.
H.R. 1518: Mr. TURNER and Mr. PAULSEN.
H.R. 1526: Mr. MULLIN.
H.R. 1563: Mr. KILMER, Mr. YOHO, Mr. HUFFMAN, Mr. SCHNEIDER, and Mr. CLEAVER.
H.R. 1571: Mr. NUNNELEE.
H.R. 1579: Mr. HUFFMAN.
H.R. 1587: Mr. COTTON.
H.R. 1620: Mr. DEUTCH.
H.R. 1661: Mr. DAVID SCOTT of Georgia and Mr. COHEN.
H.R. 1701: Mr. COLE.
H.R. 1708: Mr. YOUNG of Indiana.
H.R. 1716: Mr. HANNA.
H.R. 1717: Mr. BISHOP of Georgia.
H.R. 1728: Ms. SPEIER, Mr. VEASEY, Mr. SARBANES, Ms. MENG, Mr. MCGOVERN, Mr. TIERNEY, Mr. MEEKS, Ms. NORTON, and Ms. KELLY of Illinois.
H.R. 1771: Mr. HUIZENGA of Michigan.
H.R. 1798: Mr. CLAY.
H.R. 1801: Mr. BONNER and Mr. CLAY.
H.R. 1814: Mr. JOYCE.
H.R. 1825: Mr. RICE of South Carolina and Mrs. WALORSKI.
H.R. 1827: Mr. HASTINGS of Florida.
H.R. 1845: Mr. TONKO.
H.R. 1847: Mr. NUGENT, Mr. FARENTHOLD, Mr. BRIDENSTINE, Mr. BENTIVOLIO, Mr. BENISHEK, Mr. MEADOWS, and Ms. SINEMA.
H.R. 1869: Mr. DELANEY.
H.R. 1878: Mr. ROONEY.
H.R. 1959: Mr. VEASEY.
H.R. 1962: Mr. WALZ.
H.R. 1985: Mr. GERLACH and Mr. ENGEL.
H.R. 1995: Mr. MORAN.
H.R. 1998: Mr. QUIGLEY.
H.R. 2000: Mrs. DAVIS of California.
H.R. 2009: Mrs. MCMORRIS RODGERS, Mr. GARDNER, and Mr. HULTGREN.
H.R. 2019: Mr. RICE of South Carolina and Mr. WENSTRUP.
H.R. 2041: Mr. MURPHY of Florida.
H.R. 2044: Mr. LOWENTHAL.
H.R. 2052: Mr. LEVIN.
H.R. 2085: Mr. ROKITA.
H.R. 2116: Ms. BONAMICI.
H.R. 2199: Mr. GARAMENDI.
H.R. 2239: Mr. GOHMERT.
H.R. 2255: Mr. MORAN.
H.R. 2288: Mr. WITTMAN.

H.R. 2296: Mr. HUFFMAN and Mr. HECK of Washington.
H.R. 2300: Mr. RICE of South Carolina.
H.R. 2305: Mr. JONES.
H.R. 2308: Mr. CLAY.
H.R. 2315: Mr. GRIFFIN of Arkansas.
H.R. 2324: Mr. O'ROURKE.
H.R. 2330: Mr. ANDREWS.
H.R. 2347: Mr. LABRADOR and Mr. RICE of South Carolina.
H.R. 2415: Mr. TERRY, Mr. GRIFFIN of Arkansas, and Mr. KINZINGER of Illinois.
H.R. 2429: Mr. LABRADOR, Mr. THOMPSON of Pennsylvania, Mr. RUNYAN, Mrs. LUMMIS, Mr. MEEHAN, Mr. BILIRAKIS, Mr. WENSTRUP, Mr. MILLER of Florida, and Mr. RICE of South Carolina.
H.R. 2457: Mr. VARGAS.
H.R. 2480: Ms. BONAMICI.
H.R. 2485: Ms. BONAMICI and Ms. KUSTER.
H.R. 2506: Mr. DELANEY.
H.R. 2519: Mr. MCDERMOTT.
H.R. 2537: Mrs. BLACKBURN.
H.R. 2549: Mr. HUFFMAN.
H.R. 2565: Mr. GARCIA.
H.R. 2575: Mr. DENHAM and Mr. TURNER.
H.R. 2579: Mr. BRADY of Texas.
H.R. 2588: Mr. PEARCE.
H.R. 2590: Ms. JENKINS.
H.R. 2591: Mr. WALBERG.
H.R. 2607: Mr. GRIMM, Mr. MORAN, and Mr. POSEY.
H.R. 2619: Mr. COURTNEY.
H.R. 2632: Mr. BEN RAY LUJÁN of New Mexico and Ms. BONAMICI.
H.R. 2654: Mr. WHITFIELD and Mr. TIERNEY.
H.R. 2660: Mr. CARSON of Indiana.
H.R. 2679: Mr. SAM JOHNSON of Texas.
H.R. 2682: Mr. GOHMERT, Mr. AMASH, Mrs. BROOKS of Indiana, Mr. BUCSHON, Mr. LONG, Mr. RICE of South Carolina, Mrs. LUMMIS, Mr. JORDAN, Mr. PEARCE, Mrs. NOEM, Mr. SCHWEIKERT, Mrs. BLACKBURN, Mr. STEWART, Mr. GIBBS, Mr. WOODALL and Mr. YOUNG of Indiana.
H.R. 2689: Mr. MCKINLEY and Mr. PAULSEN.
H.R. 2692: Mr. QUIGLEY.
H.R. 2706: Mr. LOEBSACK.
H.R. 2717: Mr. LATTA, Ms. GRANGER, Mr. GRIFFITH of Virginia, Mr. COLLINS of Georgia, Mr. BRIDENSTINE, Ms. FRANKEL of Florida, and Mr. BROUN of Georgia.
H.R. 2720: Mr. LEWIS.
H.R. 2725: Mrs. BLACKBURN, Mr. SCHNEIDER, Mr. TAKANO, Mr. LAMALFA, Mr. HUFFMAN, Mrs. DAVIS of California, Mr. MATHESON, Mr. SWALWELL of California, Mr. KINZINGER of Illinois, and Mr. GARDNER.
H.R. 2726: Mr. ROONEY.
H.R. 2728: Mr. CRAMER and Mr. FLEMING.
H.R. 2768: Mr. BRADY of Texas.
H.R. 2769: Mr. BRADY of Texas.
H.R. 2772: Ms. JACKSON LEE and Mr. SMITH of Washington.
H.R. 2773: Mr. POCAN.
H.R. 2775: Mr. BROOKS of Alabama, Mr. SOUTHERLAND, Mr. NEUGEBAUER, Ms. GRANGER, Mr. SAM JOHNSON of Texas, Mr. COLLINS of New York, Mr. SESSIONS, Mr. MICA, Mrs. BACHMANN, Mr. RADEL, Mrs. NOEM, Mr. LAMBORN, Mr. COLE, Mr. ROKITA, Mr. KINZINGER of Illinois, Mr. GOSAR, and Mr. PITTENGER.
H.R. 2776: Mr. PEARCE.
H.R. 2777: Mr. CARTER.
H.R. 2778: Mr. ROHRABACHER.
H.R. 2794: Mr. RUSH, Mr. LATTA, and Mr. TAKANO.
H.R. 2801: Mrs. MCMORRIS RODGERS.
H.R. 2805: Mrs. MILLER of Michigan, Mr. FARENTHOLD, Mrs. NOEM, Mr. VEASEY, Mrs. WALORSKI, and Mr. SWALWELL of California.
H.R. 2806: Mr. BOUSTANY.
H.R. 2810: Mr. ROE of Tennessee, Mrs. BLACKBURN, Mr. LATTA, Mrs. MCMORRIS RODGERS, Mr. TERRY, Mr. ROGERS of Michigan, Mr. WALDEN, Mr. BILIRAKIS, and Ms. SCHAKOWSKY.
H.R. 2826: Mr. ROSKAM.
H.R. 2834: Ms. FUDGE, Mr. HASTINGS of Florida, Mr. LOWENTHAL, Mr. GRIJALVA, and Mr. HONDA.
H.R. 2836: Ms. MENG.
H.R. 2837: Mrs. BROOKS of Indiana and Mr. LONG.
H.R. 2843: Mr. CONYERS.
H.R. 2854: Mrs. MCMORRIS RODGERS, Mrs. NOEM, and Mr. YOHO.
H.J. Res. 34: Mr. TAKANO.
H.J. Res. 40: Mr. RUPPERSBERGER.
H.J. Res. 51: Mr. GIBBS.
H. Con. Res. 24: Mr. RICE of South Carolina.
H. Con. Res. 34: Ms. ESTY, Ms. SLAUGHTER, and Ms. TSONGAS.
H. Con. Res. 41: Mr. VEASEY, Mr. KELLY of Pennsylvania, Mr. PASCRELL, Mr. HASTINGS of Florida, Mr. AL GREEN of Texas, Ms. WILSON of Florida, Ms. NORTON, Ms. CHU, and Mr. SCHIFF.
H. Res. 101: Mr. TIBERI.
H. Res. 109: Mr. KLINE and Mr. PAULSEN.
H. Res. 112: Ms. CHU.
H. Res. 153: Mrs. BLACKBURN, Mr. WEBER of Texas, Mr. PITTENGER, Mr. PEARCE, Mr. LAMALFA, Mr. LAMBORN, Mr. SANFORD, Mr. BARTON, and Mr. DUNCAN of South Carolina.
H. Res. 188: Mr. ROHRABACHER.
H. Res. 231: Mr. ROSS, Mr. RUSH, Mr. HUIZENGA of Michigan, and Mr. KELLY of Pennsylvania.
H. Res. 249: Mr. COSTA, Mrs. KIRKPATRICK, and Mr. HUFFMAN.
H. Res. 254: Ms. LOFGREN, Mr. ELLISON, Ms. MENG, and Ms. Frankel of Florida.
H. Res. 281: Mr. WESTMORELAND, Mr. MEADOWS, Mr. MICHAUD, Mr. DESANTIS, Mr. VEASEY, Mr. HUIZENGA of Michigan, Mr. COURTNEY, Mr. NEAL, and Mr. JOYCE.
H. Res. 291: Ms. MENG.
H. Res. 293: Mr. BENISHEK, Mr. NUGENT, Mr. HUNTER, Mr. NUNES, Mr. SCALISE, Mr. RYAN of Wisconsin, Mr. DESANTIS, Mr. MCCARTHY of California, Mr. BRIDENSTINE, Mr. CHAFFETZ, Mr. RUNYAN, Mr. POE of Texas, Mr. KINGSTON, Mr. GRAVES of Georgia, Mr. HOLDING, Mr. COTTON, Mr. WEBSTER of Florida, Mrs. BLACKBURN, Mr. SCHWEIKERT, and Mr. GOHMERT.
H. Res. 308: Ms. MENG, Mr. BRALEY of Iowa, Mr. SCHNEIDER, Mr. GRIMM, Mr. CICILLINE, Ms. WASSERMAN SCHULTZ, Ms. LINDA T. SÁNCHEZ of California, and Ms. TITUS.
H. Res. 314: Mr. VEASEY.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The provisions that warranted a referral to the Committee on Oversight and Government Reform in H.R. 2879 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

41. The SPEAKER presented a petition of City Council of Monterey, CA, relative to Resolution No. 13-091.C.S. petitioning Congress to enact Comprehensive Immigration Reform; to the Committee on the Judiciary.

42. Also, a petition of the Pecos River Commission, New Mexico, relative to a resolution requesting the Congress to reauthorize the Water Resources Development Act; to the Committee on Transportation and Infrastructure.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2610

OFFERED BY: MR. WALBERG

AMENDMENT NO. 22: At the end of the bill (before the short title), insert the following:

SEC. 421. None of the funds made available by this Act may be used to provide housing assistance benefits for an individual for whom criminal conviction records made available pursuant to section 6(q) of the United States Housing Act of 1937 (42 U.S.C. 1437d(q)), or to subsection (b) or (c) of section 578 of the Quality Housing and Work Responsibility Act of 1998 (42 U.S.C. 13663(b), (c)), indicate that the individual has been convicted of aggravated sexual abuse under section 2241 of title 18, United States Code, murder under section 1111 of title 18, United States Code, or an offense under chapter 110 of title 18, United States Code.

H.R. 2610

OFFERED BY: MR. GOSAR

AMENDMENT NO. 23: At the end of the bill (before the short title), insert the following:

SEC. 421. None of the funds made available by this Act may be used by the Secretary of Housing and Urban Development to provide a grant under the Natural Experiment Grant Program.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, WEDNESDAY, JULY 31, 2013 No. 112

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.

God of grace, glory, and power, the battle belongs to You. Forgive us for fearing the future, forgetting how You have led us in the past. Forgive us also for our haste to paint a caricature of the many because of the mistakes of the few. Lord, remind us that fierce winds bring no anxiety to those who keep theirs eyes on You.

Lord, today, imbue our lawmakers and the members of their staffs with Your wisdom, that they may know the road to take. Sustain those who courageously bear the burdens of the marginalized.

We pray in Your great 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 31, 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.

RECOGNIZING SENATOR MARKEY

Mr. REID. Mr. President, just a brief word or two about the Presiding Officer. When he took the oath to become a Senator, we had a lot of things going on here. I did not have the opportunity to say as much about him as I would have liked because we were in the thralls of a real battle that we seem to have resolved.

I do not know if there is anyone in my 31 years of Congress who has been better prepared to be a Senator than the Senator from Massachusetts who now is the Presiding Officer. His stunning record has already been established with his work in the Senate. I have, from afar, admired this good man and for 4 years up close when I served in the House with him. His work for the environment has been unparalleled. His is one of the rare voices that have for many years understood the dangers of nuclear waste. He has been aware of the benefits of nuclear power but also the dangers.

There is a long résumé the Presiding Officer has. I want the record to reflect that I am terribly impressed with the work he has already done in the House and will be even more impressed with the work he will do here in the Senate. The people of Massachusetts are very fortunate in having the Presiding Officer from Massachusetts.

SCHEDULE

Mr. REID. Following leader remarks the Senate will resume consideration of the Transportation, Housing and Urban Development appropriations bill. At about 10:45 there will be a rollcall vote in relation to the Paul amendment. As I have indicated to him and others, we will probably move to table that. That will be up to the two managers of the bill, but I understand that is what they are going to do—or someone will do.

Following disposition of the Paul amendment, the Senate will proceed to executive session to consider the Jones nomination to be Director of the ATF. We will do this vote just as quickly as I can work out an appropriate time with the Republican leader.

Yesterday I filed cloture on the THUD bill. As a result, the filing deadline for all first-degree amendments on that bill is 1 p.m. today.

MEASURE PLACED ON THE CALENDAR—S. 1392

Mr. REID. I am told S. 1392 is at the desk and due for a second reading. If that is true, I ask the clerk to report the same.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1392) to promote energy savings in residential buildings and industry, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings on this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

THE TAX CODE

Mr. REID. Mr. President, when President Obama proposed a plan yesterday

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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to simplify our corporate Tax Code and lower rates for businesses, I expected Republicans all over the country but especially here in Congress to jump for joy. I think there are many people around the country who were satisfied and happy, but the Republican leadership in the Congress surprised me and I think a lot of people by their reaction. Just a few months ago Leader MCCONNELL signaled he would be open to a plan to reform the Tax Code. This is what he said:

> I'm told President Obama is going to come out for lowering the corporate tax rate. To the extent he wants to do some of these things, our answer is going to be yes.

It is amazing how quickly his answer went from yes to no, no. Republicans have favored corporate tax reform for decades. We have heard them say so. This was one of the mantras during the Presidential campaign. But now that President Obama is proposing it, Republicans are opposing it.

The President's thoughtful approach would couple lower tax rates, corporate tax rates, with investments in job-creating measures, such as roads and bridges and dams, worker training programs, and manufacturing incentives.

He was in the State of Tennessee when he made this announcement. They are a picture book as to how corporate interests there can really move on. They have done a great job in Tennessee, and I would bet that at every corporation in Tennessee they were elated to hear what President Obama had to say yesterday.

It is going to take a balanced approach and include smart spending cuts, closing wasteful loopholes and asking corporations that will benefit from lower tax rates to contribute their fair share. Even Speaker BOEHNER supported this approach in the past. This is what he said just a short time ago:

> If we want to put Americans back to work, I think lowering the corporate tax rate is critically important. And to do that, I think we have to look at the tax-expenditure side, the deductions, credits, and other gimmicks that may be in the tax code and that have accumulated over the last 30 years.

I do not say this very often, but Speaker BOEHNER was right.

This is the kind of balanced approach to deficit reduction the American people favor—a simpler tax code that lowers rates, makes our businesses more competitive, but also raises new revenue to invest in job creation. We have learned that the sequestration has already cut 1.6 million jobs, so we need job creation. We need to help the middle class by creating jobs. As President Obama said, if we are going to give businesses a better deal, we need to give workers a better deal also. We can use the money we save by simplifying the Tax Code to create jobs now, right away, jobs that can never be outsourced. Both Democrats and Republicans can get something they want, and the economy gets the shot in the arm it needs.

We have already cut the deficit in half over the last 3 years—that is the yearly deficit—and we have already saved $2.6 trillion from the accumulated debt. Democrats know there is more to be done. We certainly do. But we will not agree to any plan that balances the budget by killing jobs even more than already and whacking the middle class, and that is while holding the richest individuals and corporations harmless.

Democrats believe we must offset the harsh spending cuts of the last few years with job creation that puts the middle class back on track. To get the economy back to full steam, we should be making targeted investments in areas such as infrastructure and education—things that have always helped America grow and succeed.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

PRESIDENTIAL LEADERSHIP

Mr. MCCONNELL. Mr. President, you know there is not much to say about the President's speech yesterday other than that he actually retreated from previous commitments to a more bipartisan, revenue-neutral corporate tax reform and then tried to sell that rejection of bipartisanship as some ''grand bargain''—I mean, only in Washington. But let me say this: It really would be nice to see the President work with Congress for a change to get some important work done for the American people. Republicans have been eager to do this all along, but, really, it is almost as if there is a ''Gone Campaignin' '' sign outside the Oval Office—a ''Gone Campaignin''' sign outside the Oval Office. On the rarest of occasions when he does come to the Hill, as he will today, you find out it is basically just for another internal campaign rally with Democrats.

I hope he will finally get serious and make one of his famous pivots—this time in a new direction toward effective policy and away from the never-ending political sideshow. But it is hard to see, especially when you consider that the President's party is now attempting to blow up one of the most genuinely bipartisan accomplishments of the Obama era.

The Budget Control Act that was agreed upon two summers ago represented a commitment from Washington to America, a bipartisan promise to enact $2.1 trillion in spending control. Last year the slightest hint of fiddling with the spending caps led to a furious response from senior Washington Democrats. It even led to a veto threat from the White House. But now Washington Democrats are tired of bipartisanship. The commitments they made have become an inconvenience to their special interest agenda, so now they are threatening to shut the government down if they are not allowed to break their word. That is what this appropriations debate we are having is all about. It is about an attempt to blow up an important bipartisan achievement by busting the spending caps to which both parties already agreed.

Republicans do not believe we should be breaking our commitments to the American people, and breaking commitments in order to overspend, as Democrats propose, seems like an even worse reason for them to shut down the government. So I hope they will not. I hope they will think about the ''third way'' offer we have made to them too—that we would happily discuss exchanging some of the particular cuts they do not like for government reforms, the kinds of innovative ideas that can get our economy back on track and our government back in the black not just in the immediate term but over the long haul. This policy discussion has never been more relevant, especially when we look at what is happening in Detroit and what is happening in Europe, when we realize that the real-world consequences of putting off reform are no longer just abstract or hypothetical, they are here, they are real, and they are now.

The experts tell us that the United States is already on a completely unsustainable fiscal trajectory and that we need to make some big changes today if we want to avoid a similar fate. They also tell us that, unlike Detroit or Greece, America still has some time to chart its own future—but not long. That is why the choices we make today are so important. We can follow the Democratic path to austerity—the path of breaking spending caps wide open and borrowing more money we do not have, of callously rejecting reform and blissfully denying the future. That path inevitably leads to European-style austerity, to the decimation of the middle class, to desperation for the least among us, or we can follow the Republican path to reform and growth, a path of smart choices, innovative reforms, and orienting our economy toward the future. The Republican path not only prevents austerity tomorrow but leads to more jobs and a better economy today. The Democratic path to austerity or a Republican path to reform and growth, these are the choices.

Voting for appropriations legislation that blatantly violates budget reforms already agreed to by both parties moves our country in exactly the wrong direction. It puts us on the Democratic path to austerity. That is one of the many reasons I will be voting against this spending bill, and I urge my colleagues to do the same. It is time to get serious about the challenges we face. It is time to work together to reposition America for growth and prosperity and sustainability in the 21st century.

If the President is willing to get off the campaign trail and show some leadership with his party—convince them

of the positive reforms and the need to actually stick to them—I am confident we can create a better economy today and leave a better future for our children tomorrow. But it is up to him, and his visit today offers a great chance to convey this message to his fellow Democrats.

TRIBUTE TO ROHIT KUMAR

Mr. MCCONNELL. Mr. President, I would like to say a few words about my departing deputy chief of staff Rohit Kumar, who announced a few weeks back he would be leaving the Senate at the end of this week.

Many of the Members of the Senate know Rohit pretty well. He has been trolling the floor out here for a long time, telling us on the Republican side what to do and how to do it. He has been a constant presence at my side at just about every legislative battle we have had here in the Senate for the past 6½ years; actually, even before that, when he was working for Leader Frist, and I was over in the whip's office.

So many of us could recount Rohit's many talents, but as his boss it falls on me to do it, and I am happy to do it because we have been through a lot. The first thing to say about Rohit is that his mind is like a trap. He has the answer to literally every question the moment you ask him, and he has usually thought through the politics of it too. That might not sound terribly unusual, but I assure you it is rare in this business to come across somebody who combines a brilliant mind for policy and a brilliant mind for politics in one package, but that is Rohit. He is remarkable that way. It is one of the reasons he has been indispensable to me, not only in the day-to-day stuff but especially on the three major deals I helped broker with Vice President BIDEN, starting with the 2-year extension of the Bush tax cuts in late 2010, the debt limit deal we arrived at in the summer of 2011, and then, of course, the fiscal cliff agreement at the end of last year in which we locked in the Bush tax rates permanently for 99 percent of Americans. That is something we couldn't even do, by the way, when we had a Republican House, a Republican Senate, and a Republican President.

Every one of those agreements involved a lot of work, a lot of nights and weekends, and tremendous focus. We couldn't have done any of them without Rohit. Anything that ever came up in those discussions, Rohit can tell us the upsides and the downsides, where the other side was willing to go and where they weren't. He knew where all the tripwires were, and it is because of these same skills as well as his grasp of Senate rules and procedure that he has become sort of an informal adviser to the entire Republican conference over the years.

It is not at all unusual for me to walk back to Rohit's desk and see him talking to another Senator in my office—either in person or on the phone. He knows how things work, and folks who are smart know they can call him or swing by if they want to know what is going on or what is possible or what is not on absolutely anything. A lot of other Senators will miss him every bit as much as I will.

Rohit says he was drawn to public service by the example of his parents, both of whom are doctors, and viewed their work as more of a calling than a source of income. His dad is a widely respected and well-known teacher at the university level, and his mom worked at a VA hospital.

Rohit wasn't drawn to medicine, but like his folks he wanted to make a difference, and that is what drew him to politics. He got his start by answering phones for the mayor of Dallas, and then translated that into an internship for Phil Gramm's State office after his sophomore year at Duke. After graduating in just 3 years, he took a job in Senator Gramm's Washington office as an LA, and did that for a couple of years before heading off to law school.

The plan was to become a Federal prosecutor. So he moved down to Charlottesville, stayed there for a clerkship on the Fourth Circuit, and then saw his plan go up in smoke when he called Senator Gramm for career advice. Rohit told him what he was thinking, and Senator Gramm listened. Senator Gramm then told him he thought it would be a much better idea if he came back to the Senate and worked for him instead. Senator Gramm can be pretty persuasive. Rohit agreed, and he has been here ever since.

It wasn't a straight line. About a month after Rohit got here, Gramm announced he wasn't running for reelection. Over the year that followed, Rohit impressed a lot of folks. It wasn't long before Senator Lott picked up the phone and asked him if he would join him in the leader's office. Rohit accepted, and then spent pretty much his entire time there figuring out how to get the Department of Homeland Security up and running in such a way that it wouldn't be hamstrung by union rules.

Over a holiday weekend in late 2002, he got a taste of things to come. President Bush wanted DHS approved, so Rohit and a few other key staffers had a holiday weekend to do it. They started writing the bill on a Thursday night and wrapped it up by Tuesday morning.

Rohit stuck around during the Frist years, gaining even more experience and impressing even more people—including me. When Leader Frist left at the end of 2006, I brought him onto my leadership team, and it has been one of the best hiring decisions I have ever made. As I said, he has been an extraordinary help to me and a great guy to have around. He is not only whip smart, but he has a fantastic sense of humor and work ethic like I have never seen.

I thank Rohit for his dedication and service to me and to the Senate. Since this is the only opportunity I have ever had to do this, I want to thank Hilary for letting us have him for this long. I think she is here today. I know how supportive she has been of Rohit staying here for so long, and so I want to thank her for that and apologize for all the canceled trips and lost weekends. I know it wasn't always easy to see it in the moment, but he has made an enormous difference not just to me but our country.

I can't promise the transition will be easy. He might want to find a good 10-step BlackBerry recovery program when we finally take it away from him, but I am sure he will figure it out.

With that, I wish Rohit all the best in the future. I know he has a bright one. I understand he will be unemployed after the weekend, but I expect that won't last long.

Rohit, if you ever want to come back, we always have a place for you. Thanks, buddy.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1243. The clerk will report the bill by title.

The assistant 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.

Pending:

Murray (for Cardin) modified 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.

Coburn amendment No. 1750, to prohibit funds from being directed to Federal employees with unpaid Federal tax liability.

Coburn amendment No. 1751, to prohibit Federal funding of union activities by Federal employees.

Coburn amendment No. 1754, to prohibit Federal funds from being used to meet the matching requirements of other Federal programs.

Murphy amendment No. 1783, to require the Secretary of Transportation to assess the impact on domestic employment of a waiver of the Buy American requirement for Federal-aid highway projects prior to issuing the waiver.

The ACTING PRESIDENT pro tempore. The Senator from Kentucky.

AMENDMENT NO. 1739

Mr. PAUL. Mr. President, I ask unanimous consent to call up amendment No. 1739.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 1739.

Mr. PAUL. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To redirect certain foreign assistance to the Government of Egypt as a result of the July 3, 2013, military coup d'état)

At the end of title I, insert the following:

SEC. _____. (a) Congress makes the following findings:

(1) On June 30, 2012, Mohamed Morsi was elected President of Egypt in elections that were certified as free and fair by the Egyptian Presidential Election Commission and the United Nations.

(2) On July 3, 2013, the military of Egypt removed the democratically elected President of Egypt, arrested his supporters, and suspended the Constitution of Egypt. These actions fit the definition of a military coup d'état.

(3) Pursuant to section 7008 of the Department of State, Foreign Operations, and Related Programs Act, 2012 (division I of Public Law 112–74; 125 Stat. 1195), the United States is legally prohibited from providing foreign assistance to any country whose duly elected head of government is deposed by a military coup d'état, or removed in such a way that the military plays a decisive role.

(4) The United States has suspended aid to countries that have undergone military coups d'état in the past, including the Ivory Coast, the Central African Republic, Thailand, Mali, Fiji, and Honduras.

(b)(1) In accordance with section 7008 of the Department of State, Foreign Operations, and Related Programs Act, 2012 (division I of Public Law 112–74; 125 Stat. 1195), the United States Government, including the Department of State, shall refrain from providing to the Government of Egypt the assistance restricted under such section.

(2) In addition to the restrictions referred to in paragraph (1), the following restrictions shall be in effect with respect to United States assistance to the Government of Egypt:

(A) Deliveries of defense articles currently slated for transfer to Egyptian Ministry of Defense (MOD) and Ministry of Interior (MOI) shall be suspended until the President certifies to Congress that democratic national elections have taken place in Egypt followed by a peaceful transfer of power.

(B) Provision of defense services to Egyptian MOD and MOI shall be halted immediately until the President certifies to Congress that democratic national elections have taken place in Egypt followed by a peaceful transfer of power.

(C) Processing of draft Letters of Offer and Acceptance (LOAs) for future arms sales to Egyptian MOD and MOI entities shall be halted until the President certifies to Congress that democratic national elections have taken place in Egypt followed by a peaceful transfer of power.

(D) All costs associated with the delays in deliveries and provision of services required under subparagraphs (A) through (C) shall be borne by the Government of Egypt.

(c) Any amounts retained by the United States as a result of implementing subsection (b) shall be made available to the Secretary of Transportation to carry out activities under the heading ''BRIDGES IN CRITICAL CORRIDORS''.

Mr. PAUL. A once great city, Detroit, lies in ruins with 50,000 feral dogs roaming the city, and abandoned houses litter the landscape. It is a bleak and forlorn future that awaits Detroit. Creditors clamor for nearly $20 billion in debt. City employees wonder if they will be paid. There is not enough money to even replace the street lights in Detroit. God forbid that a major fire should break out.

At some level I think the President does care about Detroit, but today all I can see is the billions of dollars—the billions of American tax dollars—that he chooses to send overseas. I see the shiny new technology, America's best, going to arm people who are indifferent to us, and, at worst, hate us. The President sends billions of dollars to Egypt in the form of advanced fighter planes and tanks. Meanwhile, Detroit crumbles.

Chicago is a war zone. More people died in Chicago this year than in Afghanistan. Yet the President insists on building a $34 million fort in Afghanistan. Hillary Clinton insists on spending $80 million on a consulate in Afghanistan that will never be used. As Detroit decays, Chicago is a maelstrom of violence, yet no one questions sending billions of the taxpayers' dollars to Egypt, to despots, to dictators in foreign countries.

Our Nation's bridges are crumbling and few politicians from either party will question the billions of dollars that are being sent overseas while our Nation's infrastructure is crumbling. The law is very clear. Everyone here in Congress can read. They recognize that the law says when there is a military coup, the aid must end.

Today we will vote on whether they will obey the law or whether they will openly flout the law and disobey. When a military coup overturns a democratically elected government, all military aid must end; that is the law. There is no Presidential waiver. The law states unequivocally that the aid must end.

When the military coup occurred in Egypt, how did the President respond? How did Congress respond? The President and his cohorts in Congress responded by shoveling good money after bad into the failed state of Egypt. The President is intent on building nations abroad and not taking care of our Nation here at home. I propose that we take the billion dollars that is now being illegally given to Egypt and spend it at home.

We have bridges crumbling at home. Can't we fix some of our problems at home? We have had a bridge collapse this year in Washington State. We had one collapse in Minnesota a few years ago. We have a bridge in northern Kentucky that is becoming increasingly unsafe. Yet there is not enough money to repair our bridges because our politicians are sending the money overseas. It is unwise, and right now it is illegal.

Countries such as Egypt are getting billions of dollars in aid. Meanwhile, they recently let a mob advance and climb atop our Embassy and then burn our flag. I say not one penny more to these countries that allow mobs to burn our flag.

In between cashing our checks, Egypt finds time to convict 16 Americans on trumped-up political charges. Fortunately, the Americans were able to escape. If they hadn't left the country, we would have 16 Americans in prison in Egypt. Luckily these Americans were able to get out of the country.

How do these establishment politicians respond? How will the other side respond today when they get up and plead we should break the law? What will they say about Detroit? What will they say about Chicago? What will they say about the bridges in northern Kentucky that will not be built because we are sending the money to countries that are burning our flag?

I think it is unwise to send arms—particularly advanced arms—into the chaos of Egypt. I fear one day someone may arise in Egypt who says: Let's attack Israel with these planes. Let's attack Israel with these tanks. I fear these weapons we are giving to Egypt may someday be used against America and our allies.

Even the Egyptians don't want our aid. There was a Gallup poll last year which showed that 70 percent of Egyptians don't even want the money we are sending them. To understand why we have to understand that American aid doesn't go to the Egyptian people; it goes to the despots and the dictators who run the place. We have to realize that when protesters gather in Tahrir Square in Cairo by the hundreds of thousands—and even millions—why they are unhappy with America. They are unhappy with America because they are being sprayed with tear gas bought with American tax dollars, manufactured in Pennsylvania, and given to the Mubarak family or given to the military. Why are they unhappy? Foreign aid doesn't go to foreign people; it goes to foreign despots and foreign dictators. Foreign aid is more likely to buy a lavish chateau in Paris than it is to buy bread in Egypt.

We send money to Egypt and it buys private jets for the Mubarak family to fly to Europe. The Mubarak family is said to have stolen billions of dollars of American aid. Over the past 30 years, Americans have been forced to finance the Mubarak family living large. So when we see pictures of depression in Detroit, when we see abandoned housing in Detroit, when we see boarded up housing, when we see 50,000 feral dogs running through the streets of Detroit, when we see a once great country, a once great nation, a once great city lying in decay, we think of our politicians who chose to send that money to Egypt and not keep it here at home.

As the money is stolen and squandered around the world and as Detroit decays, as Chicago is overrun with violence, as Americans struggle to put

food on the table, Mubarak and his family dine on caviar and champagne. As Mubarak flew to Europe for weekends on his jet and lived the life of a king, his people rotted in jail indefinitely, without charge, without trial. They have been living under martial law for 30 years. We wonder why they are unhappy with us. We have been financing the guy who has been giving them martial law and indefinite detention without trial for 30 years. To add insult to injury, when they protest against their government, they are doused with tear gas made in our country.

Foreign aid doesn't go to foreign people; it goes to foreign despots and dictators.

The President claims he feels our pain. The President says he can feel the pain and he wants to help the middle class. But it seems as though he wants and intends to help foreign people, foreign countries more than he wants to help America. The President promised us hope and change, but the more he claims that things change, I think the more they stay the same.

I wanted to believe the President would be different. I wanted to believe he would bring change. I wanted to believe he would stand up to the arms race, to the military industrial complex; that he would stop the flow of arms to despots and dictators across the planet. But hope and change just turned out to be a slogan. In Detroit and in Chicago and in the once great cities of America, no change came. Hope and change was just a slogan. The poverty, the murders, the abysmal schools, they continue.

Where are you, Mr. President? In our hour of need in our country, why are you sending our money to people who hate us? Why are you sending arms to countries that don't like us or our allies? Why would we do that?

The President maintains he will end the war in Afghanistan, and I support him. But he insists on fighting new wars, secretly, without congressional approval, in Libya and Syria. While Detroit decays and descends into bankruptcy, the President, as did so many Republicans before him, continues to send American tax dollars overseas to countries that persecute and kill Christians. Hope and change—I guess it was just a slogan.

The law clearly states that when there is a military coup overturning elected government, the military aid must end. Even the President doesn't dispute the law. He doesn't even dispute it is a coup. He just says, I am not going to say it is not a coup or it is a coup; you can't make me. It is ridiculous to any intelligent person or country—and I wonder if anyone on the other side will stand and say it is not a coup. How do we say, when the military takes over a country and boots out a government, that it is not a coup? Only a fool or a demagog would attempt to argue that the military junta in Egypt is not a coup; that the military takeover that actually installed the lead general as Deputy Primary Minister is somehow not a coup.

Mr. INHOFE. Mr. President, will the Senator yield for a unanimous consent request?

Mr. PAUL. Not yet.

In a remarkable bit of sophistry, the President admits the law does not mandate an end to military aid when a coup takes place—he says it does, but he says it can't make him decide, so he is not going to decide whether there was a coup. What it is, is brazen and open flouting of the law.

The President's argument reminds me of a third grader at recess. A third grader says he will not call it a coup and you can't make him. That is absurd. We passed a law. It is the law of the land. It says if a coup happens, if the military takes over or participates in a substantial way in removing an elected government, the military aid ends. We are either a nation of laws or we are not.

When the President refuses to acknowledge it is a coup or that it is not yet an acknowledged coup, he says the aid is going on indefinitely and he will go on indefinitely flouting the law.

Americans should be outraged and insulted by such blatant shirking of the law. Either we are a nation of laws or we are not. Will we obey the law?

We have the presumption to tell the world how to behave, to criticize Egypt for not obeying the rule of law—all legitimate concerns. Yet the President blithely ignores our own law. If we choose to ignore our own laws, can we, with a straight face, preach to the rest of the world about the rule of law? I think by openly flouting our own laws we take away from our ability to lead the world, we take away from our moral authority to show the right way. America has always been the leader by example. But how do we lead by example when we are not willing to obey our own laws?

There is a question: Are we a monarchy or a republic? Are we to be ruled by caprice? If we pick and choose which laws to obey, what message does that send?

I say to all Americans—Democrats, Independents, and Republicans—enough is enough. We aren't going to take it anymore. We should call our representatives and tell them enough already. Tell them to take care of our country. Tell them not one penny more to countries that are burning our flag.

I suggest today we do something historic and listen to the American people. The American people don't want good money after bad shoveled and sent overseas; they want to fix some of the problems we have at home. They want to do some Nation building here at home.

My amendment will give our representatives a chance to vote. We are going to say: Yes, we will obey the law. We are not sending any more weapons to Egypt and we are going to take the money and we are going to build some bridges in our country. We are going to repair some roads. We are going to work on some infrastructure here at home.

Everybody seems to say they are for it. In fact, the President has now come out and said he wants some grand bargain to take some new money and actually work on infrastructure. Mr. President, it is right here. I am offering it today.

I have another amendment that would say all foreign profit can come home at 5 percent. We can take that revenue and build new bridges. They will not even let me vote on that one. So the President's grand bargain to increase infrastructure spending—I have it. It is on the floor.

Mr. President, call the leadership of the Senate. Tell them it is on the floor and you support this; that you want infrastructure spending. I have a bill that would do precisely that. This amendment will do a little bit in that direction. Take the $1 billion we spend in Egypt and spend it in America.

When we see the pictures on the news of what is going on in Detroit—if you live in Detroit and you are suffering through the bankruptcy of your city; if you see around you the chaos and poverty of Detroit, you call the President and say: Mr. President, why are you sending that money to Egypt? Why are you sending money overseas when our Nation is crumbling, our cities are crumbling, our infrastructure is crumbling, our bridges are crumbling? The President says: I am going to send that to Egypt. I am going to send that overseas.

This amendment will give everyone a chance to put their money where their mouth is, to say: Do you care about America? Do you care about repairing American infrastructure or do you care more about sending money to a dictatorship in Egypt? I think the choice is clear. I think, if we ask the American people, three-fourths or more of them—I think maybe nearly 100 percent of the American people—are with me. Let's spend that money at home. Let's not send that money overseas to people who hate us, to people who burn our flag. Keep it at home.

There is a finite amount of money. We can't do everything. We can't fix everything if we have to fix everybody else's problems first. Let's address some of the needs we have at home.

I encourage a ''yes'' vote, to vote to keep the money at home and not to send it overseas.

I reserve the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, regretfully, I am going to oppose this amendment. I am going to have to cover some points which my good friend from Kentucky made that I think are totally wrong.

First of all, I don't agree we need to be going up there with Federal dollars bailing out cities that are having problems. Of course, that is a decision that

is going to be made, I suppose, by a lot of people.

Also, the Senator from Kentucky talks about sending billions of dollars overseas. I agree with my colleague from Kentucky about some of the foreign aid and I would join with him but certainly not in this case. Before I tell my colleagues why, let me clarify something. There are Members of this body and people outside this body who are conservatives believing this is some kind of a conservative program to defund the military in Egypt. Let me assure my colleagues it is not. This is coming from a person who is probably—in fact, I am certain of it. I have been ranked as the most conservative Member of this body more than any other single person. So this is coming from a conservative, not from a liberal and not from a Democrat.

We have a unique situation. I wish to respond to a couple of things my friend from Kentucky said. First of all, yes, it probably fits the description of a coup. I know what the law is. The law says we can't send foreign aid after a coup. I have a bill drawn up right now that if this is determined to be a coup, it could pass the House and the Senate and be signed by the President in 1 day. So that is something that can be done. I have the best of intentions of obeying the law to the letter.

As far as the situation in Egypt, Morsi is gone. Let's face that reality. There are a lot of things we don't like about this. But I will say this: If you have any feelings at all toward our good friends, our best friends in the Middle East—that is Israel—then you cannot consider this amendment. Israel has all of the interests at stake.

It goes back to 1979, the Camp David accords. I remember that very well. The Camp David accords put together something between Israel and Egypt. But keep in mind, it is not Egypt. It is the military, the Egyptian military. They have been our friends. They have been Israel's friends for years and years and years—since 1979. If we turn our backs on the military now, there are others who would love to fill that vacuum.

Should they have F–16s? I am glad they have F–16s. They ought to have more F–16s. Some have been purchased and not delivered yet. They should be delivered. But if it is not going to be F–16s, if we should pass an amendment like this, you are going to find yourself with a bunch of MiG–29s coming over from Russia instead of our F–16s.

If this were 10 years ago, if this were 15 years ago, I might agree with my friend from Kentucky. But that was before we realized the threats we have in the Middle East. We have some friends in the Middle East. We have Israel. We have Jordan. We have Kuwait, U.A.E., Qatar, Saudi Arabia. If that coalition of friends in the Middle East breaks up, what can happen to us here in America? Our intelligence has said—and it is unclassified since 2007—that Iran will have the capability of a weapon and a delivery system by 2015. If we do not have our friends in the Middle East to keep that from happening, we could pass an amendment like this, turn our backs on Israel, and that is exactly the thing that could happen.

I know a lot of people want to talk on this who are a lot more articulate than I am. But I can say from a conservative—from this conservative—we cannot do this to our friends in Israel and our other allies in the Middle East.

Mr. CORKER addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is——

Mr. CORKER. I want to go in the appropriate order. I see the chairman of the committee. I would like 5 minutes at some point. But does the Senator want to go ahead?

Mr. MENENDEZ. Mr. President, what is the parliamentary situation? I understand the opponents of this amendment have 30 minutes; is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct. The Senator from Oklahoma has used 5 minutes of the time in opposition.

Mr. MENENDEZ. Then I ask unanimous consent that as the chair of the Senate Foreign Relations Committee I control the remainder of the time.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I——

Mr. MCCAIN. Mr. President, will the Senator respond to a question? How is the time going to be allocated?

Mr. MENENDEZ. Yes. It is my intention to consume about 8 minutes approximately, to yield Senator MCCAIN 6 minutes, Senator GRAHAM 6 minutes, and Senator CORKER 5 minutes.

Mr. CORKER. Perfect.

Mr. MENENDEZ. That should take the remainder of our time.

Mr. President, this amendment may be good politics but it is bad policy. I appreciate the concern of the Senator from Kentucky for Detroit. He and others in this Chamber have had plenty of times to vote for America's cities, but I have not seen those votes be there.

Nothing in this amendment, notwithstanding what we heard, suggests that cutting all aid to Egypt ultimately means putting that money into the cities of America, such as Detroit. So let's not be mistaken about that.

I share many of the concerns that have been raised by my colleague today about the situation in Egypt. I believe, however, halting all military assistance to Egypt at this time is misguided and it is shortsighted. It would drastically reduce U.S. influence with both the interim government of Egypt and the military at an incredibly delicate time for Egypt and its people. And in so doing, it may in fact undermine our shared goals and desire to see elections and a democratically elected government reestablished in Egypt as quickly as possible.

It has been just a little more than 2 years since the onset of the Arab spring and a revolution in Egypt that unseated Hosni Mubarak after two decades in power. During these tumultuous 2 years, Egypt has struggled as a society with the transition to democracy that its people clearly want, and with efforts to create the economic opportunities that its people clearly need. That struggle is real and ongoing.

The demonstrations that ousted Mubarak in a clear military coup were unprecedented—until they were eclipsed by demonstrations this summer which drew as much as a third of Egypt's population of 83 million people onto its streets. That is more than 30 million people who have been emboldened by the revolution, who are united in their call for reform and democracy, and who have embraced their ability and right to peaceful protests and to demand change.

If you think about it, a comparable protest in the United States involving a third of our Nation would mean that 100 million Americans would be on the streets of the cities of America. That is the equivalent of what has been happening in Egypt.

So my point is that Egypt is changing but perhaps not as quickly as we would like and with a process that has been, not surprisingly, pretty chaotic.

Abandoning our diplomacy and engagement with Egypt—a country that sits at the heart of the Middle East—because the road that leads to change is not straight or certain would be naive. It might make us feel good, at least for a moment, but in the long run it would threaten to undermine vital national security interests and set back our values.

Making such a significant change to U.S. foreign policy—with all the potential implications for U.S. national security and for our ally Israel—should not be done in haste. It should not be done carelessly or thoughtlessly. It should not be done without a full understanding of all of the ramifications of such a change. And it certainly should not be tacked onto the Transportation, Housing and Urban Development appropriations bill. It is far too important a decision to be an afterthought to an appropriations bill. In my view, it is ill-advised to make foreign policy on the fly without due consideration of all of the consequences.

I would point out that my friend from Kentucky has introduced an identical bill that has been referred to the Foreign Relations Committee. Last Thursday the committee held its first extensive hearing on the crisis in Egypt. I can assure my friend from Kentucky that the committee will continue to work on this issue and to look at appropriate policy options through a deliberative process.

We need time to determine whether the process underway in Egypt will meet the demands of the Egyptian people and lead back to democracy or if

the military leadership will dig in further and thereby invoke restrictions in U.S. law with respect to assistance. Our patience is not unlimited and our assistance is not without limitations. The administration is already actively reviewing U.S. assistance.

The delivery of four new F–16 aircraft that was to occur last week was halted by the administration, clearly sensitive to the situation. At the end of the day we should allow for flexibility to deal with this delicate situation as events dictate, not precipitate an unwanted response with a knee-jerk reaction rather than deliberative reflection. The administration has a process to make its decisions.

I would say this is about—as I listen to the Senator from Kentucky—far more than Egypt. He basically opposes all foreign assistance abroad. The reality is that foreign assistance abroad has worked for the national interests and security of the United States. It has saved millions of lives through PEPFAR against AIDS and HIV. It has helped strengthen democracies. It has helped create democracies. It has helped create open markets for American products and services. As a matter of fact, these sales to Egypt—about $1.2 billion—are largely from the manufacture of equipment here in the United States that creates jobs here at home and then ultimately gets used in Egypt.

We need a more nuanced approach, one that speaks to both our values and our interests, and one which provides the President with the flexibility needed to conduct delicate and discriminating policy in a challenging and chaotic environment.

A quick end to aid at this time—meat-clever approach, when a scalpel is needed—is simply ill-advised.

Last week Ambassador Dennis Ross, whose reputation and experience as a diplomat, Presidential adviser on the Middle East, and author, has made him one of the Nation's most respected foreign policy minds on both sides of the aisle, told the Foreign Relations Committee it is imperative that America ''stay in the game.'' We cannot and should not pull out now. Ending aid to Egypt would only cause Egyptians to shut the United States out of discussions and disregard our advice. Ambassador Ross also said that such an action could be the only thing to unite all Egyptians across the entire political spectrum against the United States—against the United States. In fact, that opinion was shared by the majority panelists who feared our inability to influence events in Egypt if we were to step out of the game.

In the interim, as we further assess the situation, our response and our policy must be carefully calibrated to press for the democratic reforms that the Egyptian people have demanded and—simultaneously—support U.S. national security interests in the region.

U.S. assistance to Egypt has, for decades, helped support the Camp David Accords. It also supports our security interests in countering trafficking of weapons and people into the Sinai, and in antiterrorism cooperation with the United States.

In recent weeks, Egypt's military has launched a major crackdown on terrorist activity and extremists in the Sinai Peninsula, carrying out arrests and attempting to seal smuggling tunnels connecting the Sinai to Gaza. U.S. cooperation is essential to the continuation of these activities.

Let me conclude by saying, at the end of the day, Egyptian leaders and the Egyptian military must show that they are committed to an inclusive political process, credible democratic elections, and democratic governance that protects the rights of religious minorities, women, civil society leaders, and a diversity of political parties.

That includes, from my perspective, vacating the June 4 verdicts for the 43 individuals convicted in the politically motivated trial of nongovernmental organization workers, including 16 Americans, and permitting civil society organizations to reopen their offices and operate freely. It also clearly means an immediate cessation of arrests and use of force against peaceful protestors.

Steps that exacerbate the divide in Egyptian society, including the use of force against protestors and arrests and harassment of pro-Morsi and Muslim Brotherhood leaders, serve only to deepen the chasm and forestall reconciliation.

The only way forward to a pluralistic, vibrant, and stable democracy lies in the inclusion of all political parties and groups, as long as they are committed to a democratic process and to peaceful change.

The United States has to move cautiously, not precipitously, in this delicate situation. The Paul amendment is not the answer when it comes to our future relationship with Egypt. The future of that relationship will be determined by our actions in the coming weeks.

Whether we will have a stable and willing partner on crucial matters of security, combating terrorism, trafficking of weapons and persons into the Sinai, and support for peace in the Middle East is up to us or we can stand aside and hope for the best. I think abandoning Egypt is a particularly poor choice. That is why I oppose the amendment and urge my colleagues to do the same.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, I have a couple unanimous consent requests. I would also say this: This is an important debate, and I ask unanimous consent that—on the floor now we have CORKER, we have MCCAIN and GRAHAM—I ask unanimous consent that if they use more than the allotted time here they be allowed to use that, and whatever time goes over that allotted time we have in the existing order would also be given to Senator PAUL.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 1 p.m. today, the Senate proceed to executive session to consider Calendar No. 201, Todd Jones, to be Director of ATF; that there be 1 hour for debate equally divided in the usual form prior to a vote on cloture on the nomination; that if cloture is invoked, all postcloture time be deemed expired and the Senate proceed to vote on the confirmation, with no intervening action or debate, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that upon disposition of the Paul amendment, the Senate recess until 1 p.m. today; further, that the filing deadline for first-degree amendments to S. 1243, the transportation bill, be 1:30 p.m. today; finally, that when the Senate resumes legislative session following consideration of the Jones nomination, the Senate proceed to a period of morning business for 1 hour equally divided between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, with the exception of Senator INHOFE, who is to be recognized for up to 30 minutes; that following the period of morning business, the Senate proceed to executive session to consider the Power nomination under the previous order.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, what this means is we will vote on the Paul amendment, give or take, in a half-hour, at around 11 o'clock, or shortly thereafter, whatever time the order allows, and we will then recess until 1 p.m. Then we will have the debate on the Jones nomination from 1 p.m. to 2 p.m., then the cloture vote at 2 p.m. If cloture is invoked, we will immediately vote on confirmation. We could have two votes at 2 p.m. We will have morning business from around 2:45 p.m. to 3:45 p.m., and then the Power nomination—to be U.N. Ambassador—debate from about 3:45 p.m. to 5:45 p.m., and then the vote on confirmation at around 5:45 p.m.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. MENENDEZ. I yield to the distinguished ranking member of the Senate Foreign Relations Committee, Senator CORKER.

Mr. CORKER. I will be brief. I know that time may be extended. But let me

start by saying I understand how citizens across our country are frustrated. Our country has gone through financial distress. We have economic issues that are impacting people of all walks of life. I know as they look at what is happening around the world, there is frustration, generally speaking, with issues relative to foreign aid. I understand that.

I also understand we are a nation of laws. We have had an event in Egypt which is going to cause us to have to deal with that. I think we can deal with that in due time and live up to the laws of this Nation. I also understand, though, that we are the greatest Nation on the face of the Earth. One of the reasons we are the greatest Nation is because of the values we extend around the world and the fact that we have been a voice of calm.

We have been a country that has tried to continue to engender peace. I know the Senator from Kentucky and I share Fort Campbell, a place where some of our most outstanding fighting men and women are based. I know the Senator understands that much of what we do with foreign aid is to try to keep those men and women off the battlefield and in training. We do that to try to keep peace and to keep those men and women who protect our country from having to go to war.

The distinguished Senator from New Jersey just talked about the importance of Egypt. From the very beginning, when this all began just within the last month or 6 weeks, I have believed that the administration, candidly, has handled this well; that our Nation should be the voice of calmness. We should try to be the steady hand that allows this transition to occur in the right way.

At the same time, we should push them toward democracy. I think that is exactly what we are doing. We have had a debate throughout this week in our lunch sessions among Republicans. I know the Senator from Kentucky has made it clear that the poll numbers indicate we should cut off foreign aid. I want to say that we have tremendous responsibilities as Senators. One of the responsibilities we have, no doubt, is to represent our citizens.

On the other hand, we know that sometimes we understand that we should sell to the citizens the reasons that we do the things we do on this floor. I think most people in this body understand that just on a THUD bill, having an amendment that cuts off aid to Egypt is not a thoughtful process as it relates to foreign aid.

My appeal today is really not to my friends on the other side of the aisle, although I am sure some of them are contemplating what to do. But my appeal is to my friends on this side of the aisle. I have talked to many of them in private. I think many of them know this is terrible public policy.

No doubt, without us explaining to the American people why we should not jerk the rug out from under Egypt as they go through this transition; no doubt, without us sharing the importance of that, the American people are going to look at aid to Egypt and see what is happening there and say: No, let's take that money and let's do something else. I think most people on this side of the aisle understand that is terrible public policy. I think most people on this side of the aisle want to stand and to be thoughtful Senators and do not want to have a poll-tested foreign policy.

We are going to have plenty of time to debate this issue in September. I think all of us know a lot is going to be happening during the recess. We have two Senators who are traveling to Egypt over the weekend to look at what is occurring there. I am going to be in the area in a few weeks.

It seems to me, as the greatest Nation on the face of the Earth, instead of having some poll-tested amendment that may play well in the short term, what we should do as Senators is be thoughtful, understand the greatness of this Nation, understand the millions of lives and livelihoods that are at stake in us being a calm hand in Egypt, understanding the impact that this is going to have on people all around the world and certainly our standing in the world, but our continued ability to help promote human rights, promote democracy, promote peace, promote calm.

So I would just urge the Senators on our side of the aisle, we have these things that come up, and we certainly have groups who come forth. I think all of us understand that is a big vote. This is a vote that says a lot about who we are as Senators. This is a vote that gives us an opportunity to step away from those short-term, hot, poll-tested amendments that have nothing to do with furthering the greatness of this Nation.

I would urge everybody in this body to stand, to be Senators, and to do what we know is the right thing to do; that is, to be calm, to address this issue as we should in the right way this September when all of us have more information to deal with this issue.

I thank the Presiding Officer for the opportunity to speak. I hope this body will rise and conduct themselves as the Senate should on issues of this importance. I thank the chairman for the time.

I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from New Jersey.

Mr. MENENDEZ. I yield 3 minutes to the Senator from Florida.

Mr. RUBIO. Madam President, let me just say briefly that I have gotten a lot of calls about Egypt as well. Look, I understand it. We look at what is happening over there, we look at some of the wild things that are happening in the streets, certainly tragedies as well. We see the oppression of religious minorities, and we wonder: Why do we continue to give aid to a country that does that? I think that is a very important question.

I think the problem we face is we in this place are sometimes put into a position between two absolutes, when there are other options available to us. The choice before us is not to cut off aid to Egypt or to continue aid to Egypt. I think the opportunity we have now is to restructure aid to Egypt in a way that furthers our national interest.

What is our national interest in Egypt? Our national interest is to have a secular, stable, democratic government that provides security so their economy can grow, a government that lives up to the Camp David Accords, that cooperates in counterterrorism, that prevents discrimination to religious minorities. Our foreign aid should be restructured—not simply canceled but restructured—so that it fits and fills that aim that we have for that country and for our national security interests in that country. That means we should restructure our foreign aid, not simply eliminate it but go back to the Egyptians and say: If you want to continue to get foreign aid from the United States, you are going to have to show measurable improvement on these four things: You are going to show us how you are protecting religious minorities; you are going to have to show us how you are advancing toward democracy and stability. You are going to have to show how you are doing these things. That needs to be measured. If they stop doing it, the aid stops coming.

I would also say regarding restructuring the aid that the aid should be geared toward what they need. They probably do not need that many for more F–16s. What they need is more capacity building for internal security. What they need is more capacity building to live up to the Camp David Accords. That is what they need. Our aid should be aimed toward that.

I also think it is a mistake to just say we are eliminating aid completely because if we eliminate aid completely, we lose leverage. They are still going to buy weapons. They will just not get them from us and our influence will be diminished.

So I think there is a third way. I think what has happened in Egypt is a unique opportunity to restructure—not to cancel but to restructure—and reframe our relationship with Egypt. If they do certain things, they will continue to get aid. If they move toward certain goals that are in our national interest, they will continue to get aid. They will continue to get aid that helps them meet these goals, not simply anything they ask for.

This is the opportunity we have now. This should be done in a thoughtful and careful way. I hope that is the direction the body will move. I think to simply cancel aid without putting these other conditions in place is a missed opportunity from which we should not walk away.

So I would say to our colleagues, let's not simply cut off aid. Let's take

the time to work so that we can restructure aid with Egypt in a way that furthers our national security interests: a secular, democratic government that lives up to the Camp David Accords, that cooperates in counterterrorism, that respects religious minorities, and that provides the internal security they need to create the economic growth they need so that they can be stable now and in the future and be a partner of ours.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that the period for morning business following the consideration of the Jones nomination be extended by 40 minutes, with the additional time being equally divided between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, with the exception of Senator INHOFE for 30 minutes and Senator MCCAIN for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I yield to the Senator from South Carolina.

Mr. GRAHAM. I thank the chairman of the Foreign Relations Committee. First, I would like to associate myself with the remarks of the Senator from Florida. Now is the time to be creative with our assistance to Egypt to try to change things while there is still hope of things changing in a positive direction.

I certainly understand. Why should we be selling F–16s to people who behave this way? The administration has put on hold the four F–16s that were due to be delivered to Egypt, trying to find out what is going to happen next. That makes sense to me. But why are we selling weapons to Egypt? It is because if we do not, someone else will. I want them to have F–16s and come to our pilot training bases. I want Egyptian officers to come to our military training academies. I want a relationship with the Egyptian military that can be beneficial to our national security interests. I want the people who build F–16s in America to get the business from Egypt to get some of our money back.

If they buy MIGs or Mirages we lose that. It is not a question of if they are going to buy fighter planes; it is a question of who they are going to buy them from. We have every right to withhold sales. We have every right to put them on hold temporarily. But to just sever this relationship now would be a huge mistake.

In fairness to Senator PAUL, he says we would resume aid once they get their act together and move back toward democracy. I think that is something worth noting. That is an understanding on his part that he is looking for an outcome that we can be more supportive of. The difference I have is that if we cut off aid now, then I cannot tell you the consequences of what that would mean in terms of moving in the direction we would all like.

Unintended consequences to the decision jump out pretty clearly in my mind, and most of them are bad. Is it a coup? It certainly looks like one. It certainly sounds like one. But at the end of the day, if we are moving toward democracy and the military steps back and democratically elected leaders take over, I think that is the goal for all of us.

I wish we did not live in a world like we do. I wish things were easier. I wish the Arab Spring had been more successful. But the one thing I can say is that what happens in Egypt really does matter to us. If the largest country in the Arab world, the heart of the Arab world, Egypt, becomes a failed state, I promise you it will affect our national security interests for decades to come. It would be a nightmare for Israel, and it would take the whole region down a path that would be at best chaotic.

Can we prevent a failed state in Egypt? I think we can. I don't know for sure what is going to happen, but I do know this: If America does not try, if we do not stay engaged and shape history rather than observe it, we will pay a heavy price as a nation. So part of this amendment takes money that would be going to the Egyptian military and puts it on projects in the United States. I think one is a bridge in Kentucky. I have no doubt that there is a need for bridges in Kentucky and South Carolina. I would love to get my port deepened.

But to the people of Kentucky and to the people of South Carolina, if we stop the 1 percent of our budget—it is $50 billion. That is no small sum. But if we cancelled it all out and just left $3 billion for Israel—it seems everybody likes that idea. If we had $3 billion to spend on affecting the world, is that smart?

How much of the debt would be retired if we canceled all foreign aid and brought it back into the United States? Not a whole lot. But here is what I believe would happen. If America withdrew our foreign assistance, a lot of bad things would happen to us. Having a say, having influence in a world that is increasingly dangerous seems to me to be a good idea. I am tired of having to resort to the military as the only solution to affect things.

The people in Egypt, the government particularly, wants a relationship with us. They have to earn it, as Senator RUBIO said. But to cut off our relationship with Egypt at this critical time, I think, would be extremely ill-advised, and the consequences to the people of Kentucky and South Carolina and every other State in the Union would be significant.

To my colleagues, when you cast your vote today about pausing, not terminating aid, but trying to reconstruct aid, I don't know how that fits in a 30-second sound bite. It is probably easier to explain the ''no'' vote than it is a ''yes'' vote. But I do know this: Your country would be well served if you decide today to pause and wait to find out the right answer in Egypt.

I do know this: If Egypt goes, the entire region blows up. The biggest fear I have is radical Islamists are closer to getting nuclear weapons and chemical weapons than any time in my lifetime. If Egypt becomes a failed state, that is one more problem for us to have to deal with, rather than focusing on the Iranian efforts to march toward a nuclear weapon.

Radical Islam has not forgotten about us. The question for us is have we forgotten about radical Islam. If we wish to stop this march in the Middle East of radical Islam getting stronger and stronger and stronger, let's try to hang on to our relationship with Egypt. If it becomes a failed state, and the Sinai becomes one of the great safe havens for terrorist groups—and the Egyptian Army, to their credit, is now involved with the Sinai—the cataclysmic effect of a failed state in Egypt would be the biggest boost to radical Islam I could think of. It would do a lot of damage to our national security and our best friend in the region, Israel.

I have a letter from our APAC. I asked them to comment on this. They state:

> Dear Senators Menendez and Corker:
>
> We are writing to express our concerns over the Paul amendment to the Transportation/HUD Appropriations bill that would eliminate military assistance and sales to Egypt. We do not support cutting off all assistance to Egypt at this time, as we believe it could increase the instability in Egypt and undermine important U.S. interests and negatively impact our Israeli ally.
>
> As you know, Egypt is the largest Arab state in the Middle East and has played a vital role in advancing key U.S. interests in that region. Citing just two examples, the government of Egypt has maintained the peace with Israel and is taking important steps to address the instability in the Sinai. Events in Egypt are rapidly evolving, and we believe that for now the United States should avoid taking any precipitous actions against Egypt such as cutting off all assistance. We look forward to continuing to work with you on these critical issues.

One final thought: Maybe one day I will agree with Senator PAUL in saying we have to sever our ties with the Egyptian military and the Egyptian people. Maybe one day I will come and cosponsor the Senator's amendment or maybe come up with one of my own.

I can tell you if that day ever comes, it will be one of the saddest days of my life because that would mean Egypt is gone. If Egypt is gone, all hell is going to break loose.

Mr. MENENDEZ. I yield to the distinguished Senator from Arizona, a member of the committee, Mr. MCCAIN.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. May I ask the time situation?

The PRESIDING OFFICER. Under the previous order, the Senator from Arizona has unlimited time.

Mr. McCAIN. Does the Senator from Kentucky wish to respond?

Mr. PAUL. Go ahead.

Mr. McCAIN. Madam President, I think it is important in the context of this amendment on the Transportation, Housing and Urban Development bill that we put into focus what this amendment is really affecting. It is affecting the most important nation in the Arab world, the heart and soul of the Arab world, Egypt. All countries in the Middle East are important, but Egypt is the most important.

In Egypt today there are demonstrations, there are scores of people being killed, hundreds being wounded. This Friday, only 2 days from now, after prayers, there are predictions that there could be even more carnage that will take place as a result of the pro-Morsi people taking to the streets of Cairo and other cities throughout Egypt.

I think we ought to consider this amendment in the context of what is happening in arguably the most important nation in the Arab world. Should we ask ourselves that at this point without adequate hearings, without adequate discussion, without input from the administration, as well as the oversight responsibilities by the Foreign Relations Committee, the Appropriations Committee, the Armed Services Committee, all of whom, chairmen and ranking members, are opposed to this amendment?

First, I caution against a rush to judgment on this issue. It requires, frankly, more than 1 hour equally divided of debate on the floor of the Senate.

I would also like to point out this amendment is part of a larger debate that has been going on in the Republican Party for well over a century. Prior to World War I, there was the isolationist wing of our party. After World War I in the 1930s, there were the America Firsters. After World War II, there was the Eisenhower wing of our party and the Taft wing. The debate has gone on for the heart and soul of the Republican Party.

This debate and this amendment that is posed by my friend from Kentucky is part of that overall debate as to what the role of the United States should be in the world. Should we take our money from Egypt and give it to build a bridge in Kentucky? Should we take our foreign aid and cut it to the point to where we no longer have influence in these countries throughout the world and spend it on much needed projects that are the result of a very ailing and still serious recession in which we still remain?

I think the vote on this amendment has even larger implications than that of whether we should cut off all assistance to Egypt. By the way, my friends, I don't think it is an accident that APAC, our friends there who represent the interests of the State of Israel, have opposed this amendment. If there is further upheaval in the Sinai, and if there is a collapse of the rule of law in Egypt, I don't think there is any doubt that the threat to Israel is dramatically increased.

I made it clear, and so has my friend from South Carolina, that it was a coup. It was a coup and our law calls for that. But that is an implementation of a law that needs to be done in a way that is in consultation with the Foreign Relations Committee, the Appropriations Committee, and, in fact, all Members of the Senate.

I think it is important for us to send a message to Egypt that we are not abandoning them, but what we are doing is trying to caution them to try to modify their behavior, to tell General Aziz that he has to have an inclusive government, he has to allow the Muslim Brotherhood to partake in the upcoming elections, and the Muslim Brotherhood has to be told that they have to renounce violence.

Right now Egypt is spiraling down into a situation of chaos, which I can promise my colleagues will sooner or later pose a threat to our vital national security interests. The most important nation in the Arab world descending into chaos is going to be a threat to the United States of America.

I urge my colleagues—and I urge my friend from Kentucky, with respect—to realize this amendment would send the wrong message at the wrong time. It may be coincidental, but this Friday is going to be an important day in Egypt. Should we be sending the message to the Egyptians: OK, you are on your own?

Yes, other countries in the region are contributing enormously to the Egyptians without conditions. But the support or condemnation of the United States of America, the best, most free, and still most influential Nation in the world, is of vital importance. At this time, I think it would be a terrific mistake for the United States to send the message to Egypt: You are on your own.

I hope we understand that it is not about U.S. foreign assistance; it is about what serves our interests and our values. This, my friends, is a debate that we need to have over the weeks, months, and years ahead in, probably, one of the best places to have that debate.

I urge my colleagues, no matter how they feel about assistance to Egypt, that we are committed. I urge them to appreciate that we are committed to a long debate about this issue.

I have confidence in the chairman of the Foreign Relations Committee that we will be addressing this issue seriously. The Senator from Kentucky is a member and would certainly take part.

I urge my colleagues to understand that an amendment on the Transportation, Housing and Urban Development-led appropriations bill is not the venue. We need to have this debate not only about Egypt but America's role in the world. I look forward to joining him, but today is not the day to take a step that could have repercussions over time that will damage the vital national security interests of the United States.

I urge my colleagues to vote to table the Paul amendment.

I yield.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. PAUL. This is exactly, precisely the time it should come up because on the infrastructure bill that we are looking at, this gives Americans the chance to show great contrast. Do you want to do nation building overseas or do you want to do nation building at home? Do you want to spend billions of dollars in Egypt or would you rather build some roads at home?

I think it provides a perfect contrast. In fact, there couldn't be a better place to have a discussion on this issue.

We always hear a lot of empty thoughts and empty promises: Oh, we will do this in committee. We will do this.

They don't want this debate. I have been fighting tooth and nail against Members of my own party to get to this debate, to bring it to the floor, to bring it to the American people.

Let's be very clear about what the amendment does. It halts military aid until they have an election. It is just obeying the law.

Let's be very clear. Maybe we should do a summary of what their arguments are. This is a summary of their arguments: They love sending American money overseas so much that they don't mind breaking the law. I didn't hear one of them explain how they are going to adhere to the law. The law says military aid ends when there is a coup. The President says you can't make him say there is a coup. There probably is a coup, but he is never going to say it, and he is never going to adjudicate it. Who is going to adjudicate whether there is a coup?

This is about temporarily halting aid. Some people rise and say: Oh, we will be closed out, and they will buy their weapons someplace else. They don't have any money. We give them the money to buy our weapons.

Some have said they want to promote democracy. Well, there is an exemption. You can spend as much money on democracy promotion.

Mr. McCAIN. Will the Senator yield for a question?

Mr. PAUL. Not now.

The thing is, we have to understand what this is about. We have to understand this is about a temporary halting of buying weapons. People say: Well, if we don't give them planes, we don't pay them to buy our planes, they will think we don't like them. They will go to war with Israel and everything will be so much worse.

They have hundreds of F–16s. They have thousands of tanks. I am precisely worried about them using them against Israel when there is chaos and blood running in the streets, when there are millions of people protesting.

Do you think it is a good time to send more weapons? Do you think it is a good time to send more weapons when millions of people are in the streets?

What happens if these weapons are used against Israel? The canard of bringing the letter—it always happens. Someone brings in a letter. I have spoken to many people who love, respect, and have a great deal of admiration for Israel. I admire our relationship and alliance and am very proud of the fact that we stand together on so many issues. To bring it up and say the people who are against this don't care about Israel is just a canard.

I think this precisely—continuing to arm an unstable government in Egypt—could well be to Israel's harm. This is precisely why I bring this amendment forward.

Also, it needs to be clear for the record that everyone who has come forward together to send more of your money overseas, to send good money after bad, every one of them was for sending it to the Muslim Brotherhood. We hear them talking about Islamic jihadists and how they are worried about them. No, they are not. They were for funding the Islamic jihadists. They were for funding the Muslim Brotherhood just months ago.

I have had this vote before. I voted to cut off aid to the Muslim Brotherhood also. I have produced an amendment. They all voted against it then because we were going to do this on a more rational, reasonable pace someday, somewhere, in some fictitious committee. No, we are not. They want the money to continue. It doesn't go to the Egyptian people. It doesn't buy good will. It buys ill will. Do you know what the money is spent on? Tanks. Tanks roll over people in protest.

I have no love lost for the Muslim Brotherhood, but they have disappeared them. We are going to be giving money to the military that is disappearing people. No one has heard from President Morsi. Most people think he was actually elected in a fair election. I don't agree with radical Islam. I don't think he would be a good President for any country. I wouldn't give him any money. But we are going to give money to people who make people disappear?

Does anybody remember the Soviet Union? These same people stand and say how bad it is the Soviet Union makes someone disappear. I am absolutely with them. I support that. It is terrible. That is what the military in Egypt is doing—making people disappear. Most of the members of the government haven't been seen in days, maybe weeks. We have no idea where they are.

Once again, let me be clear. I have no sympathy for them. I don't want to give them money either. But all these people who want to fund the military, they all want to fund the Muslim Brotherhood. The only thing consistent about their argument is sending your money to other people.

There is a finite amount of money. Detroit lays in ruins, Chicago is full of violence, and there are bridges everywhere. Don't let them paint this that I have some special thing in Kentucky. There are no earmarks. There is no special money going to Kentucky. This is going into the Transportation bill for the whole country.

There is actually nothing in here special for Chicago or Detroit, but I point it out that we have problems at home. Maybe we should do some nation building here at home.

The other side will falsely say: Oh, you want isolationism. You want to disengage from the world. Hogwash. I want to be involved. I am for being involved with Egypt. I am for trade. I am for international and global interaction and diplomacy and all those things. But do you think you are making the world a better place by sending a few more F–16s and tanks and tear gas to Egypt? Do you think that is somehow making the world a safer place? No.

If I thought the foreign aid was going to do something good, I might be for it. Mubarak and his family fly on private jets, dine on caviar and champagne. Your money is more likely to buy a chateau in Paris for the Mubarak family than it is to buy bread for the people of Egypt.

They say: Oh, well, the Egyptian people will not like us anymore if we don't give them money. Seventy percent of the Egyptian people have said they do not want our money. It doesn't go to them. The people, by the millions, are rioting in Cairo. By the hundreds of thousands they are rioting in Tahrir Square. They are not rioting for American aid. They are rioting for us to quit giving aid to the despots who rule them.

Mubarak ruled for 30-some-odd years. He ruled by martial law. He made people disappear also. What about human rights? What about dignity? What about trials they just recently—the Muslim Brotherhood—tried 16 Americans in absentia. If they were there, they would have put them in jail. Yet all these same people are afraid to take away money.

How do you think leverage would best work? How would we have leverage? Maybe if we withheld some aid, we would have leverage. But if you give them everything they want all the time, any time, do you think they are going to do something differently? They say the definition of insanity is doing the same thing over and over and expecting a different response. We have given the aid for 30-some-odd years.

We gave a dictator in the Congo—Mobutu—aid for years and years. They called his wife Gucci Mobutu. Why? Because she would take a Louis Vuitton bag, full of about $1 million in cash, to Paris and spend it in a weekend—your money, our money, spent on lavish homes. Mobutu had seven palaces. I think Mubarak has six or seven palaces. They steal the money. It doesn't buy the good will of the people. It actually buys ill will. It does completely the opposite of everything they say it does. It does completely the opposite.

So there is a disagreement on this. But the one thing there is not a disagreement on is that it is against the law. The Republican Party maintains: Oh, we are for the rule of law, and we proudly beat our chest all the time and say to Democrats: Oh, you don't want the rule of law; the President disobeys the rule of law. Guess what. This time many Democrats and Republicans will flout the rule of law because the rule of law says military aid ends when you have a coup. It doesn't say you can wait around until it is convenient for you and maybe you can parcel out the aid in different ways. It doesn't say that. It says military aid ends until there is an election. It is very clear about this.

So the argument is about whether you believe in the rule of law. If you do, there is no question you have to vote for this amendment because this amendment simply restates the law. I am not even creating the law. I am just restating the law that says aid ends and it resumes when there is an election.

So those who say he is against all aid, don't listen to him, he is against all aid, that is not what this amendment does. This amendment enforces the law that actually every one of these men and women voted for. They voted for this law. It has been on the books 30-some-odd years, and the law says that aid ends when you have a military coup. So they are all going to vote to bypass a law they have all supported. Every one of them supported this law.

This isn't some extreme position of no aid; this is a position of temporarily halting it. It is their plan, but it is not convenient now to obey the law they passed.

This is an important debate. It is not about doing things to harm Israel; it is about doing things that, actually, I think would be beneficial to Israel. It is not about ending all aid; it is about obeying the law. It shouldn't be about whether aid is good or bad. I think there are a lot of bad things and unintended consequences that come from the aid, but it is not about that. It is about whether we are going to obey the law.

I say think long and hard about this. Some say they are going to do something more important than what their people at home want, and they are very proud they are going to stand against the will of the people. Three-fourths of Republicans, three-fourths of Democrats, and three-fourths of Independents or higher think it is a bad idea to be sending good money after bad overseas. We do have problems at home and this could go toward fixing them.

Some say it is only 1 percent. Foreign aid is only 1 percent. Guess what. If you cut 1 percent of the budget each year, the budget balances within about

5 years. It is called the penny plan. Many on my side have actually endorsed this plan. So 1 percent isn't an insignificant amount of money, and it is not working. It is doing the wrong thing.

So I urge a ''yes'' vote on the amendment.

I retain the remainder of my time.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from New Jersey.

Mr. MENENDEZ. I ask unanimous consent to proceed for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, this has been a robust debate. Listening to my friend and colleague from Kentucky, I appreciate his views, but I strongly disagree with him. Above all, let's say what it is and what it is not about. This is not about Mubarak and chateaus. Mubarak is gone. The Egyptian people decided that. He is gone. It is not about Mobutu or anybody else. You can conflate anything you want and throw it up against the wall, but this is a question of whether we will continue to pursue our own national interest and national security in Egypt, in the Middle East.

This is, in fact, about democracy. It is about the 30 million who were protesting in the streets of Egypt, whom Senator PAUL referred to. But their call is not for us to leave; their call is for us to engage with them. As the experts in this field who gave testimony before the committee said, the one uniting thing among all elements of Egyptian society we could do is cut off all aid. It would unite in what? Against us.

This is about making sure we have a stable Middle East. It is not a canard to suggest that Israel's security is at stake, because when you have hundreds of tunnels in the Sinai being used by extremists to send weapons into Gaza to attack Israel, it is about their security. I think no one knows better about their security than the State of Israel itself knows about their security.

It is not a canard. It is a fundamental element of whether we are going to have an ally that can be safe and secure. It is a fundamental element of whether we are going to have the ability to affect the outcome in Egypt in a way that will create stability and peace. It is a fundamental element of whether we have to send soldiers abroad versus keeping them here at home. Because when there is peace and stability, we ultimately do not have to engage with our military in pursuit of our national interest and security.

When terrorists cannot organize in Egypt, we are safer at home in the United States. So let's not cut off all aid to Egypt in a transportation, housing, and urban development bill when, in fact, our vital national interests are at stake. There is plenty of opportunity to help America's cities. I was a mayor. No one wants to help America's cities more. You will get to do that if you vote for the THUD bill, if you put your vote up. But this is not a way to achieve that.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. MENENDEZ. I yield to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Ronald Reagan used to say facts are stubborn things. The Senator from Kentucky just said Egypt has no money. Isn't it a fact the Gulf countries and the Saudis have just given them $13 billion?

Mr. MENENDEZ. Absolutely.

Mr. MCCAIN. Again, isn't the question whether the Senator from Kentucky knows what is better for Israel or Israel knows what is better for Israel? The fact is, AIPAC and the Israelis are adamantly opposed to this amendment; isn't that correct?

Mr. MENENDEZ. It is true they are opposed, and I would assume Israel, a sovereign state, knows what its security interests are better than anybody else.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Tennessee.

Mr. CORKER. What is the status of time right now? I think we should bring this to a close soon.

The PRESIDING OFFICER. All time remaining is under the control of the Senator from Kentucky, and he has 2 minutes remaining.

The Senator from Kentucky.

Mr. PAUL. Mr. President, several points have been made about whether we should engage with Egypt. Absolutely, we should. But the Egyptian people don't see it as engagement when the engagement is at the end of a truncheon, when the engagement is tear gas bought with American money and then sprayed on them. They do not quite understand that as engagement. So buying arms—American tanks and American tear gas—to be used for crowd control isn't exactly what the Egyptian people have in mind as far as engagement.

With regard to Israel, there is no unified statement from the nation of Israel saying they are for this. I have had both private and public discussions with the leaders of Israel, and to tell you the truth, without naming individuals, I can tell you they are not too excited about sending more arms to Egypt. So for someone to come to the floor and say they speak for the nation of Israel, they speak for all people who love Israel in our country, is false.

There are probably 20 different groups in our country that support the nation of Israel and support them as our ally. I speak to them all the time. I visit with them daily and weekly in our office. So what I can tell you is if you talk to the people, to the grassroots and not to the so-called leadership, you will find a much different story. Because I would promise you—let me speak to the entire crowd at an AIPAC meeting and we will see whether they like sending more weapons to the Muslim Brotherhood or more weapons to Egypt. I think you will find a resounding no.

This amendment is ultimately about the law, and I hope my colleagues will remember that if they vote against this amendment they are flouting the law, they are voting to disobey the law, they are voting against the rule of law, and they are actually voting against a law they have all voted for.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Tennessee.

Mr. CORKER. Mr. President, I think most Members of the body realize the THUD bill is not the place to address major foreign policy. I think all understand that in September it is the plan of this body to deal with the legal issues regarding foreign aid to Egypt, so I move to table the amendment of the Senator from Kentucky.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. MENENDEZ. 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 86, nays 13, as follows:

[Rollcall Vote No. 195 Leg.]

YEAS—86

Alexander	Franken	Murphy
Ayotte	Gillibrand	Murray
Baldwin	Graham	Nelson
Baucus	Hagan	Portman
Begich	Harkin	Pryor
Bennet	Hatch	Reed
Blumenthal	Heinrich	Reid
Blunt	Hirono	Roberts
Boozman	Hoeven	Rockefeller
Boxer	Inhofe	Rubio
Brown	Isakson	Sanders
Burr	Johanns	Schatz
Cantwell	Johnson (SD)	Schumer
Cardin	Johnson (WI)	Scott
Carper	Kaine	Sessions
Casey	King	Shaheen
Chambliss	Kirk	Shelby
Chiesa	Klobuchar	Stabenow
Coats	Landrieu	Tester
Cochran	Leahy	Toomey
Collins	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Corker	Markey	Vitter
Cornyn	McCain	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Murkowski	

NAYS—13

Barrasso	Grassley	Paul
Coburn	Heller	Risch
Crapo	Lee	Thune
Cruz	McConnell	
Enzi	Moran	

NOT VOTING—1

Heitkamp

The motion was agreed to.

Mrs. BOXER. Mr. President, I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 1 p.m.

Thereupon, the Senate, at 11:39 a.m., recessed until 1 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

EXECUTIVE SESSION

NOMINATION OF BYRON TODD JONES TO BE DIRECTOR OF THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read as follows:

Nomination of Byron Todd Jones, of Minnesota, to be Director of the Bureau of Tobacco, Alcohol, Firearms, and Explosives.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour of debate on the nomination equally divided in the usual form. If no one yields time, time will be charged equally to both sides.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. HOEVEN pertaining to the submission of S. Con. Res. 21 are printed in today's RECORD under ''Submitted Resolutions.'')

Mr. HOEVEN. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

NASA AUTHORIZATION

Mr. NELSON of Florida. Madam President, we passed the NASA authorization bill out of the Commerce Committee yesterday. Sadly, I must report that it is the first time the NASA bill has been a partisan vote that I can ever remember. NASA—this little program that is such a can-do agency—has always been not only bipartisan, but it has been nonpartisan.

There was actually no real disagreement with the content, the policies set in the NASA authorization bill. It is very similar to what the Appropriations Committee indeed has already passed out of the full Appropriations Committee. But, sadly, there is an insistence that this artificial budget limitation, which is like a meat cleaver cutting across the board—some would describe it as a guillotine coming down across programs willy-nilly—cutting programs such as the National Institutes of Health and all of the medical research that is going on and, indeed, a broadly embraced bipartisan program such as our space program.

So the vote was 13 to 12—specifically along partisan lines—not because of the content, not because of the policy, but because of the funding level. In the bill that passed, we had the NASA authorization for appropriations at the level provided in the budget resolution that passed the Senate—$18.1 billion. That is about level funding for NASA, this little agency that is trying to do so much. However, our Republican friends wanted it cut to $16.8 billion, and some spoke favorably toward the House bill that has it cut back to $16.6 billion.

If we cut $1.5 billion out of this little agency, it can't do what it is attempting to do to get us ready to go to Mars in the decade of the 2030s and in the meantime to get our human-rated rockets in the commercial sector so we can send our astronauts to and from the international space station where six human beings are doing research right now. The multiplicity of science projects, the planetary exploration that is going on, and the aeronautics research that is going on—all of that is within this little agency.

My hope is that as we get further along in the fiscal year, we are going to hit some grand design, some grand bargain, some great bipartisan agreement on funding that maybe will include tax reform but that will then allow us to operate with common sense instead of some artificial budgetary mechanism called sequester.

Yesterday it was stated that indeed the NASA authorization bill violated the Budget Control Act of 2011. I tried to explain in the committee that it did not. As a matter of fact, the Budget Control Act is an overall level on compressing appropriations. It has no effect on the authorization for appropriations. That is where we set policy, and then we leave it up to the Appropriations Committee to set the actual funding.

So I am happy to say that we made the step that we needed to make. We have the bill proceeding now out of the committee. I am sad to say that for the first time ever this broadly based, wildly popular, not only bipartisan but nonpartisan program, called America's space program, has come out of the committee with a partisan vote.

Let's turn this around, and let's not have this excessive partisanship and this ideological rigidity that is gripping this country's politics. Let's not have that infect our Nation's space program.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for up to 15 minutes on the Todd nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I come to the floor to ask my colleagues to vote against cloture on the nomination, and here are my reasons for asking that of my colleagues.

Earlier this week I outlined my general objection to the Senate proceeding to a final vote on the confirmation of Mr. B. Todd Jones, the nominee to be Director of the Bureau of Alcohol, Tobacco, and Firearms. As I explained, the Senate should not be voting on a nomination when there is an open investigation.

In this case the Office of Special Counsel is investigating Mr. Jones in a complaint that he retaliated against a whistleblower in the U.S. Attorney's Office for the District of Minnesota.

Because of the way this nomination was handled in committee, I was able to conduct only a limited investigation. But what I found should give all of us pause—real pause—on this nomination because it gives me concern about Mr. Jones's leadership ability and raises doubts about whether he should be promoted to head this office.

According to both the whistleblowing assistant U.S. attorney and the former head of the FBI in Minnesota, relationships with Federal, State, and local authorities deteriorated significantly under Jones's leadership. The problems primarily involved agencies that worked drug cases and violent crime.

Mr. Jones addressed the issue in a meeting with criminal prosecutors in his office. According to the whistleblower, following that meeting, Mr. Jones came to the whistleblower's office and asked for his candid opinion of what could be done about the problem.

The whistleblower gave Jones his candid opinion, and a few weeks later he put it in writing what he had told Jones during this meeting. His e-mail to Jones included allegations of mismanagement by one of his supervisors, the head of the Narcotics and Violent Crime Unit.

The very next day, that supervisor called that whistleblower on the carpet and, according to the whistleblower, interrogated him about his work in search of a pretext to discipline him.

Failing to find a substantive reason to discipline him, his supervisors then suspended him for 5 days for his demeanor during the meeting. Now, based on what we know at this point, it certainly looks like retaliation, and it helps explain why the Office of Special Counsel believed these allegations merited further investigation. Remember, only about 10 percent, 1 in 10 of these types of allegations is selected for investigation by the Special Counsel.

To be fair, we do not know the full story. The Office of Special Counsel has not finished its investigation into the matter. But this fact remains: There is an open investigation of serious allegations of whistleblower retaliation, and because that investigation remains open, this body—the Senate of the United States—should have the full information about the nominee, and it

does not have it, and it should have it before voting on that nomination.

These are serious charges. The public interest demands resolution of these issues. Members of the Senate are entitled to know if these charges have merit. Members of the Senate are entitled to the complete record.

So everyone should ask, Why then are we voting on a nomination on which there is an open investigation and on a nominee where we do not have the complete information? To me, the answer is obvious: We should not be conducting this vote until this matter is resolved.

I would like to highlight a few comments contained in a recent letter from the National Whistleblowers Center. That organization, since 1988, has been supporting whistleblowers.

The center opposes a vote on this nomination ''until there is a complete and thorough investigation into his treatment of employee-whistleblowers.'' This is exactly what I am requesting today: a ''no'' vote to give the time to complete this investigation.

The National Whistleblowers Center notes that the Office of Special Counsel's investigation remains open. Again, I agree with their contention; namely, ''that office should be able to complete its inquiry in due course, without any pressure triggered by the nomination process.''

I am surprised to hear rumblings about my opposition to this nominee based on this particular matter. It seems some are asking the question, What does this whistleblower retaliation have to do with the ATF? Why is this investigation even relevant?

I sincerely hope my colleagues have not forgotten about the disaster of Operation Fast and Furious—an absolute failure by the former leadership of the ATF. In that case, the former ATF leadership and the ex-U.S. attorney retaliated against the brave whistleblowers who alerted authorities about this botched operation of Fast and Furious. A U.S. attorney in Arizona had to resign because of his retaliatory conduct against whistleblowers.

Based in part on that history, I am extremely hesitant to place at the head of that agency this individual who has been accused of retaliation against a whistleblower and, as Acting Director of ATF, Mr. Jones sends a very chilling message to all the employees of that organization.

Mr. Jones was caught on video, so we know exactly what he said. He was caught on video making very disturbing statements specifically targeted at discouraging ATF agents from blowing the whistle.

Let me remind you, whistleblowers are patriotic Americans who think the law ought to be followed and the government do what the law says.

He told these whistleblowers:

> [I]f you don't respect the chain of command, if you don't find the appropriate way to raise your concerns to your leadership, there will be consequences.

Wouldn't that scare anybody who worked in that organization?

Of course, blowing the whistle requires going outside the chain of command to report wrongdoing. If you do not get the benefit of people listening to you within, then it is your constitutional responsibility to go outside and report violation of law. So telling employees there will be consequences for going outside the chain of command is the same thing as telling them there will be consequences for whistleblowing.

This video was seen by several employees in the U.S. Attorney's Office of Minnesota, also headed by Mr. Jones in his other capacity. These employees wrote to the Office of Special Counsel referencing the video, stating that they had ''felt for the employees of ATF as we too have had the same types of statements made to us.''

They then said Mr. Jones ''ha[d] instituted a climate of fear, ha[d] pushed employees out of the office, dismissed employees wrongly, violated the hiring practices of the EEOC, and put in place an Orwellian style of management that continues to polarize the office.''

As I mentioned, the former head of the FBI in Minnesota also wrote to the committee about Mr. Jones. In that letter, he wrote:

> As a retired FBI senior executive, I am one of the few voices able to publicly express our complete discontent with Mr. Jones' ineffective leadership and poor service provided to the federal law enforcement community without fear of retaliation or retribution from him.

Meaning from Mr. Jones.

Those are chilling words, as I have said twice. They corroborate what members of his staff have said and are consistent with the whistleblower retaliation complaint.

The former FBI Special Agent in Charge continued with this report:

> [Mr. Jones] was, and still remains, a significant impediment for federal law enforcement to effectively protect the citizens of Minnesota. . . .

As the Minneapolis Star Tribune reported on December 31, 2012:

> Criminal prosecutions have dropped dramatically at the U.S. Attorney's office in Minneapolis under the leadership of B. Todd Jones, rankling some in law enforcement.

But then the article continued:

> Several federal and state law enforcement sources said that the U.S. Attorney's office refused to prosecute drug and violent crime cases that would have been snapped up by Jones' predecessors. None agreed to be quoted, saying they must maintain a relationship with the U.S. Attorney's Office.

My investigation revealed that during Mr. Jones's tenure as U.S. attorney, several people allege that relationships with other Federal law enforcement agencies deteriorated also. Now, why would we want to confirm as Director of the ATF someone who has a poor track record working with Federal law enforcement?

Since the majority insisted on moving forward without waiting for the Office of Special Counsel to complete its work, on July 2 I wrote to the FBI, the DEA, and ICE seeking information about the deteriorating relationship between Federal law enforcement and the U.S. Attorney's Office under Mr. Jones's leadership. I have received no replies to that request.

In addition to his record as U.S. attorney for the District of Minnesota, what about Mr. Jones's record as Acting Director of the Bureau of Alcohol, Tobacco, and Firearms? It is no secret that there have been a number of controversial events that Mr. Jones has been involved in to one degree or another. I have sent numerous letters to the department requesting information from and about Mr. Jones. In many cases, I have received no response or an incomplete response. Here is a sampling:

On Fast and Furious—on October 12, 2011, the House Oversight and Government Reform Committee subpoenaed records of the Attorney General's advisory committee relating to Operation Fast and Furious during a period Jones was committee chair. I reiterated that request on April 10, 2013.

No. 2, ATF's accountability for Fast and Furious. On October 19, 2012, and January 15, 2013, I requested information on which ATF employees would be disciplined for their role in Fast and Furious.

No. 3, Fast and Furious interview request. From October 7, 2011, through January 2012, I requested a staff interview with Jones regarding Fast and Furious. I reiterated that request to Mr. Jones on April 10, 2013.

No. 4, interview request on Reno, NV, ATF office. My April 10, 2013, letter also indicated that Mr. Jones's failure to act on Reno management issues was another area of questions to be covered in a staff interview.

No. 5, interview request on Operation Fearless. My April 10, 2013, letter indicated that the botched Operation Fearless in Milwaukee was another area of questions to be covered in a staff interview.

No. 6, document request on Operation Fearless. On May 10 of this year, I sent Mr. Jones a letter requesting a copy of the Office of Professional Responsibility and Security Operations report on the botched Milwaukee storefront operation.

No. 7, on the St. Paul and quid pro quo matter, I was able to have a staff interview with Mr. Jones. Just to remind my colleagues about the issue I will tell you, briefly, on February 3, 2012, the Department of Justice and the City of St. Paul struck a deal. The terms of the quid pro quo were as follows: The Department declined to intervene in two False Claims Act cases that were pending against St. Paul, and St. Paul withdrew its petition before the U.S. Supreme Court on the Magner case, a case that observers believed would invalidate the use of disparate impact theory under the Fair Housing Act.

But this was no ordinary settlement. Instead of furthering the ends of justice, this settlement prevented the courts from reviewing potentially meritorious claims and the recovery of hundreds of millions of dollars for the U.S. Treasury.

The U.S. attorney in Minnesota at the time of the quid pro quo, Mr. Jones, was serving both as U.S. attorney and Acting Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives. Mr. Jones was interviewed by the committee staff as part of the investigation on March 8, 2013. However, before agreeing to the interview, the department demanded that staff not be permitted to ask Mr. Jones any further questions other than those involving quid pro quo.

Questions remain about whether he was effectively managing both jobs as the U.S. attorney and Acting Director. For example, when asked by committee staff about his failure to attend a seminal meeting between the department's civil division and representatives from the City of St. Paul, which occurred in December 2011, he stated that he did not attend because he had an event at ATF that precluded his attendance. When pressed further, Mr. Jones indicated the important event at ATF was a holiday party called ''sweet treats.''

He felt it was more important that he attend that event than it was to attend his crucial meeting——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GRASSLEY. I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. It was more important that he go to sweet treats than worry about collecting $200 million under False Claims Act cases pending. I raised many of these issues with Mr. Jones at his hearing and in written questions for the record. But in too many instances Mr. Jones was unable or unwilling to provide an adequate response. Unfortunately, I have a lingering concern about his candor during his testimony. With this record before us, it should be apparent to all of my colleagues that the Senate should not move forward with Mr. Jones' nomination.

First, the Senate has yet to learn the results from the investigations of Office of Special Counsel; two, the Senate has not had an opportunity to hear Mr. Jones address those allegations himself. Point blank he told the committee he could not speak about them because of the open investigation; third, the Senate should recognize a troubling pattern indicating the nominee's inability to work with Federal law enforcement and whistleblowers; four, his involvement in a number of botched operations showing unacceptable management style or capability.

Elevating an individual with such a record is not how you rehabilitate the reputation, image, and culture of Federal law enforcement agencies still recovering from the disastrous scandal of Fast and Furious. I do not believe we should simply rubberstamp this nomination and sweep the alarming allegations under the rug.

I would hope that further action on the nomination pause until these matters are resolved. Before I close, I wish to address one additional matter. I have heard it argued from the majority that there is an urgency to get this nomination confirmed because ATF has not had a confirmed Director for 7 years. President Bush made a nomination in March 2007. That nomination was held up in the Senate based on concerns regarding ATF's hostility to small gun dealers and the nominee's apparent indifference to their concerns.

President Obama did not nominate a Director until November 17, 2010. That is 2 years into his first term. That individual's nomination stalled because neither the White House nor the nominee responded to our requests for additional information. Rather than respond to our requests so that nomination might move forward or withdraw that nomination and send up another, the White House did nothing for 2 years.

The nomination of Mr. Jones was not sent up to the Senate until the beginning of this year. So for the past 4½ years, the vacancy is the responsibility of the White House. I do not think that supports their contention that there is a crisis because of a lack of a Senate-confirmed nominee.

In any event, the prudent course for the Senate, and what I support, is to wait a short while, until the open complaint is resolved. I urge my colleagues to vote against cloture.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

POWER NOMINATION

Mr. COONS. Madam President, this week the Senate will consider the nomination of Samantha Power to serve as our next Ambassador to the United Nations. In fact, I hope we will take it up later today. This is a critical position to our President's national and foreign policy team, and I believe Ms. Power's experience, values, and wise approach to foreign policy will make her a terrific Ambassador.

Throughout her career, she has displayed a passion for human rights and worked tirelessly to prevent atrocities abroad. From her early days as a journalist, to her work in the White House, she has shown a pragmatic idealism and a deep and nuanced understanding of the foreign policy and security challenges facing this country around the globe.

I met with Ms. Power a few weeks ago. I came away confident that she is the right choice to represent our country at the U.N. She understands the critical importance of democratic values and human rights to global stability. Ours is a complex time and a complex world. The fabric of global stability is woven with many threads of democracy, good governance, economic development, health, education, national security and, of course, diplomacy.

The global challenges of our generation require leaders, leaders capable of seeing each of these threads and appreciating how they connect and how we can weave them together to make a stronger more vibrant world.

As chair of the Senate Foreign Relations Subcommittee on African Affairs, I am excited to work with Ambassador Power to strengthen our friendship and strategic partnerships on that vital continent. On Israel, it is clear she believes in our Nation's unbreakable bond with the Jewish State. She has shown us, in her words and actions, especially when she played an underreported and underappreciated role defending Israel at the U.N. during the Palestinian statehood vote.

In closing, it is clear that in Samantha Power we have a nominee with a keen intellect and a grasp of the complex foreign policy challenges we face in the world. She combines a dedication to American values and principles with the pragmatism that will serve us well at the U.N. I am proud to vote for her confirmation and urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I rise in support of the nomination of Todd Jones to be Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives. I wish to first thank Senator COONS for his remarks about Samantha Power. I am also looking forward to the vote on her confirmation. I am looking forward to her service.

This is a very important job. As the Presiding Officer knows, the ATF has an incredibly important role in investigating crimes and terrorist incidents such as the Boston Marathon. They recently investigated the explosion in Texas that took so many innocent lives. This must be a top priority for the United States of America.

Yet this is a position where there are 2,400 agents—2,400 ATF agents—and they have gone without a permanent Director for 7 years, ever since this became a confirmable position. This happened under President Bush. There was not a confirmed Director. It is happening now up until today under President Obama. It is time to change that. It is simply time to change it.

I know Todd Jones. For 2 years he has served as the U.S. attorney of Minnesota at the same time he is serving as the ATF Director. That is not an easy job. He has five children. He is a former marine. He was willing to take on the ATF job after the Fast and Furious debacle. He was willing to come in after that and help to clean up that agency and make some very tough decisions. He took on that job while still

remaining the U.S. attorney in Minnesota.

I would note he served as the U.S. attorney of Minnesota under President Clinton and again was appointed to serve under President Obama. Then, 2 years ago, he was asked to be the Acting Director of ATF, never knowing if this day would ever come when actually there would be a vote on his confirmation.

He literally has never turned down a tough assignment. Todd Jones has an impressive background that makes him well prepared to lead the ATF. After law school at the University of Minnesota, he entered the U.S. Marine Corps, as I noted, where he served on Active Duty as a judge advocate and infantry officer from 1983 until 1989. Two years later, he was called back to Active Duty during the first Iraq war.

In addition to his military career and having the rare distinction of serving as U.S. attorney under two different Presidents, Todd Jones also has a strong record as a line prosecutor in the Minnesota U.S. Attorney's Office. When Jones was U.S. attorney in Minnesota from 1998 to 2001, the violent crime rate decreased by 15 percent. So far during his second tenure as the U.S. attorney, the violent crime rate in Minnesota has already decreased by 9 percent.

We all know there are a lot of factors that go into that, including the great work of our local police officers, including work of our police chiefs, including the work of community groups, including the economy. There are a number of things at hand. But when I hear attacks against Mr. Jones, I believe it is important to set the record straight.

One other thing—I did want to set the record straight on one other thing. I so appreciate the leadership Senator GRASSLEY has shown when it comes to whistleblowers. But everyone should know, regarding this complaint within the office, an internal complaint within the U.S. Attorney's Office in Minnesota, it was investigated by the Judiciary Committee. In this place, to set the record straight, the complainant voluntarily agreed to mediate his concerns. The Office of Special Counsel is no longer investigating. I wish to make that straight for all of my colleagues so they understand the outcome of that and that there is a mediation going on. It is not being investigated.

As an assistant U.S. attorney, Todd Jones was the lead prosecutor in a number of cases involving drug conspiracies, money laundering, financial fraud, and violent crime in the early 1990s. In the private sector, he became a partner at two very well regarded Minnesota law firms, Robins Kaplan and Greene Espel. He has led a number of very important prosecutions in his capacity as U.S. attorney: Operation Rhino, which involved the criminal prosecution of Omer Abdi Mohamed, who recruited young Somali Americans to fight for terrorist groups in Somalia, To date, this investigation has resulted in charges filed against 22 other individuals and Operation Brother's Keeper, a major RICO case, the second biggest Ponzi scheme in the history of America, second only to the Bernie Madoff Ponzi scheme, prosecuted by the U.S. Attorney's Office, by a fine prosecutor named Joe Dixon and many others under Todd Jones's leadership.

This gives us a sense—and I would end with this as I see Senator LEAHY, our great chairman is here. Jones's confirmation is supported by the Fraternal Order of Police, the International Chiefs of Police, 81 U.S. attorneys, the National District Attorneys Association, Minnesota's former FBI Special Agent in Charge, Ralph Boelter, the former U.S. attorney Tom Hefflefinger, who served under both George H. W. Bush and George W. Bush in Minnesota, and dozens of others who have worked with Mr. Jones over his many years of public service.

I would end with this: The ATF has people on the frontlines every day. They do not ask if the work they have done is ordered by a Republican or a Democrat. When they go to investigate a bombing, they do not ask the police officers what their political affiliation is or who the FBI is. They do not care. They just do their job. Now it is time for the Senate to do its job and confirm an ATF Director for the first time in 7 years. I thank the chairman for his leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, when the 113th Congress convened following the terrible tragedy in Newtown, CT, the Judiciary Committee focused its attention on commonsense gun violence prevention legislation. The American people made their voices heard in favor of effective reforms, and many Senators went to work to find common ground.

Although the Senate Judiciary Committee approved four pieces of legislation to address gun violence, two of which were reported on bipartisan votes, the Senate was unable to pass any of these measures. Like many Americans, I was disappointed at the Senate's inability to come together to make sensible changes to our laws to reduce gun violence.

Today we have another chance to make progress in our efforts to reduce gun violence with the confirmation of B. Todd Jones to lead the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Todd Jones has served as the Acting Director since September 2011. Under his leadership, the ATF has been called on to analyze the bombs left near the finish line at the Boston Marathon, to sift through burned debris in the West, TX, explosion and to trace the weapons used by the shooters in the Newtown and Aurora massacres. The ATF has played a major role in investigating some of our Nation's worst tragedies.

In addition to the ATF's enforcement responsibilities, the agency is central to firearms commerce. The ATF issues permits for companies that import firearms and provide firearms to law enforcement agencies. Without a confirmed Director, the ATF's job of supporting and regulating Americans who make their living in the business of firearms is much more difficult. Yet we continue to hamper the ATF's ability to do its job. No nominee to lead the ATF has been confirmed since that position was made subject to the Senate's consent.

I hope the Senate will vote to change this unfortunate pattern of obstruction. Mr. Jones is a dedicated public servant and law enforcement official. He volunteered for the U.S. Marine Corps in 1983, serving on Active Duty as a Judge Advocate and Infantry officer until 1989. In 1991, he was recalled to Active Duty to command the 4th Marine Division's Military Police Company in Iraq. He also served as commanding officer of the Twin Cities Marine Reserve Unit. When Todd Jones was confirmed by this body in 1998, he became the first African-American U.S. attorney in Minnesota's history. Todd Jones has served this country honorably as a marine, a U.S. attorney, and the ATF's Acting Director.

Unfortunately, there is opposition to Mr. Jones's confirmation. But in my view this opposition has little to do with his ability to lead this important Federal agency. Every nominee to lead the ATF has been met with unreasonable opposition. And the consistent opposition all nominees to this post have faced is less about those nominees' qualifications than about weakening a Federal law enforcement agency that some disfavor.

Some Senate Republicans would prefer not to have anyone leading the ATF, no matter who the nominee is. They would not allow President Bush to have a confirmed Director, and they do not want President Obama to have one either.

Opposition to confirming an ATF Director is just another piece of the overall effort by some in Congress to make it more difficult for the ATF to carry out its important mission. For example, when the ATF proposed and implemented a rule intended to provide investigative leads on straw purchasing rings in the Southwest that were fueling drug cartel violence by trafficking firearms across the border, some Members of Congress immediately objected, and the agency was sued to block implementation of the rule. The rule, which has now been upheld unanimously by two Federal Circuit Courts of Appeal, including the Fifth Circuit, was simple—it required federally licensed firearms dealers to report sales of multiple semiautomatic rifles to the ATF, just as all licensed dealers are required to report multiple sales of handguns. Yet some spent significant energy and resources to block the agency's action.

And in recent years, some Members of Congress spent months and untold public resources investigating misguided investigative tactics in the ATF's Phoenix field office associated with an ATF criminal investigation called Fast and Furious. The Fast and Furious investigation concerned a significant firearms trafficking organization in Arizona. This trafficking organization was systematically purchasing hundreds of firearms using straw buyers and transferring them to members of Mexican drug cartels. They operated with ease and virtual impunity as the result of weak Federal laws concerning straw purchasing and firearms trafficking. Investigators and prosecutors were hobbled by weak laws. Some took unacceptable risks to combat a very serious problem on both sides of our border with Mexico.

When the investigative tactics at issue came to light, they were widely criticized, and Attorney General Holder acted swiftly to put an end to them. The Attorney General also directed the Department of Justice inspector general to conduct a thorough investigation. As a result of the inspector general's investigation, those responsible for these tactics were disciplined. And the ATF's procedures were revised to set out clear guidelines for firearms trafficking investigations.

While some Members of Congress were content to merely heap blame on the Attorney General and other dedicated law enforcement officials following the Fast and Furious investigation, I and other Senators chose a different path and worked with law enforcement experts and advocates on both sides of the firearms policy debate to come up with an effective, sensible approach to put an end to the straw purchasing and firearms trafficking.

Unfortunately, the same Senators who were so critical of the ATF's investigative tactics in Arizona and its approach to dealing with a very serious law enforcement issue declined to support the bipartisan legislation Senator COLLINS and I developed to give law enforcement the tools they need to fight gun trafficking.

I hope the same Senators that were so critical of the ATF and the Department of Justice for the breakdown in leadership and management at the agency will not obstruct this nominee and the opportunity to give the agency the solid footing it needs. If the Fast and Furious investigation revealed anything, it was that the ATF faces very significant law enforcement challenges, and that our current laws are inadequate to provide the tools investigators and prosecutors need to confront these problems. Let us not compound these difficulties with continued obstruction of this nominee.

Todd Jones was nominated in January. It is now the last day of July. For months, I accommodated the ranking member on requests for further information and delay on the nomination of Todd Jones. He insisted on the production of documents from the Department of Justice that his staff had already had access to for months. He insisted that his staff be able to interview Todd Jones in his capacity as U.S. attorney for the District of Minnesota, as well as two other Justice Department officials, in order to try to build a case against another nomination, that of Tom Perez to be Labor Secretary.

Senator GRASSLEY requested additional background information from the administration not usually required by the committee for an executive nomination and he was provided that information. When he sought information about an ATF operation in Milwaukee, I arranged a bipartisan briefing from the agency.

Then a member of the ranking member's staff disclosed a private Office of Special Counsel, OSC, complaint against Todd Jones to the press. I thought it unfair that the nominee could not publicly defend his reputation.

An employee complained of ''gross mismanagement and abuse of authority'' but the OSC closed the file based on lack of evidence. The other allegation involved alleged retaliation for making the mismanagement claim, and that subsidiary claim has been referred to mediation. In deference to the complaining party and at the request of the investigating agency that the complaint not be made public, it has not been. I wish it were. It is not substantial or directly related to Todd Jones. It is certainly not a reason to oppose his confirmation.

I know Senator GRASSLEY has the right to raise concerns, but he has made it very clear he does not approve of Todd Jones under any circumstances. I had asked his staff to work with us to get a clearer understanding of the retaliation complaint. But when we talked to the complainant, he was willing only to repeat his own allegations, allegations that are not aimed directly at Mr. Jones but at somebody else, a mid-level manager.

We asked the complainant to provide the committee access to the contemporaneous files so we could determine whether this instance was retaliation or one in a series of disciplinary actions against an employee spanning several years. We offered to take the information in confidence, not for the Justice Department but just for members of our committee. The complainant refused and his lawyer refused to provide that to us, so I would ask all members to read the complaint themselves. We have bent over backwards to allow the complainant to come forward, and he has chosen not to do so.

I would also note for all Senators that we have moved forward on nominees in the past when there have been pending complaints. For example, last year a civil suit was filed against a judicial nominee from Iowa alleging age discrimination and retaliation for raising management issues against the nominee in her capacity as the U.S. attorney for the Northern District of Iowa. We conducted a bipartisan staff investigation into the claims. I listened to the Senators from Iowa, and we determined we could move forward despite the civil suit that was pending against the nominee. The nominee was overwhelmingly confirmed to the U.S. District Court for the Southern District of Iowa.

Earlier this year, when a defense counsel filed a motion against the U.S. attorney for the District of New Mexico making allegations of improper activity, we independently examined the matter. The committee proceeded with that nomination instead of delaying it.

Todd Jones is the ATF's fifth Acting Director since 2006. During that time 80,000 Americans have been killed with guns. The ATF helps protect our communities from dangerous criminals, gun violence, and acts of terror. It is a central piece of our Federal law enforcement strategy. For too long the position of Director at the ATF has been held hostage to partisan politics at the expense of public safety. It is time to make real progress in our efforts to reduce gun violence and protect the citizens of this great Nation. Today, I encourage all Senators to take the opportunity to move toward that goal together with the confirmation of B. Todd Jones to lead the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Byron Todd Jones, of Minnesota, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Harry Reid, Patrick J. Leahy, Mark Begich, Christopher A. Coons, Thomas R. Carper, Patty Murray, Martin Heinrich, Bernard Sanders, Jeanne Shaheen, Benjamin L. Cardin, Al Franken, Sherrod Brown, Tom Harkin, Jack Reed, Sheldon Whitehouse, Bill Nelson, Charles E. Schumer.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Byron Todd Jones of Minnesota to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 60, nays 40, as follows:

[Rollcall Vote No. 196 Ex.]

YEAS—60

Ayotte	Hagan	Murkowski
Baldwin	Harkin	Murphy
Baucus	Heinrich	Murray
Begich	Heitkamp	Nelson
Bennet	Hirono	Pryor
Blumenthal	Johnson (SD)	Reed
Boxer	Kaine	Reid
Brown	King	Rockefeller
Cantwell	Kirk	Sanders
Cardin	Klobuchar	Schatz
Carper	Landrieu	Schumer
Casey	Leahy	Shaheen
Collins	Levin	Stabenow
Coons	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCain	Udall (NM)
Feinstein	McCaskill	Warner
Franken	Menendez	Warren
Gillibrand	Merkley	Whitehouse
Graham	Mikulski	Wyden

NAYS—40

Alexander	Enzi	Paul
Barrasso	Fischer	Portman
Blunt	Flake	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rubio
Chambliss	Heller	Scott
Chiesa	Hoeven	Sessions
Coats	Inhofe	Shelby
Coburn	Isakson	Thune
Cochran	Johanns	Toomey
Corker	Johnson (WI)	Vitter
Cornyn	Lee	Wicker
Crapo	McConnell	
Cruz	Moran	

The PRESIDING OFFICER (Mr. HEINRICH). On this vote, the yeas are 60, the nays are 40. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the nomination of Byron Todd Jones, of Minnesota, to be Director, Bureau of Alcohol, Tobacco, Firearms and Explosives?

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Louisiana (Ms. LANDRIEU) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 42, as follows:

[Rollcall Vote No. 197 Ex.]

YEAS—53

Baldwin	Carper	Heinrich
Baucus	Casey	Heitkamp
Begich	Coons	Hirono
Bennet	Donnelly	Johnson (SD)
Blumenthal	Durbin	Kaine
Boxer	Feinstein	King
Brown	Franken	Kirk
Cantwell	Gillibrand	Klobuchar
Cardin	Hagan	Leahy
Levin	Nelson	Stabenow
Manchin	Pryor	Tester
Markey	Reed	Udall (CO)
McCaskill	Reid	Udall (NM)
Menendez	Rockefeller	Warner
Merkley	Sanders	Warren
Mikulski	Schatz	Whitehouse
Murphy	Schumer	Wyden
Murray	Shaheen	

NAYS—42

Alexander	Cruz	Moran
Ayotte	Enzi	Murkowski
Barrasso	Fischer	Paul
Boozman	Flake	Portman
Burr	Graham	Risch
Chambliss	Grassley	Roberts
Chiesa	Hatch	Rubio
Coats	Heller	Scott
Coburn	Hoeven	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Lee	Vitter
Crapo	McConnell	Wicker

NOT VOTING—5

Blunt	Inhofe	McCain
Harkin	Landrieu	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 11 a.m., Thursday, August 1, the Senate proceed to executive session to consider the following nomination: Calendar No. 96; that there be 60 minutes for debate equally divided in the usual form; that following the use or yielding back of time, the Senate proceed to vote with no intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that on Thursday, August 1, 2013, at 2 p.m. the Senate consider Executive Calendar No. 220, the Samantha Power nomination under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that on Thursday, August 1, upon disposition of the Chen nomination and the resumption of legislative session, the Senate proceed to vote on the motion to invoke cloture on S. 1243, the THUD appropriations bill; further, that following the cloture vote, the Senate recess until 2 p.m. for the bipartisan caucus meeting we are having tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I ask unanimous consent that I be permitted to speak for 12 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FIXING AMERICA'S WELCOME MAT

Mr. GRASSLEY. Mr. President they say history has a way of repeating itself. That certainly came true in June when the Senate approved a sweeping reform bill to revamp the nation's immigration laws. Unfortunately, the U.S. Senate failed to learn from the mistakes created by the 1986 overhaul.

In the 1980s, about 3 million people who were living in the country illegally were granted legal status. Today, 27 years later, the U.S. estimates 11 million undocumented immigrants are living here.

What should that tell us? It says that the 1986 law failed to stem the flow of illegal immigration. It sent the wrong signal by granting legal status to millions while ignoring the need to secure the border.

I do not need a crystal ball to tell me what would happen on the road ahead if we repeat the mistakes of the past. I saw how legalizing before securing our borders turned out. It turned America's time-honored welcome mat into a timeworn doormat.

America's immigration system is broken. It is time to fix it so that a legal flow of immigration can help the economy and bolster areas of the workforce that are short of workers, from low-skilled to high-tech workers.

But immigration laws should not come at the expense of American workers or cause them to be disadvantaged, displaced or underpaid. Rooting out fraud and abuse from many of our visa programs should be a priority.

Unfortunately, the bill passed by the U.S. Senate would not fix what is broken and is chock-full of loopholes that make the legalization system far from ideal.

Thankfully our system of self-government protects representation of, by and for the people with a bicameral Congress. Now the U.S. House of Representatives has a chance to get it right.

The House is moving on a number of bills. They are having very thoughtful

discussions on how to improve the legal system while adhering to the rule of law. They also know that passing one sweeping bill is a recipe for disaster—one that inevitably creates loopholes and allows special interest provisions to override good policy.

I would like to discuss a few of their good ideas.

First, the House Judiciary Committee approved the SAFE ACT, a bill that beefs up our interior enforcement efforts. It provides tools to State and local law enforcement agencies to help the government enforce immigration laws.

It enhances the 287(g) program, which I helped author. It gives the States and localities the power to enact and enforce their own immigration laws as long as they are consistent with Federal law. The bill would improve our country's ability to remove criminal aliens. Dangerous individuals would be detained, sex offenders would be made inadmissible, and gang members would be both inadmissible and deportable.

These are provisions that are omitted from the Senate bill. Dangerous criminals are ignored in the Senate bill, and it was apparent that the other side of the aisle did not want to have votes that would bar these dangerous criminals from receiving legal status.

Securing the border is very important, but so is focusing on individuals who violate our laws and violate the terms of their stay in the U.S. If we are serious about being tough on sex offenders, domestic abusers, drunk drivers, and other criminals, then the SAFE Act needs to be passed by the Senate and sent to the President.

Second, the House Judiciary Committee approved a bill that improves the existing E-VERIFY program. This program is a valuable tool and should be made mandatory for all businesses. While the Senate bill does make it mandatory, it does so over 6 years and provides exceptions for certain employers. The House bill would implement the program on a faster timetable, for which I have advocated.

Third, the House Judiciary Committee approved bills that improve the legal system for people who want to live and work in the United States. The committee approved a bill that focuses on high-skilled workers that are needed in the country, and another bill that improves the legal channels for people who want to work in agriculture. If we want to ensure that we do not deal with millions of people here illegally in the future, then we have to focus on getting our legal immigration system in order.

Now, I would like to talk about the border bill that was approved by the Committee on Homeland Security. This is a bill I am not ready to endorse. Let me explain why.

The bill, known as the Border Security Results Act, is not a serious and comprehensive approach to border security. While it takes a good first step in requiring metrics to assess whether the borders are secured, there is nothing that ensures that results are achieved.

The bill requires the Department of Homeland Security, within 6 months of enactment, to develop a strategy on how to secure our borders. The strategy includes an assessment of threats along the border. It will take into consideration the coordination of departments and the cooperation of foreign countries. The strategy calls for an assessment of technology needed. But, it does not actually do anything to give agents the resources they need. It does nothing to require fencing to be built.

After the strategy is submitted to Congress, the Secretary develops an implementation plan and provides that to Congress and the Government Accountability Office.

But like the Senate bill, there is no repercussions if the Secretary does not actually submit a strategy. And, there is no verification or approval of the strategy by Congress. Instead, it relies on this or a future administration to make promises they will not keep. It relies on them to fulfill the law, but we have seen time and again that they thumb their nose at bills we send them. They not only refuse to implement laws they like—such as ObamaCare—but they will refuse to carry this one out as well.

The bill requires the Secretary to develop metrics to measure the ''effectiveness'' of security at ports and between ports of entry. That is a good start. But, there are no consequences if the Secretary does not develop such metrics. The GAO would evaluate the metrics, but again, there is no real consequence if they are flawed metrics. The border still will not be secured.

The Secretary then certifies that her department has achieved ''operational control.'' The definition of ''operational control'' is weakened from current law. The bill defines it as a ''condition in which there is a not lower than 90 percent illegal border crossing effectiveness rate, informed by situational awareness, and a significant reduction in the movement of illicit drugs and other contraband through such areas is being achieved.''

The GAO would attest if the certification for operational control is truly done. What if the Secretary never certifies this? What if the GAO says the Secretary's certification is not accurate? If the Department fails to achieve control of the border, then they have to issue a report to explain why. Again, it lacks any true accountability for this or any future administration to secure the border.

Finally, I want to mention one part of the House border bill that is most concerning to me. During committee mark-up, an amendment was accepted that would require a plan on the exit tracking system, but unfortunately there is no beef to it. Implementation of a biometric exit system was a key point when the Senate considered immigration.

The Congress has passed several laws that require the executive branch to track the entry and exit of foreign nationals. Those mandates have been ignored. The airline industry has resisted. Instead of building upon current law and finding a way to make it happen, the House bill provides a way out if the exit system is not deemed feasible by the Secretary—the same Secretary that has made no progress on the system.

Border security is not only putting manpower and technology along the southern border. It is also about tracking people that enter this country. Given that 40 percent of our undocumented population consists of visa overstays, we must address this problem immediately.

This problem is highlighted by a GAO report that was issued on Tuesday. GAO found that the Department has lost track of more than 1 million people. We know they arrived in the United States, but we do not have departure records.

By statute, the Department is required to report overstays. They claim they do not report the estimates because of lack of confidence that the data is reliable. After 17 years, the law has been ignored. The government is not sophisticated enough to match incoming and outgoing travel records, and that is a serious risk to our national security.

Over the years, the GAO has highlighted the challenges that the Department faces in putting the entry and exit system in place. Their new report casts more doubt on the Department's competency.

When the Senate passed the immigration bill in June, I was very clear in suggesting that the bill would have to be fixed by a conference committee with the House, if it ever goes to a conference. With the exception of the border security bill, the House has presented some valuable ideas.

While I want an immigration reform bill sent to the President, I want it done right. We can take our time to get it right.

Over the August recess, the American people will get their opportunity to inform members of Congress how they feel about the immigration proposals on the table.

But I can predict what many will say. I know from previous townhall meetings in my State, the people do not want more laws that will go ignored. They want the laws we have in place to be enforced.

We need legislation that upholds American values of hope, freedom and opportunity. We need immigration laws in place that welcome law-abiding immigrants to share their entrepreneurial spirit, build better lives for themselves, and help make America a better place for generations to come.

But we need legislation that upholds the rule of law and ensures that we do not saddle future generations with the same problems we are faced with today.

It is my hope that Congress, over the August break, will listen to the American people and work to enact true reform that achieves real results and makes good on the promises made in Washington.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I rise again for the 41st time to ask my colleagues to wake up to the threat of climate change. Today I come to discuss the serious risks that climate change poses to our energy sector.

It is no controversial idea that our climate affects our energy infrastructure. In the Northeast, when we think about what causes power outages, we naturally think of bad weather. In fact, the American Society of Civil Engineers reports that between 2007 and 2012, weather-related events were the main cause of electrical outages in the United States.

That same report said: ''The average cost of a one-hour power outage is just over $1000 for a commercial business,'' just for 1 hour. This takes a serious toll on our economy.

A recent Department of Energy report has highlighted how sensitive our energy sector is to climate change and to extreme weather.

In September 2011, the Department of Energy reports:

> High temperatures and high electricity demand-related loading tripped a transformer and transmission line near Yuma, Arizona, starting a chain of events that led to shutting down the San Onofre nuclear power plant with power lost to the entire San Diego County distribution system, totaling approximately 2.7 million power customers, with outages as long as 12 hours.

Earlier that summer:

> Consecutive days of triple-digit heat and record drought in Texas resulted in the Electric Reliability Council of Texas declaring power emergencies due to a large number of unplanned power plant outages and at least one power plant reducing its output.

The report says the Browns Ferry Nuclear Plant in Athens, AL, ''had to reduce power output because the temperature of the Tennessee River, the body of water into which the plant discharges, was too high to discharge heated cooling water from the reactor without risking ecological harm to the river.''

This happened in 2007, 2010, in 2011, and, in some cases, the power production was reduced for nearly 2 months. The Department of Energy reports that ''the cost of replacement power was estimated at $50 million.''

It is not just power generation, energy exploration has been affected too. The DOE report explains that last July: ''In the midst of one of the worst droughts in American history, certain companies that extract natural gas and oil via hydraulic fracturing faced higher water costs or were denied access to water for six weeks or more in several States, including Kansas, Texas, Pennsylvania, and North Dakota.''

It was a similar story in the fall of 2011:

> Due to extreme drought conditions, the city of Grand Prairie, Texas, became the first municipality to ban the use of city water for hydraulic fracturing. Other local water districts in Texas followed suit by implementing similar restrictions limiting city water use during drought conditions.

In July of 2011, the report recounts that:

> ExxonMobil's Silvertip pipeline, buried beneath the Yellowstone River in Montana, was torn apart by flood-caused debris, spilling oil into the river and disrupting crude oil transport in the region. The property damage cost was $135 million.

Senator VITTER, our ranking member on the Environment and Public Works Committee, has told us that 18 percent of the Nation's oil supply passes through his home State of Louisiana at Port Fourchon. A recent Government Accountability Office report found that the only access road to that port is closed 3½ days a year on average because of flooding, effectively shutting down that port. With sea level rise climbing due to climate change, NOAA is now projecting that within 15 years portions of that highway will flood an average of 30 times each year—again shutting down access to that port 30 times a year.

Vital infrastructure such as powerplants, power lines, roads, and pipelines are all designed to stand up to historical weather patterns. What happens when the weather stops following historical patterns?

According to the draft National Climate Assessment:

> U.S. average temperature has increased by about 1.5 degrees Fahrenheit since 1895; more than 80% of this increase has occurred since 1980. The most recent decade was the nation's hottest on record.

Oceans and other bodies of water are warming right along with the atmosphere.

The seasons are shifting. Research shows that in the last two decades the frost-free season has increased in every region of the contiguous United States compared to the average between 1901 and 1960.

In the Southwest, the record shows the frost-free season has increased 3 weeks and the western wildfire season has expanded by more than 2 months since the 1970s. Precipitation patterns and the availability of water are changing throughout the Nation. One study concluded that snow in the western mountains is melting, on average, 1 to 4 weeks earlier now compared to the 1950s.

The draft National Climate Assessment shows that the amount of rain falling in what we call heavy precipitation events or, more colloquially, downpours is up in every region of the Nation. It is up 45 percent in the Midwest and 74 percent in the Northeast.

Sea level is rising about 8 inches, on average, globally, but in some parts of the country it is much higher. NOAA reports that mean waters off the Galveston, TX, coast are rising more than 2 feet per century. At Grand Isle, LA, the rate is nearly 3 feet per century.

These aren't just projections of what is to come, these are actual measurements of changes that have already happened or are happening around us. The result is that we have an energy infrastructure built for a different climate than the one which now exists and the one which is to come. Conditions are only predicted to get worse.

The threat to our energy sector from changes in the climate should be neither controversial nor partisan. There are a lot of commonsense solutions here. Adapting our infrastructure for climate change is smart, and it will save us from costly repairs.

Investing in energy efficiency by reducing the demand for power will relieve pressure on the burdened systems. Investing in a diverse energy sector will protect against the unique vulnerabilities of specific types of power sources.

Rhode Island is part of the Regional Greenhouse Gas Initiative, nicknamed Reggie, along with eight other Northern States. Our region caps carbon emissions and sells permits to powerplants to emit greenhouse gases, which creates economic incentives for both States and utilities to invest in energy efficiency and renewable energy development. These efforts also reduce load demand on the region's electrical grid.

We are proud of the effort we are making in New England. I know a lot of States are working just as hard. I say to my colleagues, our home States are hampered by the inaction in Congress.

We have received credible and convincing warnings. We have received compelling calls to act. The overwhelming majority of the scientific community recognizes climate change is real and we are causing it.

Our national security and intelligence community, our faith leaders, major American corporations, including the insurance and reinsurance industry and most Americans all agree we need to act. It is time for Congress to wake up, do its work to slow the onslaught of climate change, and to prepare for what are now unavoidable, inevitable effects. Yet here in Congress we sleepwalk on.

This is an issue I know hits home in your home State in very different ways than it hits home in my State. But In each of our own ways, our States are already experiencing the hit from climate change. It is caused by carbon pollution that we are putting into the air, that our companies, our smokestacks are launching into the atmosphere. It changes our weather, changes our temperature, changes our seasons, changes our oceans, changes our waterways, changes our weather, and changes our lives.

The tragedy is that we sleepwalk on because we are unwilling to address the special interests that are preventing us from taking the action that all Americans need. This is the archetypical

fight between the public good, between an important public security issue and a private special interest that is defending itself, that is defending its right to pollute, that is defending its ability to compromise our atmosphere, compromise our health, and compromise our great oceans and waters. This should be an easy struggle. This should be an easy struggle, but it is not. And it will be a mark of shame on this generation, and it will be a mark of shame on this building that given the choice between the clear information from the scientists, the clear experience of what is happening in all of our States and the power of the special interests, we ignored the first and yielded to the power of those special interests.

I yield the floor.

''PROTECTING OLDER WORKERS AGAINST DISCRIMINATION ACT''

Mr. LEAHY. Mr. President, I am pleased to join Senators HARKIN and GRASSLEY in reintroducing the Protecting Older Workers Against Discrimination Act. This bipartisan bill seeks to restore crucial worker protections that were cast aside by five justices of the Supreme Court in the 2009 case Gross v. FBL Financial, Inc. The bill reaffirms the contributions made by older Americans in the workforce and ensures that employees will be evaluated based on their performance and not by arbitrary criteria such as age.

Congress has long worked to enact civil rights laws to eliminate discrimination in the workplace. In 1967, Congress passed the Age Discrimination and Employment Act, ADEA, extending protections against workplace discrimination to older workers. We strengthened and codified these protections in the Civil Rights Act of 1991, which passed the Senate with an overwhelming, bipartisan vote of 93–5. These statutes established not only our clear congressional intent, but also a clear legal standard: an employer's decision to fire or demote an employee may not be motivated in whole or in part by the employee's age.

However, the Supreme Court's Gross decision unilaterally erased that longstanding standard. A narrow 5–4 majority threw out a jury verdict in favor of Jack Gross, a 32-year employee of a major financial company, who had sued his employer under the ADEA. That jury concluded that age was a motivating factor in the company's decision to demote Mr. Gross and to reassign a younger, significantly less-qualified worker to take his place. But the Supreme Court ignored the fact finder, its own precedent, and congressional intent to overturn the jury verdict.

Five justices shifted the burden from the discriminators to the discriminated, deciding that workers like Mr. Gross must now prove that age was the only motivating factor in a demotion or termination. The court's decision required workers to essentially introduce a ''smoking gun'' in order to prove discrimination. By imposing such high standards, the Court sided with big business and made it easier for employers to discriminate on the basis of age as long as they could cloak it with another reason. The Protecting Older Workers Against Discrimination Act rejects the Supreme Court's reasoning in the Gross decision, not only in those cases under the ADEA but also under similar civil rights provisions.

The Supreme Court's holding has created uncertainty in our civil rights laws, making it incumbent on Congress to clarify our intent and the statutory protections that all hardworking Americans deserve. The Protecting Older Workers Against Discrimination Act restores the original intent of the ADEA and three other Federal anti-discrimination statutes. The bill reestablishes Congress' intent that age discrimination is unlawful even if it is only part of the reason to demote or terminate a worker. It makes it clear that employers cannot get away with age discrimination by simply coming up with a reason to terminate an employee that sounds less controversial. Under the bill, a worker would also be able to introduce any relevant admissible form of evidence to show discrimination, whether the evidence is direct or circumstantial.

I commend Senator HARKIN for his efforts over the past 4 years to negotiate a bipartisan bill to restore the civil rights protections that all Americans deserve in the workplace. I also thank Senator GRASSLEY, the ranking member of the Judiciary Committee, for his commitment to this issue. I once again urge my fellow Senators to join this bipartisan effort and show their commitment to ending age discrimination in the workplace.

VOTING RIGHTS ACT

Mr. LEAHY. Mr. President, nearly 50 years ago, Martin Luther King, Jr., gave his historic ''I Have a Dream'' speech in front of hundreds of thousands of people on the National Mall. At the time, I was entering my last year of law school. I was inspired by the March on Washington and knew that history was being made before my very eyes. The youngest speaker at the March was a compelling man by the name of JOHN LEWIS. Many spoke of their unyielding support for civil rights legislation, but JOHN LEWIS demanded more. He demanded that the civil rights bill protect the right of every American to vote free from discrimination. With his strong and forceful voice, he proclaimed that ''One man, one vote is the African cry. It is ours too. It must be ours.''

A year and a half later, JOHN LEWIS would lead another march across the Edmund Pettus Bridge in Selma, AL. There, State troopers brutally beat, bloodied, and trampled JOHN LEWIS and the group of peaceful marchers he led. Those powerful images from ''Bloody Sunday'' were captured on television and in vivid photographs, and would become a catalyst for the passage of the Voting Rights Act. When President Lyndon Johnson signed the act into law several months later, he fittingly gave one of the pens to JOHN LEWIS.

The Voting Rights Act has become the most successful piece of civil rights legislation in this Nation's history. It has worked to protect the Constitution's guarantees against racial discrimination in voting for nearly five decades. It has helped minorities of all races overcome major barriers to participation in the political process, through the use of such devices as poll taxes, intimidation by voting officials, registration and language barriers, and systematic vote dilution.

Despite the continuing evidence of racial discrimination in voting that Congress amassed in 2006, the Supreme Court recently issued a ruling that makes it more difficult to protect all Americans in exercising their sacred right to vote. In Shelby County v. Holder, a narrow majority of the Supreme Court held that the coverage formula for section 5 of the Voting Rights Act was unconstitutional. Section 5 provides a remedy for unconstitutional discrimination in voting by requiring certain jurisdictions with a history of discrimination to ''preclear'' all voting changes before they can take effect. This remedy is both necessary and important because it stops the discriminatory voting practice before our fellow Americans' rights are violated. By striking down the coverage formula for section 5, the Court's ruling leaves this effective protection unenforceable.

Two weeks ago, I began a bipartisan conversation to restore the protections of the Voting Rights Act when I chaired a hearing before the Senate Judiciary Committee. The hearing included meaningful testimony from JOHN LEWIS and JIM SENSENBRENNER. Both agreed that protecting the right to vote from discriminatory practices is neither a Democratic issue nor a Republican issue. It is an American issue.

At this hearing, Republican City Commissioner Luz Urbáez Weinberg of Aventura, FL, also testified to the need to restore the protections of section 5 of the Voting Rights Act. She urged Congress to demonstrate a ''clear and principled commitment to equal voting rights for all Americans regardless of race, language spoken, and to also act swiftly to restore the protections.'' Moreover, she made clear that maintaining the Voting Rights Act ''is not a partisan issue. It is a nonpartisan issue. It is an issue for all Americans. Whether Republicans or Democrats, all Americans strongly believe in fair and equal electoral opportunities.''

It is true that America has made a lot of progress since the Voting Rights Act was first enacted. Nobody denies this. But we are far from achieving the dream that Dr. King spoke of on that

magnificent day in August of 1963. Although the Supreme Court struck down the coverage formula in the Shelby County case, the Justices acknowledged, as they must and as the American people recognize, that discrimination in voting continues to be a problem. As the Chief Justice rightly noted in the majority opinion, ''voting discrimination still exists; no one doubts that.'' The question only remains how best to protect Americans against this discrimination.

This is an issue on which Republicans and Democrats have always come together on. Every reauthorization of the Voting Rights Act, including its initial passage, has been marked by the overwhelming support of lawmakers of both parties. In the last few weeks, I have heard people say that Congress is too gridlocked and will not act on voting rights. That is wrong and it is unsupported by our tradition of leadership on this issue. As my friend Senator GRASSLEY said at the Senate Judiciary Committee voting rights hearing I chaired 2 weeks ago, ''Cynicism and defeatism have never before characterized reauthorization of the Voting Rights Act.'' Senator GRASSLEY is right. History shows that we have reauthorized the act time and again because it is a nonpartisan issue.

Those who forecast failure also underestimate what a person like JOHN LEWIS can accomplish. I, for one, would never underestimate JOHN LEWIS's tenacity and ability to bring people together.

The Supreme Court's ruling last month was a setback to the cause of equality. However, we should see it as a calling for Congress to come together to meet the voting discrimination which persists with a steadfast resolve. It is up to us to meet this challenge. We must work together as a Congress—not as Democrats or Republicans, but as Americans—to ensure that we protect against racial discrimination in voting. We can only do that with a strong Voting Rights Act.

Earlier today, at the bipartisan and bicameral event marking the 50th Anniversary of the March on Washington in Statuary Hall, JOHN LEWIS said, ''We have come a great distance but we are not finished yet.'' I could not agree more. Let us continue to work to protect the fundamental right to vote for all Americans.

Ms. MIKULSKI. Mr. President, I rise today to speak on an important anniversary in our country. In just a few weeks, we will commemorate the 50th anniversary of the famous March on Washington. On August 28, 1963, we marched. We marched for jobs, for justice, for the economy, and for freedom.

I remember that march. I was getting ready to go back to school. Baltimore was a staging location, and many social workers helped as marchers came down from New York and Pennsylvania. These determined individuals—a diverse group—all with a story and a cause, made up the nearly 250,000 people who marched that day. It was an important testament to the power of a collective voice, one in support of equal rights and treatment of all. And it was this collective voice that helped lead to the passage of the Civil Rights Act and the Voting Rights Act.

We have had many victories, and made much progress in ensuring equality for all. We have elected a Black President to the White House, passed the Lily Ledbetter Fair Pay Act, repealed DOMA and Don't Ask Don't Tell. We have accomplished so much, but we still have so far to go. The fight for civil rights is far from over. Racial, religious and gender violence continues in our streets and in our homes. Voters rights have been threatened by the recent Supreme Court decision, leaving Americans vulnerable to prejudice and intimidation. And so we find ourselves, 50 years later, fighting many of the same fights.

We need to reclaim that bill of rights, and not let any court decision take it away from us. They are chopping away at the Voting Rights Act, but let's change the law if we have to. Let us march for our liberties and the people who were there, and said ''ain't I a man'', later calling on the words ''ain't I a woman''.

So it is important now more than ever to hold that dream of Dr. King in our hearts. Let's remember the history that was written here 50 years ago. And just as we marched then, we need to march today. Together we can end injustice. Together we can break down barriers to equality, so that all people regardless of race, faith or gender can live in a country that never promised anything less than their undeniable rights to life, liberty and the pursuit of happiness.

SERVICEMEMBER STUDENT LOAN AFFORDABILITY ACT

Mr. DURBIN. Mr. President, we've made a lot of progress over the past couple weeks helping our Nation's students borrow at reasonable costs for their higher education needs. This year alone, students are projected to borrow $21 million in federal student loans. Borrowers currently carry about $1.1 trillion in student loan debt.

Several Federal programs help borrowers having trouble keeping up with student loan debt. Two programs in particular are designed to recognize the sacrifice made by those who serve our country—whether it's in the military or through public service.

The Servicemember Civil Relief Act protects our servicemembers from interest rates above 6% on all loans—including student loans taken out preservice—while they are on active duty. The Public Service Loan Forgiveness program encourages people to become public servants by forgiving student loan debt after 10 years of public service—including military service. Under this program borrowers must enroll in a qualifying repayment plan and make 10 years of payments while working in public service before the loan is forgiven.

To be eligible, borrowers with Perkins or Federal Family Education Loans must consolidate their loans into a Direct Consolidation Loan to be eligible for the Public Service Loan Forgiveness program. However, there's an unintended consequence at play here.

Once a servicemember consolidates his or her preservice loans to qualify for the Loan Forgiveness program, those loans no longer qualify for the 6 percent rate cap under the Servicemember Civil Relief Act. This is because consolidation or refinancing of old debt is considered a new loan under the Servicemember Civil Relief Act.

Unfortunately, this forces servicemembers to choose between the 6 percent rate cap now while they are on active duty and enrolling in a program that will forgive their loans after 10 years of service and steady payments. Furthermore, this quirk in the law prevents servicemembers from taking advantage of historically low interest rates by refinancing. A lower interest rate could save borrowers thousands of dollars over the life of the loan.

Congress' intent was to help servicemembers burdened with student loan debt, and the Servicemember Civil Relief Act and the Public Service Loan Forgiveness Programs have done that. But forcing servicemembers to give up the rate cap today for a chance to earn loan forgiveness in the future is not what Congress intended, and we should fix it.

This week I introduced the Servicemember Student Loan Affordability Act. This bill would allow preservice private or Federal student loan debt to be consolidated or refinanced while retaining the 6 percent rate cap. This tweak to the law would allow servicemembers to participate in both beneficial programs. My bill is supported by the:

Center for Responsible Lending, National Consumer Law Center, National Guard Association of the United States, NGAUS, the Retired Enlisted Association, TREA, Veterans of Foreign Wars VFW, and Woodstock Institute.

We have made substantial progress for students in recent weeks, and more work is ahead as we address the rising student loan debt. This is a small change to the law, but it will have a big impact on servicemembers with large student loan debt. Congress continues to try to address the financial challenges facing our nation's middle class, working families, and students. This fix is one of many steps toward that effort.

I urge my colleagues to consider a simple solution to help servicemembers, and I hope they will support the Servicemember Student Loan Affordability Act.

TRIBUTE TO DAVID F. VITE

Mr. DURBIN. Mr. President, I am honored today to pay tribute to my

friend David Vite on his retirement from the Illinois Retail Merchants Association, IRMA. He spent 35 years with the Illinois retailers, helping businesses across the State of Illinois engage with government and better serve their communities.

David has a long history of service. After serving in the Army, he went to college in Wisconsin and graduated from the University of Wisconsin at LaCrosse. This must be where he developed his affinity for the Green Bay Packers. In all of the time David spent in Illinois, he never adopted our very own Chicago Bears. He remains to this day a loyal Packers fan.

Early in his career, David became the Executive Director of the Woodstock Chamber of Commerce and oversaw community developments in Woodstock, IL. By 1978, David had joined the Illinois Retail Merchants Association as a field representative. Within 3 years, the Association had promoted him to Vice President of Government Affairs and not long after that, David Vite took over as President.

As President, David was determined to help resolve the challenges facing Illinois retailers and at the same time to create opportunities for them. He provided training for his members to help them promote sales. He created a school-to-work training program to help cultivate the next generation of retail leaders. He led an effort to publish a manual to help merchants become more environmentally friendly. And throughout his tenure, he was the voice for business as Illinois policymakers addressed dilemmas in unemployment insurance, worker's compensation, and sales taxes.

I can't thank David enough for the support he helped build across Illinois for the Marketplace Fairness Act. I am proud to say that in May, the Senate passed this bill by a vote of 69–27, helping to level the playing field for retailers in Illinois and across the country. With David's help, we were able to communicate with retailers in every corner of Illinois to better understand the need and urgency for tax fairness legislation.

I would like to thank David for his leadership and many contributions over his decades of work with communities and business. Illinois retail has been lucky to have had such a strong, good-willed advocate. I wish him the very best in his retirement.

CLEAN CRUISE SHIP ACT OF 2013

Mr. DURBIN. Mr. President, last week, I introduced the Clean Cruise Ship Act to limit the dumping of wastewater by cruise ships.

Cruise ships generate millions of gallons of wastewater every day, and currently these ships can dump their waste directly into the oceans with minimal oversight.

The Clean Cruise Ship Act would require these ships to obtain permits through EPA's National Pollutant Discharge Elimination System to be able to discharge sewage, graywater, and bilge water.

It also would require cruise ships to upgrade their wastewater treatment systems to meet the standards of today's best available technology. This technology significantly reduces the pollutants that ships discharge and is already being used successfully on some cruise ships.

The problem is real. The number of cruise ship passengers has been growing nearly twice as fast as any other mode of travel.

In the U.S. alone, cruise lines carried over 10 million passengers in 2011, with some ships carrying 8,000 passengers or more.

These ships produce massive amounts of waste: one ship can produce over 200,000 gallons, or 10 backyard swimming pools, of sewage each week; a million gallons of graywater from kitchens, laundry, and showers; and over 25,000 gallons of oily bilge water that collects in ship bottoms.

I have nothing against cruise vacations. They can be a wonderful way to visit many beautiful places.

In fact, it is because these ships sail often into these beautiful, sensitive environments that we need to be particularly careful of the pollution they release into those waters.

Here is the unpleasant reality. Within 3 miles of shore, vessels can discharge wastewater from toilets and showers into the ocean provided that a ''marine sanitation device'' is installed.

However, a 2008 report released by the Environmental Protection Agency concluded that these systems simply do not work.

The devices allow ships to discharge waste that consistently exceeds national effluent standards for fecal coliform and other pathogens and pollutants.

In fact, fecal coliform levels in effluent are typically 20 to 200 times greater than in untreated domestic wastewater.

While cruise ships must obtain permits to discharge graywater within 3 miles of the coast, graywater should not go directly into the sea.

Graywater from sinks, tubs, and kitchens contain large amounts of pathogens and pollutants.

Fecal coliform concentrations, for example, are 10 to 1,000 times greater than those in untreated domestic wastewater.

These pollutants sicken our marine ecosystems, wash up onto our beaches, and contaminate food and shellfish that end up on our dinner plates.

Even worse, beyond 3 miles from shore there are no restrictions on sewage or graywater discharge. Cruise ships can actually dump raw sewage directly into U.S. waters.

The Clean Cruise Ship Act seeks to address these practices.

No discharges would be allowed within 12 miles of shore.

Beyond 12 miles from shore, discharges of sewage, graywater, and bilge water would be allowed, provided that they meet national effluent limits consistent with the best available technology. That technology works and is commercially available now.

Under this legislation, the release of raw, untreated sewage would be banned. No dumping of sewage sludge and incinerator ash would be allowed in U.S. waters.

All cruise ships calling on U.S. ports would have to dispose of hazardous waste in accordance with the Resource Conservation and Recovery Act.

The bill would establish inspection and enforcement mechanisms to ensure compliance.

The protection of U.S. waters is vital to our nation's health and economy. The oceans support the life of nearly 50 percent of all species on Earth.

Some cruise ship companies already are trying to improve their environmental footprint. They also want to preserve the environment—it is the natural beauty of the sea that attracts their passengers.

But the efforts between cruise ship companies are not uniform. A federal standard would apply one set of requirements to all companies.

It is time to bring the cruise ship industry into the 21st century. It is time to update the laws that protect our oceans and urge adoption of the best available wastewater treatment technology at sea.

Working together, we can support the industry while protecting the natural treasures that are our oceans. The approach taken in the Clean Cruise Ship Act will move us toward that goal.

I encourage my colleagues here in the Senate to work with me to pass legislation that will put a stop to the dumping of hazardous pollutants along our coasts. Together we can clean up this major source of pollution that is harming our waters.

REMEMBERING DR. JOHN M. SMITH JR.

Mr. MCCONNELL. Mr. President, I rise to pay tribute to an honored Kentuckian who, sadly, has been lost to us after a long and fruitful life. The man I speak of is Dr. John M. Smith Jr. of Beattyville, KY. Born in Hazard, KY, in 1922, he passed away on June 15 of this year. He was 91 years old.

Dr. Smith was revered in his community as a man of medicine. In the 1940s, he was one of the first recipients of the Rural Kentucky Medical Scholarship Fund, and graduated from the University of Louisville School of Medicine in 1949. He has worked in Morehead, Lexington, Woodford County, and most of all in Beattyville, where he served as a general practitioner for 38 years until the age of 90. Generations of Beattyville-area Kentuckians knew and loved Dr. Smith as their primary-care doctor.

Dr. Smith also proudly served his country in both World War II and the Korean War. In 1942, he enlisted in the U.S. Navy and served in both the Atlantic and Pacific campaigns of World War II. He then volunteered to serve as a medical officer at the Louisville, KY, recruiting station during the Korean War.

Dr. Smith received many accolades and recognitions from his community, and will be missed by a great many beloved family members and friends, including his wife of 54 years, Patty. Elaine and I send our thoughts and prayers to the Smith family for their loss. And I know my colleagues in this U.S. Senate join me in recognizing the long and accomplished life of service led by Dr. John M. Smith Jr.

Mr. President, I ask unanimous consent that the obituary for Dr. Smith that appeared in the Lexington Herald-Leader be printed in the RECORD.

There being no objection, the obituary was ordered to appear as follows:

[From the Lexington Herald-Leader, June 18, 2013]

JOHN SMITH: OBITUARY

BEATTYVILLE.—Dr. John M. Smith, Jr., 91, of Beattyville, KY, the son of John M. and Treva Smith, was born April 9th, 1922, in Hazard, KY, and passed away June 15th, 2013. He was a practicing physician for 61 years. He was one of the first graduates from Caney Creek College, now known as Alice Lloyd College in Pippa Passes, KY. After graduating from the University of Kentucky, Phi Beta Kappa, in 1942, he enlisted in the United States Navy and served as a first lieutenant aboard the U.S.S. *Weeden*, serving in both the Atlantic and Pacific campaigns of World War II.

Upon his honorable discharge, he was selected as one of the first recipients of the Rural Kentucky Medical Scholarship Fund, and entered and graduated from the University of Louisville School of Medicine in 1949. Following his medical internship, he extended his service to our country by volunteering for the Korean War, serving as a medical officer at the Louisville, KY, recruiting station. At the time of his discharge on July 6th, 1951, he opened his first medical practice 10 days later in Beattyville, KY. In 1962, he left Beattyville temporarily to practice in the field of radiology working at Morehead Hospital, Woodford County Hospital, and the Lexington Clinic. In June 1974, he returned to Beattyville as a general practitioner—his true love and passion—faithfully serving the patients he loved for the next 38 years until the age of 90.

He was a member of the Masonic Proctor Lodge 213 and the Lee County Shrine Club, VFW Post 11296, and the Kentucky Medical Association. He served as the Medical Director of the Lee County Constant Care and Geri Young House and a member of the Lee County Board of Health. Dr. Smith is survived by his wife, Patty, of 54 years; sons John S. (Vivian) of Beattyville, KY, Robert of Versailles, KY, William (Kim) of Arlington, VA, Sparkman, Daniel (Jo, Martha), Giletta, and John A., all of Lexington, KY; one brother, Luther (Rosemary), Beattyville, KY; two sisters, Janet (Glenn) Moore, Scottsburg, IN, and Joan Tilford, Falls of Rough, KY; 17 grandchildren and 11 great-grandchildren.

Visitation will be Wednesday, June 19th from 6 to 8 p.m. and Thursday, June 20th from 10 to 11 a.m. at Saint Thomas Episcopal Church in Beattyville. Funeral services will be Thursday, June 20th at 11 a.m. also at Saint Thomas Episcopal Church with The Reverend Bryant Kibler officiating. Burial will follow at the Lexington Cemetery, Lexington, KY.

SYRIA

Mr. MCCAIN. Mr. President, as we prepare to head out for the August recess, I have returned to the floor today to speak, once again, about the horrific and worsening situation in Syria—a conflict that, we learned this week, has now claimed 100,000 lives.

I would like to take a few minutes to read from a remarkable statement that was delivered on Monday by Mr. Paulo Pinheiro, the chair of the United Nations Independent International Commission of Inquiry on Syria. The excerpts I wish to read are long, but they are shocking, and worth quoting in full.

Here is the assessment Mr. Pinheiro gave to the U.N., and I quote:

> Syria is in free-fall. Relentless shelling has killed thousands of civilians and displaced the populations of entire towns. An untold number of men and women have disappeared while passing through the ubiquitous checkpoints. Those freed from detention are living with the physical and mental scars of torture. Hospitals have been bombarded, leaving the sick and wounded to languish without care. With the destruction of thousands of schools, a generation of children now struggle to obtain an education. The country has become a battlefield. Its civilians are repeatedly victims of acts of terror.

Mr. Pinheiro concludes with this powerful plea for action:

> That civilians should come under such sustained unlawful attacks should shock your conscience and spur you to action. But it has not. As the conflict drags on, you—and the world—have become accustomed to levels of violence that were previously unthinkable . . .
>
> It is time for the international community to act decisively. There are no easy choices. To evade choice, however, is to countenance the continuation of this war and its many violations . . . The world must hear the cry of the people—stop the violence, put an end to this carnage, halt the destruction of the great country of Syria!

Again, this is not my assessment; it is that of a senior United Nations leader. And I applaud Mr. Pinheiro for his moral leadership on behalf of the Syrian people. At the same time, I say with the utmost respect that I disagree with Mr. Pinheiro's counsel for what is required to achieve the goal we share, which is to create conditions that favor a negotiated end to the conflict in Syria. I continue to believe that, while there is not a purely military solution to the conflict in Syria, I find it difficult to avoid the conclusion that military intervention by the United States and our allies must be a critical part of the solution we seek. Indeed it is unrealistic to think we can arrive at a diplomatic solution otherwise.

Let's be absolutely clear about the realities in Syria today and where this conflict is headed. Asad is never going to negotiate himself out of power or seek to end the conflict diplomatically so long as he believes he is winning on the battlefield, and right now, he clearly has the advantage on the ground. This is thanks, in critical part, to his air power, which not only allows Asad to pound opposition military positions and civilian populations—including with chemical weapons, which nearly everyone believes he has used and will use again—but also to move his troops and supplies around the battlefield in ways that he cannot do on the ground.

Asad's growing military advantage is also thanks to the influx of thousands of Hezbollah fighters who are leading offensives in key parts of the country, Iranian special forces who are training and advising Asad's troops and private militias, Shia militants from Iraq and Lebanon, as well as a steady and decisive flow of weapons and other assistance from Iran and Russia, which is being brought into Syria with impunity, including through overflights of Iraq.

The consequences of this onslaught for Syria are bad enough. The strategically vital city of Homs is expected to fall imminently, which would be a major victory for Asad that would strengthen his position immeasurably. The consequences for the region, however, are arguably worse. Syria's main export today is its civilian population, which is flooding into Turkey, Lebanon, and Jordan, by the hundreds of thousands. Indeed, 15 percent of Jordan's population is now Syrian refugees, and the fourth largest city in the country is now a Syria refugee camp.

At the same time, Syria's primary import today seems to be foreign extremists from all across the region and indeed the world. It is well known from estimates in published reports that as many as several thousand people from all across the Middle East have moved into Syria to fight with Al Qaeda and other extremist groups. But, in addition, the New York Times reported this week that Western counterterrorism and intelligence officials now believe that hundreds of Muslims from Western countries have joined the fight in Syria, including 140 French, 75 Spaniards, 60 Germans, a few dozen Canadians and Australians, as well as fighters from Austria, Belgium, Denmark, Finland, Iceland, Italy, Norway, Sweden, and the Netherlands. As many as a dozen Americans are believed to be among them. It is difficult to conclude that Al Qaeda does not enjoy safe haven in Syria today, and no one should believe that it won't be used eventually to launch attacks against us.

Make no mistake, this is where we are headed. Syria is becoming a failed state in the heart of the Middle East and a safe haven for Al Qaeda and its allies. It is becoming a regional and sectarian conflict that threatens the national security interests of the United States. And it is becoming the decisive battleground on which Iran and its allies are defying the United

States and our allies and prevailing in a test of wills, which is fundamentally undermining America's credibility among both our friends and enemies throughout the region and the world.

Some may see this as an acceptable outcome. I do not.

I know Americans are war weary. I know the situation in Syria is complex, and there are no easy answers. That said, all of us must ask ourselves one basic question: Are the costs, and risks, and potential benefits associated with our current course of action better or worse than those associated with America becoming more involved militarily in Syria? I believe our current course of action is worse, because it virtually guarantees all of the bad outcomes that are unfolding before our eyes and getting worse and worse the longer this conflict grinds on.

Now, some would have us believe that military action of even a limited nature is too cost intensive, too high risk, and too marginal in its potential impact in Syria. In a letter dated July 19, 2013, to the chairman of the Armed Services Committee and myself, the Chairman of the Joint Chiefs of Staff, GEN Martin Dempsey, described the requirements to conduct various military options in Syria. He spoke of scenarios that would demand hundreds of military assets and thousands of special forces to resource military options that no one is seriously considering.

Now, in my many years, I have seen a lot of military commanders overstate what is needed to conduct military action for one reason or another. But rarely have I seen an effort as disingenuous and exaggerated as what General Dempsey proposed.

The option that many of us have proposed is limited standoff strikes to degrade Asad's air power and ballistic missile capability. But here is General Dempsey's description of what would be needed to conduct ''limited standoff strikes'':

> Potential targets include high-value regime air defense, air, ground, missile, and naval forces as well as the supporting military facilities and command nodes. Stand-off air and missile systems could be used to strike hundreds of targets at a tempo of our choosing. Force requirements would include hundreds of aircraft, ships, submarines, and other enablers. Depending on duration, the costs would be in the billions.

This is a completely disingenuous description of both the problem and the solution. No one is seriously talking about striking Asad's naval forces as part of a limited campaign. And no one seriously thinks that degrading Asad's air power would require hundreds of American military assets. The whole thing is completely misleading to the Congress and the American people, and it is shameful.

For a serious accounting of a realistic limited military option in Syria, I would strongly recommend a new study that is being released today by the Institute for the Study of War, or ISW, which was overseen by GEN Jack Keane, the author of the surge strategy that enabled us to turn around the war in Iraq. This new study confirms what I and many others have long argued: That it is militarily feasible for the United States and our friends and allies to significantly degrade Asad's air power at relatively low cost, low risk to our personnel, and in very short order—and to do so, I want to stress, without putting any U.S. boots on the ground.

Specifically, the ISW study reports that Asad's forces are only flying a maximum of 100 operational strike aircraft at present, an estimate that ISW concedes is likely very generous to the Asad regime. The real figure, they maintain, is more likely around 50. What is more, these aircraft are only being flown out of 6 primary airfields, with an additional 12 secondary airfields playing a supporting role. What this means is that the real-world military problem of how to significantly degrade Asad's air power is very manageable—again, as I and others have maintained.

ISW calculates that U.S. and allied forces could significantly degrade Asad's air power using standoff weapons that would not require one of our pilots to enter Syrian airspace or confront one Syrian air defense system. With a limited number of these precision strikes against each of Asad's eight primary airfields, we could crater their runways, destroy their fuel and maintenance capabilities, knock out key command and control, and destroy a significant portion of their aircraft on the ground. The ISW study estimates that this limited intervention could be achieved in 1 day and would involve a total of 3 Navy surface ships and 24 strike aircraft, each deploying a limited number of precision-guided munitions—all fired from outside of Syria, without ever confronting Syrian air defenses.

This should not come as a surprise. After all, hitting static targets from a distance is what the U.S. military does best. And hitting static targets in Syria, without ever confronting Syrian air defenses inside of Syrian airspace, is something that our Israeli allies now seem to have done on several occasions. Surely we can too.

There are other things we should do in conjunction with targeted strikes against Asad's air power. We could expand the list of targets to include Asad's ballistic missiles, as well as key regime command-and-control sites. This would be an equally minimal number of targets that could be hit with the same standoff weapons. We should also stand up a far larger train-and-equip operation than what published reports suggest has been authorized to date. What all of the Syrian opposition leaders have told me their forces need most of all is antitank weapons that can destroy Asad's artillery and armor, which would remain a major threat even if we significantly degrade Asad's air power. We should give the Syrian opposition these kinds of capabilities to level the playing field themselves.

If we were to do all of these things—degrade Asad's air power and ballistic missiles and train, equip and advise the opposition on a large scale—it probably would not end the conflict in Syria immediately. But it could turn the tide of battle against Asad's forces and in favor of the opposition, and begin to create conditions on the ground that could make a negotiated end to the conflict possible.

We cannot afford to lose the moral dimension from our foreign policy. If ever a case should remind us of this, it is Syria. Leon Wieseltier captured this point powerfully in The New Republic last month. His words are as true today as they were then, and I quote:

> The slaughter is unceasing. But the debate about American intervention is increasingly conducted in ''realist'' terms: the threat to American interests posed by jihadism in Syria, the intrigues of Iran and Hezbollah, the rattling of Israel, the ruination of Jordan and Lebanon and Iraq. Those are all good reasons for the president of the United States to act like the president of the United States. But wouldn't the prevention of ethnic cleansing and genocidal war be reason enough? Is the death of scores and even hundreds of thousands, and the displacement of millions, less significant for American policy, and less quickening? The moral dimension must be restored to our deliberations, the moral sting, or else Obama, for all his talk about conscience, will have presided over a terrible mutilation of American discourse: the severance of conscience from action.

We have had these debates before. In Bosnia, and later in Kosovo, we heard many arguments against military intervention that we now hear about Syria. It was said that there was no international consensus for action, that the situation on the ground was messy and confused, that it was not clear who we would actually be helping, and that our involvement could actually make matters worse. Fortunately, we had a President who led—who explained to the American people what the stakes were in the Balkans, and why we needed to rise to the role that only America could play. Here is how President Bill Clinton described Bosnia in 1995:

> There are times and places where our leadership can mean the difference between peace and war, and where we can defend our fundamental values as a people and serve our most basic, strategic interests. [T]here are still times when America and America alone can and should make the difference for peace.

Nearly two decades ago, I worked with both my Democratic and Republican colleagues in Congress to support President Clinton as he led America to do the right thing in stopping mass atrocities in Bosnia. The question for another President today, and for all of my colleagues in this body, indeed for all Americans, is whether we will once again answer the desperate pleas for rescue that are made uniquely to us, as the United States of America.

REMEMBERING COLONEL GEORGE ''BUD'' DAY

Mr. GRASSLEY. Mr. President, I would like to take time today to honor the life of a very brave man, and an exemplary Iowan, Col. George ''Bud'' Day, who passed away over the weekend.

Bud Day's brave and memorable military career started at the age of 17, when he volunteered for the Marine Corps during World War II in Sioux City, IA.

After this period of service, Bud returned home, and received a law degree from the University of South Dakota.

His military service to this country, however, would resume.

Bud Day joined the Air National Guard in 1950 and was called up for active duty a year later during the Korean War.

By 1955 he had become a captain with the Air Force.

With the same go-getter attitude he displayed throughout his service, then Captain Day went on to command a squadron of F–100s in Vietnam in 1967.

On August 26, Bud's plane was hit and took a steep dive. Upon ejection he sustained many injuries.

Shortly after the crash, Bud was taken prisoner and tortured.

Maintaining his unflagging spirit and fueled by his love for his country, Bud Day refused to cooperate and escaped his captors. Surviving treacherous conditions and life-threatening situations every minute, Bud spent 2 weeks trying to find U.S. troops.

His efforts left him exhausted and he was later recaptured and returned to the same camp he had escaped from.

He was then moved to the infamous ''Hanoi Hilton'' camp where torture was commonplace for the next 5 years of his life until his release in 1973.

Even after all of this, Bud Day resumed his service with the U.S. Air Force, and was appointed vice commander of the 33rd Tactical Fighter Wing at Eglin Air Force Base, FL.

Three years after his release from the Hanoi Hilton, Bud received the Medal of Honor from President Gerald Ford for not divulging information in the face of torture, thereby putting his own life in imminent risk to save others.

He has also received numerous other awards and recognitions such as the Air Force Cross for extraordinary heroism in military operations against an opposing armed force as a POW, making him one of America's most decorated servicemen.

Bud Day remained public spirited even after his military service, continuing to advocate for veterans and other causes that were important to him.

His life of service is a tremendous role model for future generations and he will be missed.

I am proud to have been able to call Bud Day an Iowan and a friend.

VOTE EXPLANATION

Mr. CHIESA. Mr. President, due to a long standing personal commitment, I was unable to cast votes on rollcall vote Nos. 188 through 194. Had I been present, I would have voted yes on No. 188; I would have voted no on No. 189; I would have voted no on No. 190; I would have voted no on No. 191; I would have voted no on No. 192; I would have voted no on No. 193; and I would have no on No. 194.

REMEMBERING KAREN PAULSON

Mr. HELLER. Mr. President, I wish to offer a tribute honoring the life and service of Karen Paulson, who passed away this week. Karen was a friend and a dedicated, hard-working member of my staff for a number of years. She also served as an aide to several other Members of Congress, including Congressman Jon Porter from my home State of Nevada, and House Speaker JOHN BOEHNER.

Karen was a tremendously talented administrator who cared deeply about public service. She was an individual upon whom many others relied. Karen could always be counted on for her steadfastness and initiative. She was an attentive problem-solver and was ever eager to help make things simpler for her colleagues however she could. I can personally attest to her commitment to excellence in whatever role she held, and I am deeply grateful for the special years she spent as a member of my staff.

While Karen will be dearly missed, her service and her spirit will be long remembered. I ask my colleagues to join me in remembering this dedicated public servant, and offer my deepest condolences to Karen's family and loved ones during this difficult time.

SEA OF CHANGE

Mr. LEE. Mr. President, on April 16, 2013 President Ma Ying-jeiou of Taiwan gave a speech on a videoconference with Center on Democracy, Development and the Rule of Law at Stanford University. I feel my colleagues could benefit from reading this speech. I ask unanimous consent to have printed in the RECORD President Ma Ying-jeiou's speech.

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

I. OPENING REMARKS

Professor Rice, Professor Diamond, Professor Fukuyama, Admiral Roughead, distinguished guests, faculty members and students of Stanford University, ladies and gentlemen: Good evening! It's your evening now, but it's our morning here in Taipei.

Before I start, I want to pay my deep condolences to those victims suffered by the explosions happened at Boston Marathon on Monday. My prayers and thoughts are with their family members. In the meantime, I also strongly condemn the violence on behalf of the government of the Republic of China (Taiwan).

It is a great pleasure to be addressing my friends at Stanford University this evening. Stanford University has long been a distinguished center of learning. Under the guidance of Professor Diamond, the Center on Democracy, Development, and the Rule of Law, through the Journal of Democracy, has made incomparable contributions to the study of democracy. Since Taiwan represents a shining example of how democracy can take root in the Chinese-speaking world, it is only fitting to join you today for this videoconference.

II. CHANGES IN EAST ASIA

Since I took office as President of the Republic of China in 2008, the geopolitical situation in East Asia has undergone tremendous change. Five years ago, there were two flash points: the Korean Peninsula and the Taiwan Straits. Today, the Korean Peninsula is at an unprecedented level of tension: North Korea has conducted a third nuclear test explosion, and in the aftermath of the resulting UN sanctions continues its saber rattling, even claiming that it has abrogated the 1953 Armistice Agreement that ended Korean War fighting 60 years ago. In contrast, tensions in the Taiwan Straits have been greatly reduced, and relations between Taiwan and mainland China continue to advance toward peace and prosperity.

This does not necessarily mean, however, that only one potential source of instability remains in East Asia. Geopolitical competition in both the East China Sea and the South China Sea is growing more intense even as the drive toward regional economic integration continues. In addition, three of the major players in East Asia—mainland China, South Korea and Japan—have changed leadership in the last eight months, while here in Taiwan, I was elected to a second term of office early last year.

Thus, amidst the uncertainty resulting from such changes, the Republic of China on Taiwan remains firmly committed to fostering peace and stability, and is a strong proponent of the liberal values cherished by democracies worldwide. It is against this backdrop that I would like to discuss how my administration has steered Taiwan through this sea of change.

III. HOW CROSS-STRAIT RAPPROCHEMENT WAS ACHIEVED

I decided to seek rapprochement with mainland China long before I took office in 2008. To ensure peace in the Taiwan Straits after some sixty tumultuous years, my administration had to meet both the challenges of establishing mutual trust between the two sides of the Taiwan Straits and of rebuilding Taiwan's strength so that peace could be guaranteed.

From the start, the ''92 Consensus'' was a critical anchoring point for Taiwan and mainland China to find common ground on the otherwise intractable issue of ''One China.'' The consensus, reached between the two sides in 1992, established a common understanding of ''one China with respective interpretations.'' With this understanding as the foundation, my administration designed a number of modus operandi that broadly defined how Taiwan would pursue peace and prosperity with mainland China. These included iteration of the ''Three No's''—''No Unification, No Independence, and No Use of Force''—under the framework of the ROC Constitution. This formulation, grounded de jure in the 1947 Constitution of the Republic of China, sets clear parameters for how both parties can work to move the relationship forward in a positive direction without misunderstandings or hidden agenda, so as to build mutual trust and achieve mutual benefit for the people on either side of the Taiwan Straits.

''Beating swords into ploughshares'' requires pragmatism and the wisdom to remain focused on what can be accomplished in spite of past differences. So we then called for ''mutual non-recognition of sovereignty, mutual non-denial of governing authority'' allowing both sides to pursue substantive exchanges without being derailed by disagreements over sovereignty issues.

We also spelled out clearly to the other side, as well as to the Taiwan public, how we intended to proceed with the cross-strait dialogue. The priority of issues for the two sides to address would be ''pressing matters before less pressing ones, easy matters before difficult ones, and economic matters before political ones''. My administration firmly believed in setting a clear agenda from the start, to prevent the cross-strait dialogue being bogged down by intractable issues when we could see that agreement might be found on many others. The goal is to build mutual trust which is fundamental for long-term progress in developing a peaceful cross-strait relationship. I firmly believe that this ''building-blocks'' approach is the only way to achieve lasting peace in the Taiwan Straits.

The result of this is 18 agreements concluded between Taiwan and mainland China over the past five years, covering such issues as direct flights, tourism, economic cooperation, intellectual property rights, nuclear safety, and mutual judicial assistance. Let me just give you an example of how things stand now. Five years ago, there were no scheduled flights between Taiwan and the mainland, now there are 616 scheduled flights per week. Five years ago, there were 274,000 mainland people visiting Taiwan, in 2012, there were 2.5 million people. When the SARS epidemic first broke out in 2003, mainland China completely ignored Taiwan's needs and concerns. But when the H7N9 avian flu struck recently, public health experts from both sides began working together to check its spread.

Over the next three years, the two sides are expected to complete negotiations on trade in services and trade in goods under the 2010 Economic Cooperation Framework Agreement (ECFA). Both sides will also greatly expand the level of educational and cultural exchanges. For example, the number of students from mainland China studying in Taiwan, which currently is 17,000 a year, is expected to rise and there will be more cross-strait cultural cooperation. Each side also intends to set up offices in major cities on the other side to take better care of the 7 million people and over 160 billion US dollars' worth of goods and services moving across the Taiwan Straits last year alone. As a result, cross-strait relations are now the most stable and peaceful that they have been in over 60 years.

IV. TAIWAN'S ENHANCED INTERNATIONAL PRESENCE

As cross-strait relations continue to develop peacefully, Taiwan is gaining an enhanced international presence. The clear parameter articulated by my administration as we began resumption of the cross-strait dialogue counter any mistaken attempt to link Taiwan's greater international participation to an agenda of ''two Chinas'', ''one China, one Taiwan'', or ''Taiwan Independence''. Taiwan today strives to conduct itself as a responsible stakeholder, that is, as a facilitator of peace, a provider of humanitarian aid, a promoter of cultural exchanges, a creator of new technology and business opportunity, and the standard bearer of Chinese culture.

The international community has seen recently how Taiwan deports itself as a responsible stakeholder and facilitator of peace. Last August, my administration proposed an East China Sea Peace Initiative urging that negotiation take precedence over confrontation regarding the sovereignty dispute over the Diaoyutai Islets. The following November, Taipei and Tokyo began negotiations on an East China Sea fishery agreement. Sixteen rounds of such talks had been held since 1996 but no agreement was ever reached. This time, both sides decided to jointly conserve and manage fishery resources in the Agreement Area of the East China Sea, without changing their respective territorial and maritime claims regarding the Diaoyutai Islets. A fishery agreement was thus signed six days ago which safeguards the security of fishing boats from both sides in the Agreement Area twice the size of Taiwan. This agreement marks a historic milestone in the development of Taiwan-Japan relations and sets a good example for how the concerned parties can find ways to settle their disputes and preserve peace and stability in the region at the same time.

Our efforts over the past five years to enhance Taiwan's participation in the international community have also resulted in concrete progress. The Republic of China has kept intact its diplomatic relations with its 23 allies, and has enhanced its substantive relations with other countries. For instance, we signed an investment agreement with Japan in 2011, and are working to sign economic cooperation agreements with Singapore and New Zealand respectively in the near future. Meanwhile, our health minister has attended the World Health Assembly (WHA) of the WHO as an official observer since 2009, the same year as Taiwan acceded to the Government Procurement Agreement (GPA) of the WTO. For five years in a row, former Vice President Lien Chan at my request has attended as ''leader's representative'' the Leaders' Meeting of Asian-Pacific Economic Cooperation (APEC). On March 19 this year I led an official delegation to attend the investiture of Pope Francis, the first time for a ROC president to meet with a Pope in the last 71 years ever since the two countries established diplomatic ties in 1942. Taiwan's enhanced international presence attests to a virtuous cycle of improved cross-strait relations that encourages greater international support for allowing Taiwan further opportunities to play its role of responsible stakeholder. This in turn further enhances regional peace and stability, which is in the best interest of the international community.

V. TAIWAN-US TIES: SECURITY, ECONOMIC, AND CULTURAL

My administration is fully aware that strength is fundamental to achieving peace. When I took office five years ago, my administration worked promptly to restore high-level trust between Taipei and Washington. As former Secretary of State Hillary Clinton said in 2011 in Honolulu, Hawaii, Taiwan is an important security and economic partner of the United States. We deeply appreciate the relationship we have with the United States, including US arms sales to Taiwan. Only with a sufficient self-defense capability can Taiwan confidently engage in a dialogue with mainland China. The stability engendered by America's enhanced presence in the Western Pacific will certainly help.

The United States is Taiwan's third largest trading partner but remains the most important source of our technology. However large a trading partner mainland China is to Taiwan, the United States has always been an important trade and investment partner to Taiwan. The ICT (information and communication technology) industries are Taiwan's most important export sector and they are the largest recipient of U.S. investment. After successfully resolving the beef import issue last year, the Republic of China resumed trade negotiations with the U.S. under the 1994 Taiwan-US Trade and Investment Framework Agreement (TIFA). Obviously, Taiwan needs to accelerate its pace of trade liberalization. For the good of its economic prosperity and national security, Taiwan cannot afford to be left out of the Trans-Pacific Partnership (TPP) and the Regional Comprehensive Economic Partnership (RCEP).

Culturally, American values and its high academic standards have attracted Chinese students since Yung Wing became the first Chinese student to study in the U.S. back in 1847. Generations of Chinese students who studied in the United States brought American values back to their homeland, making tremendous contributions to China's modernization, including the 1911 revolution. Today, the United States still remains the most sought after academic destination for Taiwan students.

Taiwan is grateful to the United States for letting Taiwan join the Visa Waiver Program beginning in November last year. The Republic of China is the 37th nation in the world to secure that status, and the only one that does not have formal diplomatic relations with the United States. The more than 400,000 Taiwan visitors to the U.S. each year not only take in American culture and natural scenery, they also shop very seriously in the United States and thus help reduce the U.S. trade deficit with Taiwan. In a word, relations between the Republic of China and the United States continue to thrive and grow since the end of formal diplomatic ties in 1979.

Nevertheless, Taiwan still faces many challenges with only limited resources at its disposal. In formulating Taiwan's national security strategy, my administration has steered Taiwan toward a tripartite national security framework. The first part involves institutionalization of the rapprochement with mainland China so that neither side would ever contemplate resorting to non-peaceful means to settle their differences. The second part involves making Taiwan a model world citizen by upholding the principles of a liberal democracy, championing free trade and providing foreign aid to the international community. The third part involves strengthening national defense capability. This national security strategy is formulated to facilitate peaceful and positive development of cross-strait ties while remaining grounded in pragmatic realization of the challenges we face. In other words, Taiwan and the United States share the same values and interests in preserving regional peace and stability.

VI. TAIWAN'S ULTIMATE VALUE: A BEACON OF DEMOCRACY

States in a security partnership frequently fear being entrapped or abandoned by their partners. In the past, some in the United States have expressed concern that as mainland China rises, Taiwan might someday entrap the United States in an unnecessary conflict with mainland China. Others fear that Taiwan is tilting toward mainland China, thus ''abandoning'' the United States. Both arguments imply that the United States should reduce support for Taiwan. But neither view is warranted. My administration's pursuit of rapprochement with mainland China has clearly helped preserve and enhance peace in the Taiwan Straits. My administration's adherence to the Constitution of the Republic of China legally rules out any possibility of a reckless change in the status quo.

Taiwan has so much in common with the United States, from our love of democracy,

to respect for human rights and the rule of law, to support for free trade, and even to an intense passion for basketball and baseball! We are also crazy about Jeremy Lin and Jianmin Wang! Taiwan cherishes its longstanding friendship with the United States and will always cherish the values and culture that the Chinese people have developed over five thousand years. Preserving the Republic of China has immense importance that goes far beyond the borders of Taiwan. For the first time in Chinese history, we in Taiwan have proved that democracy can thrive in a Chinese society. It presents shining ray of hope to the 1.3 billion Chinese people on the mainland. I know how much this means to the government and people of the United States, just as it does to my administration and the people of Taiwan.

Ladies and gentlemen, my administration will steer this democracy through the sea of change in East Asia. We will endeavor to strengthen peace and prosperity in the Taiwan Straits; and, in the meantime, we will strive for an enhanced international presence for Taiwan that allows it to play its role as a responsible stakeholder in the international community. I feel nothing but confidence about the future of the Republic of China!

Thank you.

ADDITIONAL STATEMENTS

TRIBUTE TO MICHAEL F. ADAMS

• Mr. CHAMBLISS. Mr. President, today I wish to pay tribute to the career of Dr. Michael F. Adams, who stepped down as president of the University of Georgia on June 30 after 16 years of dedicated service to our State university.

Dr. Adams became president on June 11, 1997, and he immediately began his work to make the University of Georgia one of the Nation's top public research universities. Under his leadership, UGA has excelled tremendously and student quality has risen steadily. He is one of America's best known and longest serving university presidents.

Dr. Adams' dedication to improving the university's facilities and infrastructure is evident upon visiting the campus. He secured over $1 billion in new construction programs through his foundation of the UGA Real Estate Foundation. The university has undergone incredible renovations and now boasts the nation's most state-of-the-art facilities. Adams has overseen the construction of the East Campus Village, the Georgia Museum of Art, the Tate Student Center and the Richard B. Russell Special Collections Library. His commitment to providing students with the best learning environment is apparent throughout the highly impressive and ever-improving campus.

Under Adams' leadership, the University of Georgia has achieved the highest rankings in its history, with the U.S. News and World Report ranking UGA in its top 20 public research universities for 8 out of the past 10 years. Student enrollment has grown from 29,000 to 35,000 students. UGA has become more selective and student quality is at its best. Adams oversaw the establishment of five new colleges and schools, increasing the diversity of academic programs and fields of study. While the university continued to excel academically, the Georgia Bulldogs' rich tradition of athletics flourished as well, with 27 national championship titles, 58 SEC Titles, and 125 individual titles.

It comes as no surprise Adams has received over 50 awards in higher education throughout his time with the university, including the Knight Foundation Award for Presidential Leadership, the Pioneer Award for Leadership in Civil Rights, and the James T. Rogers Award, the highest honor bestowed by the Southern Association of Colleges and Schools. He has also been listed as one of Georgia Trend magazine's Most Influential Georgians for 11 years in a row.

I am honored to have attended the University of Georgia and grateful for all that President Adams has done to make it the educational standard that it is today. I thank him for his service to the University of Georgia and to our great State.•

REMEMBERING REV. CAESAR CAVIGLIA

• Mr. HELLER. Mr. President, I wish to offer a tribute honoring the life and work of Father Caesar Caviglia. Father Caviglia was a dedicated community leader from my home State of Nevada who passed away this week. He touched the lives of countless Nevadans and will be long remembered for his compassion, faith, and service to his church and community.

Father Caviglia was a lifelong Nevadan who spent more than half a century as a minister and educator. Throughout his life, he served in various capacities across the entire State. He was born in Ely, NV in 1928, and returned to the Silver State after being ordained and earning multiple degrees in philosophy, theology and education. He was a committed educator who spent time teaching at Bishop Manogue Catholic High School and the University of Nevada, Reno before moving to the southern part of the State to serve as the superintendent of Nevada State Catholic Schools.

Father ''C,'' as he was known by his parishioners, spent much of his ministry serving as the parish priest at St. Peter's Catholic Church in Henderson, NV. Throughout his time there, he took on a variety of leadership roles and was active in advocating for important issues affecting those he served. He was a member of the faculty at the Henderson Campus of the College of Southern Nevada, where he taught sociology, anthropology and philosophy. He played a key role in the construction of that campus, and one of its academic buildings is named in his honor. He returned to Ely to begin his retirement, but soon after, he resumed his role of service as the administrator at Sacred Heart Catholic Church, where he served until 2008.

Father Caviglia spent a lifetime devoted to serving his community and serves as an example to us all. I ask my colleagues to join me in remembering Father Caesar Caviglia, and offer my deepest condolences to his family and parishioners as they mourn the loss of this great Nevadan.•

TRIBUTE TO ALAYNA ACKERMAN

• Mr. THUNE. Mr. President, today I recognize Alayna Ackerman, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Alayna is a graduate of St. Thomas More High School in Rapid City, SD. Currently, she is attending University of South Dakota, where she is majoring in criminal justice and political science. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Alayna for all of the fine work she has done and wish her continued success in the years to come.•

TRIBUTE TO TARA AL-HAJ

• Mr. THUNE. Mr. President, today I recognize Tara Al-Haj, a page in the United States Senate, for all of the hard work she has done for the Senate and its staff.

Tara is currently attending Stevens High School in Rapid City, SD, where she will be entering her junior year this fall. She is a hard worker who has been dedicated to getting the most out of this unique experience.

I extend my sincere thanks and appreciation to Tara for all of the fine work she has done and wish her continued success in the years to come.•

TRIBUTE TO ERIKA BACHMEIER

• Mr. THUNE. Mr. President, today I recognize Erika Bachmeier, an intern in my Aberdeen, SD, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Erika is a graduate of Central High School in Aberdeen, SD. Currently, she is attending the University of North Dakota, where she is majoring in occupational therapy. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Erika for all of the fine work she has done and wish her continued success in the years to come.•

TRIBUTE TO MADISON BLAKE

• Mr. THUNE. Mr. President, today I recognize Madison Blake, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Madison is a graduate of Liberty High School in Liberty, MO. Currently, she is attending the University of Missouri, where she is majoring in health

sciences. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Madison for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO BETHANY BUELL

● Mr. THUNE. Mr. President, today I wish to honor Bethany Buell of the University of South Dakota, USD, for becoming the first NCAA Division I National Champion in school history. Buell captured the National Championship by pole vaulting 14 feet, 7.25 inches on June 7, 2013 at Hayward Field in Eugene, OR.

Bethany Buell has had a terrific season for the USD Coyote's, earning All-American honors before ultimately capturing the D-I NCAA National Championship. Buell's record-breaking season was almost cut short after tearing ligaments in her shoulder after setting the highest national mark of 14 feet, 7.5 inches on March 29th. Buell returned from injury to compete on May 9th at the Summit League Championships. Buell was also named the NCAA Division I Outdoor Field Scholar Athlete of the Year by the U.S. Track and Field/Cross Country Coaches Association.

Bethany Buell is a redshirt junior from Rockwood Summit High School, in St. Louis, MO. Bethany, the daughter of Bill and Kerry Buell, is currently majoring in psychology with a minor in anthropology. Buell's career at USD has been record-breaking; as a true freshman, Bethany won the pole vault at the GWC Indoor Championships and broke the school record in the event twice. In 2011, Buell became the first USD Coyote to qualify for the NCAA D-I National Championships, where she would finish 13th and earn 2nd team All-America honors. In 2012, Bethany continued her ascent as one of the Nation's top pole vaulters becoming the first Coyote to earn All-American First-Team honors. She later finished 3rd at the NCAA D-I National Championships.

As a graduate of the University of South Dakota, I am honored to recognize Bethany Buell for her outstanding accomplishments and contributions to the University of South Dakota and to the State of South Dakota. Congratulations to Bethany, and to the Coyote Track and Field Team for a great season. Go Yotes!●

TRIBUTE TO SKYE DEARBORN

● Mr. THUNE. Mr. President, today I wish to honor Skye Dearborn of Sioux Falls Lincoln High School for being South Dakota's first representative in the National Youth Orchestra of the United States of America. Dearborn played the trombone for the inaugural Carnegie Hall National Youth Orchestra.

Before Dearborn performed in the National Youth Orchestra she played trombone in Lincoln High School's symphonic band, jazz band, marching band, and was part of the South Dakota Symphony Youth Orchestra. Dearborn also participated in the concert orchestra, won first place in the Young Musicians Concerto Competition, and was an AP Scholar at Lincoln High School. In the future, Skye plans on attending the University of Michigan in Ann Arbor where she will major in trombone performance.

2013 marks the inaugural tour for the National Youth Orchestra of the United States of America in modern history. The NYO-USA is comprised of 120 of the finest youth musicians from across the United States and is conducted each year by a different celebrated conductor. The conductor for the 2013 orchestra is Valery Gergiev, the principal director of the London Symphony Orchestra. The NYO-USA performed in New York, NY, Washington, DC, Moscow, St. Petersburg, and London.

The National Youth Orchestra of the United States of America performed on tour July 11 through July 21 around the globe. I am honored to recognize Skye Dearborn for her accomplishments and contributions to this prestigious group of young people.●

TRIBUTE TO JENNA HEADRICK

● Mr. THUNE. Mr. President, today I recognize Jenna Headrick, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Jenna is a graduate of Brandon Valley High School in Brandon, SD. Currently, she is attending the University of Minnesota—Twin Cities, where she is majoring in political science and sociology. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Jenna for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO MATTHEW REEVES

● Mr. THUNE. Mr. President, today I recognize Matthew Reeves, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Matthew is a graduate of Sioux Falls Christian in Sioux Falls, SD. Currently, he is attending the University of Arkansas, where he is majoring in international relations and political science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Matthew for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO SAMUEL REULAND

● Mr. THUNE. Mr. President, today I recognize Samuel Reuland, an intern in my Sioux Falls, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Samuel is a graduate of White Lake High School in White Lake, SD. Currently, he is attending the University of South Dakota, where he is majoring in political science and history. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Samuel for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO OWEN SHAY

● Mr. THUNE. Mr. President, today I recognize Owen Shay, an intern in my Sioux Falls, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Owen is a graduate of Sunshine Bible Academy in Miller, SD. Currently, he is attending South Dakota State University, where he is majoring in history. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Owen for all of the fine work he has done and wish him continued success in the years to come.●

SIOUX FALLS ORPHEUM THEATER

● Mr. THUNE. Mr. President, today I wish to recognize the Sioux Falls Orpheum Theater Center's 100th Anniversary. Opening their doors in 1913, The Orpheum Theater Center was built to serve the City of Sioux Falls as a venue for theatrical presentations. Over the past 100 years, the Orpheum Theater has grown to become a cherished location for South Dakotans to enjoy quality entertainment.

The Orpheum Theater was built for the Solari Brothers and opened on October 3, 1913, as a vaudeville house and seated 1,000 audience members. Tickets for the opening night were sold for $5 each and acts included features such as ''An Evening in Honolulu,'' two different comedy acts, and the Orpheum Concert Orchestra.

In 1919, the theater was sold to a major theater management firm. It remained as a vaudeville house until 1927, when it was sold and became a second run and B movie theater. It was not until the Sioux Empire Community Playhouse purchased the building in 1954 that it was restored to its original theater space.

The City of Sioux Falls purchased the Orpheum and neighboring buildings in 2002 and has since named the entire facility The Orpheum Theater Center.

The Orpheum Theater Center has provided quality entertainment to many generations of South Dakotans. It attracts over 100,000 visitors each year with events that include plays, concerts, community events, and private events. Known for its superb acoustics, it is the oldest theater in

Sioux Falls. In 1983, the Orpheum Theater was added to the National Register of Historic Places.

I am honored to congratulate the Sioux Falls Orpheum Theater Center on their 100th Anniversary and wish them another 100 years of success.●

TRIBUTE TO ADAM TIMMERMAN

● Mr. THUNE. Mr. President, today I recognize Adam Timmerman, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Adam is a graduate of Sioux Falls Lincoln High School in Sioux Falls, SD. Currently, he is attending University of Kansas, where he is majoring in environmental studies. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Adam for all of the fine work he has done and wish him continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 4:30 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 bills, in which it requests the concurrence of the Senate:

H.R. 1300. An act to amend the Fish and Wildlife Act of 1956 to reauthorize the volunteer programs and community partnerships for the benefit of national wildlife refuges, and for other purposes.

H.R. 2094. An act to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements).

H.R. 2754. An act to amend the Hobby Protection Act to make unlawful the provision of assistance or support in violation of that Act, and for other purposes.

The message also announced that pursuant to section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), as amended by section 1601 of Public Law 111–68, and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Trustees of the Open World Leadership Center: Mr. MORAN of Virginia.

The message further announced that pursuant to section 491 of the Higher Education Act (20 U.S.C. 1098(c)), and the order of the House of January 3, 2013, and upon the recommendation of the Minority Leader, the Speaker appoints the following individual on the part of the House of Representatives to the Advisory Committee on Student Financial Assistance for a term of 4 years: Mr. Fred Hurst of Flagstaff, Arizona.

The message also announced that pursuant to 22 U.S.C. 2903, and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Japan-United States Friendship Commission: Mr. MCDERMOTT of Washington.

The message further announced that pursuant to 22 U.S.C. 6913, and the order of the House of January 3, 2013, the Speaker appoints the following Members on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Ms. KAPTUR of Ohio, and Mr. HONDA of California.

ENROLLED BILL SIGNED

The President pro tempore (Mr. LEAHY) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 1092. An act to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center''.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1300. An act to amend the Fish and Wildlife Act of 1956 to reauthorize the volunteer programs and community partnerships for the benefit of national wildlife refuges, and for other purposes; to the Committee on Environment and Public Works.

H.R. 2094. An act to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements); to the Committee on Health, Education, Labor, and Pensions.

H.R. 2754. An act to amend the Hobby Protection Act to make unlawful the provision of assistance or support in violation of that Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1392. A bill to promote energy savings in residential buildings and industry, and for other purposes.

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–90. A joint resolution adopted by the Legislature of the State of Utah urging the United States Congress to pass S. 336 and H.R. 684, the Marketplace Fairness Act; to the Committee on Finance.

HOUSE JOINT RESOLUTION NO. 4

Whereas, the Supreme Court of the United States held in Quill v. North Dakota, 504 U.S. 298 (1992) that the ''dormant'' or ''negative'' Commerce Clause of the Constitution of the United States prohibits a state from requiring a retailer to collect and remit sales tax on sales to consumers in the state unless the retailer has physical presence in the state;

Whereas, the Supreme Court further held ''that the underlying issue is not only one that Congress may be better qualified to resolve, but also one that Congress has the ultimate power to resolve'';

Whereas, the sales tax, as applied to consumer purchases, can be a transparent tax levied by state and local governments;

Whereas, the sales tax is, from the individual consumer's perspective, one of the simplest taxes imposed by state and local governments;

Whereas, a complex aspect of sales taxation, from the individual consumer's perspective, is the requirement to pay ''use'' tax directly to the state or locality when sales tax is not collected by the retailer;

Whereas, the electronic commerce industry needs to be left free from government interference, and any argument in favor of taxing sales on the Internet is problematic in light of constitutional provisions regarding interstate commerce and interstate compacts;

Whereas, because there are over 9,600 state and local taxing jurisdictions in the United States, each with unique and changing definitions, rules, and holidays, the sales tax is, from a remote seller's perspective, one of the most complex and costly taxes imposed by state and local governments;

Whereas, consumption taxes can be used to achieve competitiveness;

Whereas, the sales tax has been a stable source of state and local revenue and provides some level of certainty for states and localities;

Whereas, some proposed federal legislation authorizing states to require all retailers whose sales to consumers in those states exceed a minimum threshold to collect sales taxes has garnered support from some businesses and organizations;

Whereas, despite the progress states have made in simplifying state sales tax collection for remote sellers, there remain some inequities between the burden of tax collection obligations imposed upon sellers with physical presence and the burdens those same obligations would impose on remote sellers serving consumers in multiple states without physical presence;

Whereas, any federal legislation should be fair to both in-state and remote sellers, whether such legislation requires sales and use taxes to be collected on a point-of-sale or point-of-delivery basis; and

Whereas, the state of Utah has adopted or supports, and Congress is considering, the following items in federal legislation:

1. State-provided or state-certified tax collection and remittance software that is simple to implement and maintain, and paid for by states;

2. Immunity from civil lawsuits for retailers utilizing state-provided or state-certified software in tax collection and remittance;

3. Tax audit accountability to a single state tax audit authority;

4. Elimination of interstate tax complexity by streamlining taxable good categories;

5. Adoption of a meaningful small business exception so that small, remote seller businesses are not adversely affected; and

6. Fair compensation to the tax-collecting retailer, taking into account such elements as the exchange fees retailers are charged for consumer credit card transactions, which fees apply equally to any state taxes collected on the purchase of goods sold as well as the actual purchase amount;

Whereas, the Marketplace Fairness Act, currently introduced in the United States Senate as S. 336 and the United States House of Representatives as H.R. 684, helps level the playing field between remote sellers and main street sellers by requiring larger remote sales to collect the same sales and use taxes that the brick and mortar stores in Utah already collect;

Whereas, in Quill Corp. v. North Dakota (1992), the Supreme Court of the United States indicated that Congress has the ability to resolve this sales tax collection inequity between remote sellers and brick and mortar sellers;

Whereas, the Marketplace Fairness Act will provide states with the authority to require remote sellers to collect and remit the sales tax due if the state is willing to make significant simplifications for sellers;

Whereas, Utah has already shown the way by adopting all the simplifications and uniformity standards required in the Streamlined Sales and Use Tax Agreement;

Whereas, these simplifications, along with the ease of reporting through recent technological advances, have removed the obstacles to remote sellers collecting sales taxes just like any other retailer;

Whereas, this is evidenced by the fact that over 1,800 sellers have voluntarily registered to collect the taxes in the states, including Utah, that have conformed their laws to the requirements of the Streamlined Sales and Use Tax Agreement;

Whereas, there is an urgent need to pass this long overdue legislation to level the playing field for all retailers;

Whereas, the legislation is about fairness, simplification, and stemming the erosion of state sales tax systems;

Whereas, that both houses of Congress have agreed on the approach and legislative language indicates there is a readiness to take this important step to safeguard state sales tax systems;

Whereas, although purchasers still owe a corresponding use tax on taxable purchases from remote retailers, most individuals are either not aware of this requirement or choose to ignore it;

Whereas, while the Internet was essentially unknown to consumers in 1992, the loophole identified in the Quill Corp. v. North Dakota decision points out the competitive advantage online and mail order merchants have over traditional brick and mortar stores that are required to collect and remit sales tax from their customers; and

Whereas, no compelling reason exists for government to continue to give remote sales retailers a competitive advantage over in-state merchants who live and work in a community, hire employees, and pay taxes;

Whereas, the United States Congress should act now so businesses compete on the basis of price and service, not on the ability of one form or retailer to avoid collecting taxes;

Whereas, the Marketplace Fairness Act would give states the authority to require remote sellers with more than $1 million in total remote sales in the preceding calendar year to collect their state's sales and use tax on sales to customers; and

Whereas, the Marketplace Fairness Act identifies minimum simplification requirements a state must enact before it can require remote sellers to collect its sales and use taxes, making it easier for the remote sellers to comply with the laws of multiple states: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urges Congress to enact S. 336 and H.R. 684 to authorize states, consistent with this resolution and principles of taxation espoused by national associations of legislators and governors, and subject to the enactment of any necessary state laws, to establish true fairness in state tax collection for both retailers having physical presence in a state and retailers who are remote sellers; and be it further

Resolved, That the Legislature of the state of Utah, having addressed the principles of fairness outlined in this resolution, urges Congress to require all retailers whose sales to consumers exceed a minimum threshold to collect and remit applicable sales taxes on sales in the state; and be it further

Resolved, That a copy of this resolution be sent to the members of the United States House of Representatives and to the members of the United States Senate.

POM–91. A resolution adopted by the House of Representatives of the State of Utah urging the United States Congress to repeal portions of the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act; to the Committee on Finance.

HOUSE RESOLUTION

Whereas, sections 9010 and 10905 of the Patient Protection and Affordable Care Act, and section 1406 of the Health Care and Education Reconciliation Act, impose an unprecedented new tax on health insurance that numerous policy experts agree will be passed on to individuals, working families, small employers, and senior citizens, contradicting a primary goal of health reform by making care more expensive;

Whereas, the health insurance tax will cause premiums on the individual market to rise an average of $2,150 for individuals and $5,080 for families nationally over 10 years and will increase premiums for families over $4,305 over 10 years;

Whereas, the health insurance tax will impact small employers over the next 10 years, reducing private sector jobs by 125,000;

Whereas, 59% of these lost jobs will come from small businesses;

Whereas, potential sales will be reduced by at least $18 billion, 50% of which will come from small businesses;

Whereas, in the state of Utah, premiums for small employers will increase by an average of $2,173 per employer over 10 years and premiums for large employers will increase by an average of $2,400 over 10 years;

Whereas, the health insurance tax will impact Medicare Advantage beneficiaries in the state of Utah by costing an average of $2,926 in additional premiums and reduced benefits over 10 years;

Whereas, the health insurance tax will impact Medicaid beneficiaries in the state of Utah enrolled in a coordinated care program by costing an average of $1,506 over 10 years, putting pressure on already strained state budgets, decreasing benefits, and potentially creating coverage disruption; and

Whereas, higher premiums are a disincentive for everyone to obtain insurance coverage, particularly younger, healthier people who are likely to drop their policy if it becomes too expensive, further eroding the risk pool and making coverage less affordable: Now, therefore, be it

Resolved, That the House of Representatives of the state of Utah strongly urges the United States Congress to enact legislation to repeal the health insurance tax, sections 9010 and 10905 of the Patient Protection and Affordable Care Act, and section 1406 of the Health Care and Education Reconciliation Act, to make health care more affordable for working families, individuals, and businesses; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.

POM–92. A resolution adopted by the House of Representatives of the Legislature of the State of Kansas recognizing the many contributions made by the citizens of the Republic of Azerbaijan; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 6022

Whereas, The Republic of Azerbaijan and the United States of America are long-standing allies, both dearly cherishing the universal values of freedom, democracy and human rights; and

Whereas, The State of Kansas and the Republic of Azerbaijan enjoy a strong, vibrant and mutually beneficial economic relationship with the prospect of further growth; and

Whereas, It is the custom of the State of Kansas to welcome all who come to our state, especially those who come in the interest of friendship and commerce; and

Whereas, It is the policy of the Kansas House of Representatives to recognize the contributions of our allies and the value of maintaining beneficial relationships with the allies of the United States of America, including the contributions made by the Republic of Azerbaijan and the value of our positive relationship with this ally: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas: That we recognize the many contributions made by the citizens of the Republic of Azerbaijan and that it is in the best interest of the State of Kansas to promote relationships with Azerbaijan.

POM–93. A resolution adopted by the Senate of the Commonwealth of Pennsylvania supporting those peaceful political actions that will result in the final reunification of Ireland; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 53

Whereas, Ireland and its people comprise an ancient and distinct island nation, and the people of Ireland have a right and the responsibility to govern themselves; and

Whereas, Human and civil rights derive ''their just powers from the consent of the governed'' and are best guaranteed by people freely elected by democratic means to an independent government; and

Whereas, The logic of history, international law, human rights and peaceful political actions dictate the reunification of the island of Ireland, and the reality of the moment in the Peace Process, the Good Friday Agreement, the Desolved Assembly and the development of the All-Ireland institutions of governance attest to this momentum; and

Whereas, In the past, the General Assembly adopted the MacBride Principles for Northern Ireland and strongly endorsed passage of the Good Friday Agreement among the parties, in part because of the dedication and bipartisan support of three separate presidents of the United States, in seeing the Good Friday Agreement to fruition and formation of the Assembly; and

Whereas, The contributions of the Irish born and Irish Americans to the United States of America and this Commonwealth are legion; and

Whereas, The Commonwealth of Pennsylvania is home to a significant percentage of Americans whose ancestors migrated in times of famine and war to seek a better life, but in whose hearts still desire peace and unification for their ancestral home: Now, therefore, be it

Resolved, That the Senate of Pennsylvania strongly support a United Ireland by supporting those peaceful political actions that will result in the final reunification of Ireland; and be it further

Resolved, That a copy of this resolution be forwarded to the President and Vice President of the United States; the United States Secretary of State; all members of the Pennsylvania Congressional Delegation; the Governor of Pennsylvania; and the Taoiseach and President of Ireland; and be it further

Resolved, That a copy of this resolution be forwarded to the United States Ambassador to Ireland, who shall be urged to transmit a copy to the United States Ambassador to Great Britain and to Great Britain's Ambassador to the United States.

POM–94. A joint resolution adopted by the Legislature of the State of California memorializing the Congress and the President of the United States to observe the California Week of Remembrance for the Armenian Genocide by participating in the Armenian Genocide Commemorative Project; to the Committee on Foreign Relations.

ASSEMBLY JOINT RESOLUTION NO. 2

Whereas, The Armenian Genocide of 1915–1923 was the first genocide of the 20th century, in which 1.5 million men, women, and children lost their lives at the hands of the Turkish Ottoman Empire in their attempt to systematically eliminate the Armenian race; and

Whereas, In their 3,000 year historic homeland in Asia Minor, Armenians were subjected to severe and unjust persecution and brutality by the Turkish rulers of the Ottoman Empire before and after the turn of the 20th century, including widespread acts of destruction and murder during the period from 1894 to 1896, inclusive, and again in 1909; and

Whereas, The massacre of the Armenians constituted one of the most atrocious violations of human rights in the history of the world; and

Whereas, Adolph Hitler, in persuading his army commanders that the merciless persecution and killing of Jews, Poles, and other people would bring no retribution, declared, ''Who, after all, speaks today of the annihilation of the Armenians?''; and

Whereas, Unlike other people and governments that have admitted and denounced the abuses and crimes of predecessor regimes, and despite the overwhelming proof of genocidal intent, the Republic of Turkey has inexplicably and adamantly denied the occurrence of the crimes against humanity committed by the Ottoman and Young Turk rulers, and those denials compound the grief of the few remaining survivors of the atrocities, desecrate the memory of the victims, and cause continuing pain to the descendants of the victims; and

Whereas, Leaders of nations with strategic, commercial, and cultural ties to the Republic of Turkey should be reminded of their duty to encourage Turkish officials to cease efforts to distort facts and deny the history of events surrounding the Armenian Genocide; and

Whereas, The determination of those who continue to speak the truth about the Armenian Genocide is tested to this day with some of these speakers of truth being silenced by violent means; and

Whereas, The accelerated level and scope of denial and revisionism, coupled with the passage of time and the fact that very few survivors remain who can serve as reminders of indescribable brutality and tormented lives, compel a sense of urgency in efforts to solidify recognition of historical truth; and

Whereas, By consistently remembering and forcefully condemning the atrocities committed against the Armenians, and honoring the survivors as well as other victims of similar heinous conduct, we guard against repetition of such acts of genocide and provide the American public with a greater understanding of its heritage; and

Whereas, This measure would provide that the Legislature deplores the persistent, ongoing efforts by any person in this country or abroad to deny the historical fact of the Armenian Genocide; and

Whereas, California is home to the largest Armenian-American population in the United States, and Armenians living in California have enriched our state through their leadership in business, agriculture, academia, government, and the arts; and

Whereas, The State of California has been at the forefront of encouraging and promoting a curriculum relating to human rights and genocide in order to empower future generations to prevent recurrence of the crime of genocide: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the State of California commends its conscientious educators who teach about human rights and genocide; and be it further

Resolved, That the Legislature of the State of California hereby designates the week of April 18 to 24, 2013, as ''California Week of Remembrance for the Armenian Genocide of 1915–1923''; and be it further

Resolved, That California commemorates California Week of Remembrance for the Armenian Genocide through the Armenian Genocide Commemorative Project; and be it further

Resolved, That the State of California respectfully calls upon the Congress and the President of the United States to act likewise and to formally and consistently recognize and reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide; and be it further

Resolved, That the Legislature calls upon the Republic of Turkey to acknowledge the facts of the Armenian Genocide and to work toward a just resolution; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, Members of the United States Congress, the Governor, and the Turkish Ambassador to the United States.

POM–95. A resolution adopted by the Senate of the Commonwealth of Massachusetts reaffirming the friendship between the Commonwealth of Massachusetts and Taiwan; to the Committee on Foreign Relations.

RESOLUTIONS

Whereas, the United States and Taiwan share a most important relationship supported by the 2 countries' common values and support for freedom, democracy and a commitment to a free market economy; and

Whereas, the President of Taiwan, Ma Ying-Jeou, has worked tirelessly to uphold democratic principles in Taiwan, ensure the prosperity of Taiwan's 23 million people, promote Taiwan's international standing and further improve relations between the United States and Taiwan; and

Whereas, the United States and Taiwan, and especially the Commonwealth, share a historically close relationship marked by strong bilateral trade, educational and cultural exchange, scientific and technological interests and tourism; and

Whereas, Taiwan is a member of the United States Visa Waiver Program, reflecting the cooperation shared between the 2 countries and making travel between Taiwan and the United States for business and tourism more convenient; and

Whereas, the United States ranks as Taiwan's third largest trading partner and Taiwan was the eleventh largest trading partner of the United States In 2012; and

Whereas, bilateral trade in goods and services between the United States and Taiwan reached $85 billion in 2011 and the New England region exported approximately $1.4 billion in goods to Taiwan, of which, $956 million was exported from the Commonwealth; and

Whereas, Taiwan is the seventeenth largest trading economy in the world and a member of the Asia-Pacific Economic Cooperation, or Apec Forum, which promotes free trade and economic cooperation throughout the Asia-Pacific region: Now therefore, be it

Resolved, That the Massachusetts General Court seeks to reaffirm the friendship between the Commonwealth of Massachusetts and Taiwan; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the clerk of the Senate to the Honorable Barack Obama, President of the United States, to the Massachusetts Delegation of the United States Congress, to the Honorable Deval Patrick, Governor of the Commonwealth, to the Honorable Ma Yingjeou, President of Taiwan and to Anne Hung, Director-General of the Taipei Economic and Cultural Office in Boston.

POM–96. A resolution adopted by the Senate of the State of Michigan urging careful review of the proposed underground nuclear waste repository in Ontario, Canada, and memorializing the United States Congress to do all it can to see that Michigan's concerns are fully addressed; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 58

Whereas, Ontario Power Generation is proposing to construct an underground, long-term burial facility for all of Ontario's low- and intermediate-level radioactive waste at the Bruce Nuclear Generating Station, some of which is long-lived intermediate waste. This site, less than a mile inland from the shore of Lake Huron and about 440 yards below the lake level, is approximately 120 miles upstream from the main drinking water intakes for Southeast Michigan; and

Whereas, Lake Huron and the other Great Lakes are critically-important resources to both the United States and Canada. The Great Lakes contain 95 percent of North America's surface fresh water and provide drinking water to tens of millions of people. Pristine water is important to fishing, boating, recreation, tourism, and agriculture in Michigan and throughout the region. Agriculture, commercial and sport fisheries, shipping, recreation, and tourism are important components of the Great Lakes economy. This proposal to place a permanent nuclear waste burial facility so close to the Great Lakes raises serious concerns; and

Whereas, As part of an effort to protect water quality, Michigan's siting criteria for the disposal of low-level radioactive waste prohibits any site located within ten miles of Lake Michigan, Lake Superior, Lake Huron, Lake Erie, the Saint Mary's River, the Detroit River, the St. Clair River, or Lake St. Clair. It also excludes sites located within a

500-year floodplain, located over a sole source aquifer, or located where the hydrogeology beneath the site discharges groundwater to the land surface within 3,000 feet of the boundaries of the site. We encourage Canada to consider similar siting criteria; and

Whereas, International agreements between the United States and Canada state that radiological contamination should be reduced and emphasize the concept of prevention. We encourage Canada, as part of its public review process, to make known the steps that have been or will be taken to fulfill the requirements of these agreements; and

Whereas, Siting an underground nuclear waste repository in limestone, as proposed by Ontario Power Generation, is the first of its kind. The environmental impact statement for this proposed nuclear waste burial facility noted that the acceptability of an alternative site was ''unknown.'' We encourage the use of sound scientific principles and analyses in determining whether this geologic formation is appropriate for the safe long-term storage of radioactive waste and that before making any further approvals of this proposed facility, this scientific data, along with information regarding the alternative sites that were considered, be made available; and

Whereas, Given the proximity and potential impact to many Michigan residents, we urge Canadian and Ontario officials, along with all relevant governmental agencies, to ensure open communication and information sharing with Michigan citizens about this proposal and to possibly consider extending the public comment period: Now, therefore, be it

Resolved by the Senate, That we urge Canadian officials to thoroughly review the proposed underground nuclear waste repository in Ontario, Canada, including the issues raised herein, and we memorialize the United States Congress to do all it can to see that Michigan's concerns are fully addressed; and be it further

Resolved, That copies of this resolution be transmitted to the Prime Minister of Canada, the Premier of Ontario, the President of the Canadian Nuclear Safety Commission, the Chairman of the United States Nuclear Regulatory Commission, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–97. A concurrent resolution adopted by the Legislature of the State of Utah recognizing the 50th anniversary of the Vietnam War; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 6

Whereas, in the late 1950s, the United States began sending advisors to help train the South Vietnamese Army and Air Force to withstand the onslaught from Communist North Vietnam;

Whereas, the Military Assistance and Advisory Group (MAAG), along with 700 other U.S. military advisors, worked for eight years to train the South Vietnamese for conventional warfare;

Whereas, on October 11, 1961, President John F. Kennedy authorized a detachment from the 4400th Combat Crew Training Squadron to deploy to South Vietnam as Project Farm Gate;

Whereas, Operation Mule Train, begun in January 1962, was designed to drop supplies to isolated outposts and transport parachutists into areas controlled by the Vietcong;

Whereas, at the request of South Vietnam's President, the United States Air Force was directed to spray the Vietnamese countryside with an aerial herbicide that would strip the jungles of all foliage and eliminate the cover and available food for the North Vietnamese;

Whereas, this action, named Operation Ranch Hand, began in 1962;

Whereas, arguments in Washington erupted on whether the spraying actually did any good, or whether the Americans and the South Vietnamese governments were risking the loyalty of the South Vietnamese people whose livelihoods were also at risk;

Whereas, President Kennedy allowed the spraying, but only under limited conditions and as long as crops were not damaged;

Whereas, the planes that dropped the herbicide were modified to carry and spray the defoliants to only attack areas of the jungle where combatants could hide, but by 1971 the policy had changed and even crops were sprayed;

Whereas, the operation continued for nine years and affected 36% of the mangrove forest and 20% of the jungles of South Vietnam;

Whereas, this operation began the controversy over the effects of the defoliant Agent Orange on humans, which continues today;

Whereas, in August 1964, two U.S. destroyers, the USS Turner Joy and the USS Maddox, were performing surveillance patrols in conjunction with the South Vietnamese Navy along the North Vietnamese coast in the Gulf of Tonkin;

Whereas, North Vietnam claimed a 12-mile territorial zone off its coastline, but the United States only recognized a 3-mile border and allowed its ships to sail within 11 miles of the coast;

Whereas, when ships would come into range, the North Vietnamese radar sites on shore would activate and the South Vietnamese Navy would then harass the installations with gunfire;

Whereas, in retaliation, the North Vietnamese Navy sent out several torpedo boats on an attack, which proved unsuccessful;

Whereas, when President Lyndon B. Johnson received notification of the incident, he ordered the first American air strikes against North Vietnamese naval bases;

Whereas, a few days later, Congress passed the Gulf of Tonkin Resolution, which gave President Johnson the authority to increase America's involvement in Vietnam;

Whereas, in February 1965, President Johnson ordered a series of reprisal air strikes after several attacks on U.S. bases by Vietcong units;

Whereas, a series of paved and unpaved roads, rivers, and sometimes narrow footpaths through dense jungle, commonly referred to as the Ho Chi Minh Trail, were being utilized by the North Vietnamese and Vietcong armies to smuggle supplies and troops back and forth from North and South Vietnam;

Whereas, this intricate transportation system stretched throughout the mountains along the Vietnamese-Laos-Cambodia borders and was a large problem for the South Vietnamese and U.S. forces;

Whereas, cutting off the Ho Chi Minh Trail, often called the ''Secret War,'' was controversial because it often entailed constant air strikes to areas in Laos and Cambodia, which were neutral countries, and these tactics were not known to most Americans;

Whereas, after several attacks upon United States Air Force bases, 3,500 United States Marines were dispatched to South Vietnam on March 8, 1965;

Whereas, this marked the beginning of the American ground war, and public opinion at the time overwhelmingly supported the deployment;

Whereas, the initial deployment of 3,500 Marines increased to nearly 200,000 American military personnel by December of 1965;

Whereas, that same month, South Vietnamese forces suffered heavy losses in a battle that both sides viewed as a watershed, and American leaders responded by developing plans for U.S. troops to move from a defensive strategy to an offensive approach to the escalating war;

Whereas, the bombing campaigns that began in 1964, which were intended to force North Vietnam to cease its support for the National Front for the Liberation of South Vietnam, escalated significantly by the end of 1966;

Whereas, where ground combat was sometimes made complicated by unconventional military opposition and difficult terrain, U.S. air superiority remained constant, and throughout the Vietnam War, various policies and strategies were put in place by the U.S. military to take advantage of that strength;

Whereas, over the course of the conflict, U.S. forces dropped over 7 million tons of bombs through Southeast Asia, compared to only about 2 million tons dropped during all of World War II;

Whereas, geared towards suppressing the Pathet Lao's Communist guerrillas in Northern Laos, Operation Barrel Roll, a heavily covert operation, was initiated to provide air support for the Royal Laotian Army, and included the first bombings in Laos in support of the war against North Vietnam;

Whereas, another interdiction effort, Operation Steel Tiger, was aimed at destroying the North Vietnamese flow of supplies and troops along the Ho Chi Minh Trail and involved heavy covert bombing in Southeastern Laos;

Whereas, Operation Tiger Hound, initiated in support of both Barrel Roll and Steel Tiger, focused solely on disrupting movement along the Ho Chi Minh Trail on the lower portion of the Laotian panhandle and was initiated by the South Vietnamese Air Force and by United States Air Force units based in South Vietnam;

Whereas, what was expected to be the usual two-day cease-fire in observance of Tet Nguyên Dan, the lunar New Year and the most important Vietnamese holiday, became an opportunity for the North Vietnamese Army and Vietcong to strike;

Whereas, this large, well-coordinated surprise campaign on cities and U.S. targets throughout South Vietnam, named the Tet Offensive, was North Vietnam's attempt to end the war in one swift blow;

Whereas, the morning of January 31, 1968, saw many provincial capitals and cities such as Saigon and Hue under siege from large numbers of Communist fighters who had apparently infiltrated the South in the months and weeks leading up to the planned offensive;

Whereas, U.S. and South Vietnamese forces, initially unprepared and overwhelmed, countered many of the attacks, and eventually gained back control by early March of all areas where the Vietcong were entrenched;

Whereas, in the aftermath, many cities and towns in South Vietnam were devastated, with thousands of casualties sustained by forces and civilians in the South;

Whereas, the Tet Offensive was evidence of North Vietnam's ability to stage a large-scale attack;

Whereas, this turning point in the war would lead to a change in approach by political and military leadership, and change the way many in the United States viewed the war from home;

Whereas, the first major bombing campaign on North Vietnamese territory, Operation Rolling Thunder was intended to place heavy military pressure on the North Vietnamese leaders and reduce their ability and

desire to wage war against the U.S.-supported South Vietnamese government;

Whereas, from 1965 to 1968, about 643,000 tons of bombs were dropped on North Vietnam;

Whereas, leading up to the Tet Offensive, widespread protests and demonstrations against U.S. involvement and the continued loss of American lives were already taking place in the United States;

Whereas, beginning in 1964, these protests and demonstrations led to a polarization of Americans, with one side continuing to support America's role in Southeast Asia and the other preaching peace and the end to U.S. operations in the region;

Whereas, although most demonstrations were peaceful, some were highlighted by violence and, whether instigated by protestors or police, these confrontational events often received more attention than the war itself;

Whereas, the North Vietnamese-led Tet Offensive in early 1968 brought a new wave of criticism from the American public as images of those events shocked many across the nation;

Whereas, with many news outlets publicizing the horrors encountered in South Vietnam during that period, as well as the depiction of the attack on the American Embassy in Saigon, many Americans questioned the ability of the United States to resolve the conflict by use of military intervention and the validity of previous reports of successful operations in the region;

Whereas, Operation Menu was a highly secretive bombing campaign of Communist-supported supply bases in Cambodia that the North Vietnamese used in aiding attacks on South Vietnam;

Whereas, these controversial B–52 bombing raids in neutral Cambodia, authorized by President Richard Nixon, continued until 1973 when information about those raids was leaked and the devastation to the region was exposed;

Whereas, public protests increased, and on May 4, 1970, the Ohio National Guard fired on Kent State University students, killing four students, during a protest against President Nixon for sending American troops into Cambodia;

Whereas, the killings resulted in a nationwide student strike;

Whereas, the Vietnam War was the central issue of the 1972 presidential election, with President Nixon's opponent, George McGovern, campaigning on a platform of withdrawal from Vietnam;

Whereas, starting in 1969, President Nixon's National Security Adviser, Henry Kissinger, carried on secret negotiations with North Vietnamese officials;

Whereas, in October 1972, an agreement was reached, but South Vietnamese President Nguyen Van Thieu demanded massive changes to the peace proposal;

Whereas, with negotiations deadlocked, President Nixon approved Operation Linebacker II, a massive bombing campaign by B–52 strategic bombers aimed at reassuring the South Vietnamese and forcing the North Vietnamese back to the negotiating table;

Whereas, in just 11 days, over 49,000 tons of bombs were dropped on North Vietnam, devastating the country and forcing North Vietnam back to the table;

Whereas, on January 15, 1973, President Richard Nixon announced the suspension of offensive action against North Vietnam;

Whereas, the Paris Peace Accords, the agreement signed on January 27, 1973, between North Vietnam and the United States and South Vietnam, effectively ended the conflict and began the complete withdrawal of American troops;

Whereas, the key provisions of the agreement included a cease-fire throughout Vietnam, withdrawal of U.S. combat forces, the release of prisoners of war, and the reunification of North and South Vietnam through peaceful means;

Whereas, the South Vietnamese government was to remain in place until new elections were held, and North Vietnamese forces in the South were not to advance further or be reinforced;

Whereas, little more than two months after the peace agreement, U.S. combat troops left Vietnam;

Whereas, Operation Homecoming, a result of the Paris Peace Accords, made possible the return of nearly 600 American prisoners of war (POWs) held by North Vietnam;

Whereas, groups of released POWs were selected on the basis of their length of time in prison, with the first group consisting of POWs that had spent six to eight years as prisoners of war;

Whereas, after Operation Homecoming, about 1,350 Americans were still listed as prisoners of war or missing in action, and another 1,200 Americans were reported killed in action without their bodies being recovered;

Whereas, these missing personnel would become the subject of an intense search by the United States Army, Navy, Air Force, and Marine Corps, with many remains of missing personnel located and returned in the decades since;

Whereas, following the refusal of Congress to fund additional U.S. activity in Vietnam, all American troops and equipment were withdrawn from Vietnam;

Whereas, Communist leaders in the North had expected that the cease-fire terms would favor their side, but even before the last American combat troops departed on March 29, 1973, the Communists violated the cease-fire;

Whereas, in Saigon, approximately 7,000 United States Department of Defense civilian employees remained behind to aid South Vietnam in conducting what was beginning to look like a fierce and ongoing war with Communist North Vietnam;

Whereas, Saigon, bolstered by a surge of U.S. aid received just before the cease-fire went into effect, at first started to push back the Vietcong, but by early 1974, full-scale warfare had resumed;

Whereas, the Vietcong recaptured the territory it lost during the previous dry season, and during the rest of 1974 Communist forces took possession of additional areas in the South;

Whereas, at the end of 1974, South Vietnamese authorities reported that 80,000 soldiers and civilians had been killed, making it the costliest year of the war;

Whereas, in the spring of 1975, 20 divisions of the North Vietnamese Army invaded South Vietnam;

Whereas, South Vietnamese forces fell back in disorder and panic, abandoning air bases, weapons, aircraft, fuel, and ammunition, and on April 29, 1975, Communist forces reached Saigon, the South Vietnamese capital, and quickly overran the city;

Whereas, South Vietnam formally surrendered the next day;

Whereas, April 30, 1975, also saw the last American civilians and military personnel still in South Vietnam airlifted out of Saigon by U.S. support forces;

Whereas, statistics from the 1970 census indicate that 27,910 Utahns served in Vietnam;

Whereas, 388 Utahns were killed, 14 are still listed as missing in action, and many more were wounded during their service;

Whereas, a new exhibit, which honors and pays tribute to the sacrifices of POWs during the Vietnam War, opened September 12, 2012, at the Hill Air Force Base museum; and

Whereas, it is fitting that in the 50th year since the beginning of the conflict Utahns reflect on the Vietnam War and its legacy: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, recognize the 50th Anniversary of the Vietnam War and those who fought, suffered, and died in the conflict; and be it further

Resolved, That the Legislature and the Governor urge the citizens of Utah to reflect on the service and sacrifice of many during the Vietnam War; and be it further

Resolved, That a copy of this resolution be sent to the Veterans of Foreign Wars USA, the United States Department of Veterans Affairs, the Utah Department of Veterans' Affairs, the Hill Air Force Base museum, and the members of Utah's congressional delegation.

POM–98. A concurrent resolution adopted by the Legislature of the State of Utah recognizing Israel's legal, historical, and moral right of self-governance and self-defense; to the Committee on Foreign Relations.

SENATE CONCURRENT RESOLUTION NO. 4

Whereas, the Jewish people have a long standing connection to the land of Israel;

Whereas, the claim and presence of the Jewish people in Israel has remained constant throughout the past 4,000 years;

Whereas, Israel declared its independence and self-governance on May 14, 1948, with the goal of reestablishing a homeland for the Jewish people;

Whereas, the United States, having been the first nation to recognize Israel as an independent nation and as Israel's principal ally, has enjoyed a close and mutually beneficial relationship with Israel and her people;

Whereas, Israel is the greatest friend and ally of the United States in the Middle East and the two countries enjoy strong bonds and common values;

Whereas, there are those in the Middle East who, since the time of Israel's inception as a state, have continually sought to destroy Israel;

Whereas, Israel and the United States have similar goals of democracy and stability in the Middle East; and

Whereas, Utah and Israel have enjoyed a cordial and mutually beneficial relationship since 1948, a friendship that continues to strengthen with each passing year: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, commend Israel for its cordial and mutually beneficial relationship with the United States and with the state of Utah; and be it further

Resolved, That the Legislature and the Governor express support for Israel in its legal, historical, and moral right of self-governance and self-defense upon its lands; and be it further

Resolved, That the Legislature and the Governor recognize that Israel is not an attacking force of other nations, and that peace can be afforded the region only through combined efforts and trust; and be it further

Resolved, That a copy of this resolution be sent to the Embassy of Israel to the United States, the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.

POM–99. A joint resolution adopted by the Legislature of the State of Utah urging the President of the United States and the United States Congress to support free trade with Taiwan; to the Committee on Foreign Relations.

SENATE JOINT RESOLUTION NO. 12

Whereas, the state of Utah is proud of the sister-state relationship it has enjoyed with Taiwan since 1980;

Whereas, Taiwan, as a full-fledged democracy, shares the same values of freedom, democracy, human rights, open market, peace, and prosperity with the United States;

Whereas, Taiwan is currently the 18th largest exporter as well as importer, the United States' 10th largest trading partner, and the 6th largest agricultural products market;

Whereas, despite being a member of the World Trade Organization since 2002 and a faithful ally and an important strategic partner of the United States, Taiwan has yet to sign a free trade agreement with the United States;

Whereas, approximately 580,000 people from Taiwan visit the United States annually, and Taiwanese airline carriers currently have more than 40 flights destined for the United States weekly, carrying more than 5,000 passengers daily for business, tourism, study, and other purposes;

Whereas, Taiwanese airlines fly to every corner of the globe and Taiwan aims to ensure that all aspects of its aviation sector conform to the standard formulated by the International Civil Aviation Organization (ICAO) for safety and security;

Whereas, for the past 40 years, however, Taiwan has not been able to enter or meaningfully participate in the ICAO;

Whereas, this hampers Taiwan's voluntary efforts to comply with the ICAO standards due to lack of timely and comprehensive information;

Whereas, Taiwan has recently promoted an East China Sea Peace Initiative, a commendable effort to ease tensions that might seriously endanger peace and prosperity in the region; and

Whereas, resolving disputes in the East China Sea in a rational and peaceful manner is in the best interests of all parties in the region and the United States: Now, therefore, be it

Resolved, That the Legislature of the state of Utah reaffirms the friendship, and encourages the sister-state relationship, between Utah and Taiwan; and be it further

Resolved, That the Legislature urges the President of the United States and the United States Congress to support a free trade agreement with Taiwan and support Taiwan's participation in multilateral free trade negotiations; and be it further

Resolved, That the Legislature expresses its continued support for Taiwan's meaningful participation in United Nations specialized organizations, conventions, and programs, such as acquiring an observer status in the International Civil Aviation Organization; and be it further

Resolved, That the Legislature welcomes Taiwan's initiative for peace and stability in the Asia-Pacific Region and urges all parties concerned in East China Sea disputes to refrain from any antagonistic actions and resolve their differences through open dialogue and other peaceful means; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the President of the Republic of China on Taiwan, and the members of Utah's congressional delegation.

POM–100. A joint resolution adopted by the Legislature of the State of Alaska opposing the United States Food and Drug Administration's preliminary finding relating to genetically engineered salmon; to the Committee on Health, Education, Labor, and Pensions.

HOUSE JOINT RESOLUTION NO. 5

Whereas the United States Food and Drug Administration recently announced the release of a draft environmental assessment and preliminary finding of no significant impact concerning genetically engineered AquaBounty AquAdvantage salmon; and

Whereas the state has bountiful fisheries that provide wild, natural, and sustainable seafood; and

Whereas Alaska seafood is naturally high in essential vitamins, including vitamins E, C, D, and A, and minerals, including zinc, iron, calcium, and selenium; and

Whereas fish habitat in the state is cleaner than fish habitat in other locations; and

Whereas fisheries are a vital component of the state's economy; and

Whereas the state's fisheries are managed to ensure that Alaska seafood continues to be the finest in the world for future generations; and

Whereas, in 2009, 95 percent of pacific salmon landings in the United States occurred in the state; and

Whereas, in 2012, 124,000,000 salmon were harvested in the state, for a value of $505,000,000; and

Whereas Alaska ports consistently rank among the top ports in the United States based on volume and ex-vessel value for various fisheries, including salmon; and

Whereas the state's fishing industry provides over 70,000 jobs annually and is the second largest source of private sector employment in the state; and

Whereas the United States Food and Drug Administration is accepting comments on the proposal to allow, for the first time, a genetically modified organism to be sold for human consumption; and

Whereas the inevitable accidental release of transgenic fish into the wild could devastate native fish populations and ecosystems; and

Whereas citizens and public interest groups overwhelmingly oppose genetically engineered food and have submitted over 400,000 public comments opposing genetically engineered salmon; and

Whereas the United States Food and Drug Administration has not conducted adequate testing to determine the long-term safety of consuming genetically engineered salmon; and

Whereas the sale of genetically engineered salmon could imperil the state's fishing industry; and

Whereas seven members of the United States Senate continue to have concerns about AquaBounty's proposal and the United States Food and Drug Administration's review of the proposal; and

Whereas the United States Food and Drug Administration's review applies only to a limited set of production and rearing facilities and fails to consider the broader applications of this technology that would assuredly occur should final approval be granted: Now, therefore, be it

Resolved, That the Alaska State Legislature urges the United States Food and Drug Administration not to make a final decision regarding genetically engineered salmon until the United States Congress has fully examined the issue and the potential release of genetically engineered fish into the waters of the United States; and be it further

Resolved, That the Alaska State Legislature opposes AquaBounty's petition to produce AquAdvantage Salmon, a genetically engineered salmon; and be it further

Resolved, That, if the petition is approved by the United States Food and Drug Administration, despite strong environmental and human health concerns, product labeling requirements must include, as required by Alaska law, the words ''Genetically Modified'' prominently displayed on the front of the product's packaging.

POM–101. A joint resolution adopted by the Legislature of the State of Maine memorializing the United States Congress to oppose section 8 of H.R. 1919; to the Committee on Health, Education, Labor, and Pensions.

JOINT RESOLUTION

Whereas, Section 8 of H.R. 1919, ''An Act to Amend the Federal Food, Drug, and Cosmetic Act,'' allows prescription drug manufacturers to decide to supply drug information labels only by electronic means, as opposed to the paper labels currently accompanying prescription drugs upon receipt; and

Whereas, a similar provision is not contained in the United States Senate's version of the bill; and

Whereas, the United States Congress addressed electronic labeling in 2012 and directed the United States Government Accountability Office to study the potential advantages and associated risks of this labeling and the results of the study are due to be released in July 2013; and

Whereas, Congress should await the results of the study it ordered to be undertaken before passing legislation that would require critical medical information, such as information on dangerous side effects and contraindications, to be made available to health care professionals and prescription drug consumers only by electronic means; and

Whereas, Maine would be disproportionately negatively affected by Section 8 of H.R. 1919; and

Whereas, as of 2011, 16.3% of Maine's population was over 65 years of age, compared to only 13.3% for the nation as a whole; and

Whereas, due to its geography, climate and highly dispersed and rural population, significant areas of Maine do not have reliable access to the Internet; and

Whereas, Maine relies on the forest products industry to create and maintain jobs and sustainably manage Maine's forests, and that industry would be negatively affected by Section 8 of H.R. 1919 without further study of the effects: Now, therefore, be it

Resolved, That We, your Memorialists, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to urge and request that Section 8 of H.R. 1919 not be passed until the Government Accountability Office study on the effects of required electronic-only labeling for prescription medications is published, reviewed and considered; and be it further

Resolved, That We urge and request that this section of the bill not become law without further consideration and mitigation of the disproportionate negative effects on Maine's elderly, rural and highly dispersed population; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM–102. A joint resolution adopted by the Legislature of the State of California supporting the congressional action to reverse the suspension of new student enrollments in the Job Corps; to the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY JOINT RESOLUTION NO. 13

Whereas, the State of California serves the largest proportion of Job Corps students administered by the United States Department of Labor. Currently, there are seven Job Corps centers located in California in the Cities of Long Beach, Los Angeles, Sacramento, San Bernardino, San Diego, San Francisco, and San Jose; and

Whereas, these seven Job Corps centers provide a vital piece of California's workforce development system by serving 5,373

disadvantaged youth between 16 and 24 years of age, inclusive, by providing high school diplomas and career technical education to young men and women, all of whom come from very low income households and are unemployed or underemployed; and

Whereas, in addition to academic and employment training, these Job Corps centers provide social skills training and other services to empower these young men and women to obtain and hold a job, enroll in advanced training, attend college, or enter the Armed Forces to defend the interests of the United States around the world; and

Whereas, over 8,000 former dropouts have received fully accredited public high school diplomas at the Job Corps centers and thousands more unemployed youth have received career training and job placement assistance; and

Whereas, the young men and women who participate in the Job Corps gain entry level job skills for well-paying careers in construction, health care, culinary arts, security services, and other employment sectors vital to California's economy; and

Whereas, recent studies demonstrate a significant economic gain from funds invested in dropout recovery by increasing employment, raising individual earnings, improving home and auto sales, increased job and economic growth, greater spending and investments, and tax revenues, and significant reductions in health care costs, crime prevention and corrections expenditures, and other social services provided by California; and

Whereas, the National Job Corps Association reports that the combined economic activity stimulated by the Job Corps centers in California is two hundred forty-three million seven hundred twenty-six thousand five hundred nineteen dollars ($243,726,519), and that 2,971 local jobs are created by the operation of the Job Corps centers in California; and

Whereas, the United States Department of Labor is entrusted to serve the disadvantaged youth in America. However, the United States Department of Labor recently decided to suspend all new student enrollments to Job Corps centers in California and throughout the 125 Job Corps centers serving the nation, which would prevent as many as 30,000 otherwise eligible young men and women from receiving diplomas and job training; and

Whereas, recent decisions of the United States Department of Labor to implement a 93-day suspension of new student enrollment and a 21-percent reduction in funding for future enrollments appear to be inequitably balancing a budget shortfall on the backs of disadvantaged youth it is entrusted to serve when other alternatives are available for closing the shortfall; and

Whereas, seventy-one members of the United States House of Representatives and 17 members of the United States Senate have sent a bipartisan letter asking Acting Secretary and Deputy Secretary of Labor, Seth D. Harris, to reverse the suspension of new student enrollments in order to protect the opportunities provided to the nation's most disadvantaged youth and to prevent further economic damage to the communities served by the Job Corps: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature supports the United States congressional action to reverse the suspension of new student enrollments in the Job Corps, to prevent any limits to student enrollment until other cost-saving measures have been exhausted, and to maintain The full range of educational and employment services provided by the Job Corps; and be it further

Resolved, That the Chief Clerk of the Assembly 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, and to each Senator and Representative from California in the Congress of the United States.

POM–103. A concurrent resolution adopted by the Legislature of the State of Louisiana urging and requesting the Department of Health and Hospitals examine the benefits of routine nutritional screening and therapeutic nutrition treatment for those who are malnourished or at risk for malnutrition; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 41

Whereas, the National Black Caucus of State Legislators (NBCSL) has established policy promoting the importance of quality nutrition for all Americans in order to maintain healthy, active, independent lifestyles; and

Whereas, the NBCSL adopted policy supporting increased access to quality nutrition and support for infants and children, as passed by the United States Congress in Resolution HHS–11–19; and

Whereas, leading health and nutrition experts agree that nutrition status is a direct measure of patient health and that good nutrition and good patient health can keep people healthy and out of institutionalized health care facilities, thus reducing healthcare costs; and

Whereas, inadequate or unbalanced nutrition, known as malnutrition, is not routinely viewed as a medical concern in this nation, and that malnutrition is particularly prevalent in vulnerable populations, such as older adults, hospitalized patients, or minority populations that statistically shoulder the highest incidences of the most severe chronic illnesses such as diabetes, kidney disease, and cardiovascular disease; and

Whereas, illness, injury, and malnutrition can result in the loss of lean body mass, leading to complications that impact good patient health outcomes, including recovery from surgery, illness, or disease; the elderly lose lean body mass more quickly and to a greater extent than younger adults and weight assessment (body weight and body mass index) can overlook accurate indicators of lean body mass; and

Whereas, the American Nursing Association defines therapeutic nutrition as the administration of food and fluids to support the metabolic processes of a patient who is malnourished or at high risk of becoming malnourished; and

Whereas, access to therapeutic nutrition is critical in restoring lean body mass such that it resolves malnutrition challenges and, in turn, improves clinical outcomes, reduces health care costs, and can keep people and our communities healthy; and

Whereas, despite the recognized link between good nutrition and good health, nutritional screening and therapeutic nutrition treatment have not been incorporated as routine medical treatments across the spectrum of health care: Now, therefore, be it

Resolved, That the Legislature of Louisiana urges and requests that the Department of Health and Hospitals examine the benefits of routine nutritional screening and therapeutic nutrition treatment for those who are malnourished or at risk for malnutrition, as well as examine the benefits of nutrition screening and therapeutic nutrition treatment as part of the standard for evidenced-based hospital care; and be it further

Resolved, That the Legislature of Louisiana supports an increased emphasis on nutrition through the reauthorization of the Older Americans Act, as well as for Medicare beneficiaries, to improve their disease management and health outcomes; and be it further

Resolved, That the Legislature of Louisiana is encouraged that preventive and wellness services, such as counseling for obesity and chronic disease management, are part of the Essential Health Benefits package included in the Patient Protection and Affordable Care Act; and be it further

Resolved, That a copy of this resolution be transmitted to the president of the United States, the vice president of the United States, the secretary of the United States Senate and the clerk of the United States House of Representatives, to each member of the Louisiana delegation to the United States Congress, and to the secretary of the Department of Health and Hospitals.

POM–104. A concurrent resolution adopted by the Legislature of the State of Utah describing the impacts of the federal Patient Protection and Affordable Care Act on Utah families, insurers, health care providers, and the state; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 10

Whereas, the federal Patient Protection and Affordable Care Act and its companion legislation, the Health Care and Education Reconciliation Act of 2010, referred to jointly as ''the Affordable Care Act,'' ''the ACA,'' or ''Obamacare,'' were enacted in March 2010;

Whereas, under the ACA, Utah families, employers, manufacturers, and insurers will pay at least 18 new or increased taxes and fees that over 10 years will transfer $500 billion from the private sector to the public sector, suppressing economic growth and reducing employment in the state;

Whereas, hundreds of Utah medical device companies will be subject to the ACA's excise tax on manufacturers and importers of certain medical devices, without regard for company profitability;

Whereas, the tax will threaten the viability of many firms and have a chilling effect on the very innovation needed to drive down health care costs and support economic growth in this state;

Whereas, Utahns will suffer further reductions in employment growth and economic activity as employers comply with uncompensated regulatory burdens imposed by the ACA;

Whereas, Utah families will also pay more for goods and services as employers, insurers, and medical providers pass along various costs imposed by the ACA;

Whereas, health insurance premiums for certain younger, healthier Utahns will more than double in 2014 as the result of various ACA provisions, including a prohibition on medical underwriting and restrictions on the use of age-based premiums;

Whereas, the cost of insurance for many other Utah families will go up as well in response to ACA provisions that are known to drive up costs, including prohibitions on preexisting condition exclusions, annual benefit limits, and lifetime benefit limits;

Whereas, the ACA will penalize Utah employers that have more than 50 employees if they do not offer health insurance to their employees, even if an employer cannot afford insurance or chooses instead to compensate employees with higher wages, larger retirement contributions, or other employee benefits;

Whereas, working Utah families will have fewer full-time employment opportunities as employers replace full-time workers with part-time workers to avoid ACA penalties;

Whereas, some Utah families will be unable to keep their current health insurance and may have fewer options as employers abandon plans not meeting minimum benefit and affordability requirements in order to avoid ACA penalties;

Whereas, working Utah families will find it even harder to secure employment with health insurance benefits as premium increases continue unabated in response to both the ACA and long-term cost drivers not addressed by the ACA;

Whereas, many Utahns will face increased premiums as their insurers attempt to fund $81 million in losses created by the ACA's transfer of individuals from publicly funded high-risk pools to the private insurance market;

Whereas, many Utah families with insurance offered by small or midsize employers could be threatened with higher premiums or no insurance at all if commercial insurance risk increases too much as the result of employers dropping coverage or switching to self-insurance arrangements;

Whereas, there is a high likelihood that many Utah families will experience higher premiums due to the ACA's minimum benefit requirements, which threaten to ratchet up plan costs both inside and outside health insurance exchanges;

Whereas, Utah families will pay higher insurance premiums because of ACA provisions that subsidize states with high-cost, poorly managed health care plans at the expense of states like Utah that have low-cost, better managed plans;

Whereas, Utah seniors will likely have fewer care options due to Medicare provider payment reductions made by the ACA;

Whereas, Medicaid enrollees will likely have greater difficulty making appointments with health care providers as Medicaid enrollment expands under the ACA, particularly after the two-year enhanced reimbursement rate for primary care providers ends;

Whereas, Utah hospitals will suffer as a result of ACA reductions in funds paid to hospitals that serve a disproportionate number of low-income individuals;

Whereas, Utah families will suffer if medical facilities close or medical practitioners leave their professions in response to the financial strain created by shrinking provider payments under the ACA;

Whereas, state funding for education, roads, public safety, and other important services will be crowded by a $46 million annual liability to pay for the ACA's mandatory Medicaid eligibility expansion;

Whereas, we and our children must one day pay the price for entitlements Congress has created but failed to realistically fund, including the ACA;

Whereas, that price already includes tax increases and cost shifting to our posterity, and will likely include benefit reductions and even currency devaluation;

Whereas, that price will tend to include the shifting of greater fiscal responsibility for government programs—including Medicaid—from Washington to the states, even further crowding out funding for education and other essential state services;

Whereas, the real cost of more Utahns having insurance under the ACA will be a far greater dependence on government, not less;

Whereas, under an optional Medicaid expansion the state would incur large, ongoing funding liabilities and both the state and its citizens would be more dependent, not less dependent, on a fiscally unsustainable federal government;

Whereas, Utah has refused to exacerbate the federal fiscal crisis by choosing not to implement the ACA's federally subsidized health insurance exchange, which makes people dependent on large government subsidies and gives priority to publicly funded, rather than privately funded, coverage;

Whereas, because of the ACA, Utah employers, insurers, and health care providers will face more regulation, not less regulation, and will have fewer options, not more options, for addressing the underlying challenges faced by our health care system;

Whereas, notwithstanding the ACA's focus on preventive care and its acknowledgment of alternative payment and delivery systems, many Utahns will see little relief from premium increases driven by underlying problems the ACA fails to address, including reliance on payment and delivery systems that promote over consumption of health care;

Whereas, implementation of the ACA will tend to destroy the private market for health insurance and move families, insurers, and health care providers ever closer to a single-payer system of federally controlled health care;

Whereas, the state, its citizens, employers, insurers, and health care providers will all suffer as the ACA fails to bring unsustainable health care spending under control and metastasises instead into greater federal regulation and control of not just health care, but most aspects of Utahns' and Americans' daily lives and activities;

Whereas, the ACA disregards state jurisdiction over health care policy and constrains the state's efforts to develop and implement meaningful health care reform; and

Whereas, the Legislature and the Governor believe that successful reform of health care's most vexing problems will require more—not less—state flexibility and innovation: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urges the state's Congressional delegation to continue its efforts to arrest the devastating impacts of the ACA on Utah's economy, its citizens, its employers, its medical providers, and its insurers, using all means possible, including repeal of the act; and be it further

Resolved, That the Legislature and the Governor urge Utah's Congressional delegation to work cooperatively with other members of Congress and officials of this state and other states to develop workable alternatives to the ACA that encourage state innovation, preserve states' policy-making jurisdiction and regulatory authority, and lead to greater enrollment in affordable health insurance; be it further

Resolved, That the Legislature and the Governor affirm by this resolution the state's policy that no person in this state should be required to either sponsor or enroll in health insurance, particularly under threat of federal penalty; and be it further

Resolved, That the Legislature and the Governor urge the Legislature's Health Reform Task Force to continue working cooperatively with the Governor's Office to ensure that ACA implementation rules address the needs of Utah families, employers, health care providers, insurers, and insurance regulators; and be it further

Resolved, That the Legislature and the Governor urge all stakeholders in Utah's health care system—including families, employers, health care providers, and insurers—to continue working cooperatively with the Governor and the Legislature to develop state-based health care reforms with the greatest potential for increasing consumerism, improving quality of care, constraining spending growth, and promoting enrollment in affordable health insurance, regardless of how ACA implementation unfolds; be it further

Resolved, That this resolution be sent to the United States Secretary of Health and Human Services, the Governor, the Legislature's Health Reform Task Force, Utah's Congressional delegation, the Utah Health Policy Project and other consumer advocacy groups, the Salt Lake Chamber of Commerce and other employer associations, the Utah Hospital Association, the Utah Medical Association, Utah insurers, the Utah Association of Health Underwriters, and the Speakers and Presidents presiding over the legislatures of each of the 49 other states.

POM–105. A concurrent resolution adopted by the Legislature of the State of Utah urging the federal government to take action to ensure continued funding of cancer education, screening, and treatment services to victims of mill tailings exposure; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 10

Whereas, the Rural Health Care Services Grant Program Outreach, a federally funded project providing cancer education, screening, and treatment services to those who are victims of mill tailings exposure, resulted in the diagnosis of 39 new cancers and 32 cases of precancerous polyps;

Whereas, funding has been exhausted and program activities halted, pending continued federal support;

Whereas, the United States Secretary of Health and Human Services should instruct the Health Resources and Services Administration to fund cancer education, screening, and treatment services to victims of mill tailings exposure until 2044, or until another equitable resolution can be reached through the United States Department of Energy;

Whereas, the assistance of Utah's congressional delegation would help provide federal resources to ensure cancer education, screening, and treatment services to victims of 51 mill tailings exposure through 2044;

Whereas, the United States Attorney General's Office should investigate the United States Department of Energy's federal statutory limitations in providing cancer education, screening, and treatment services to victims of mill tailings exposure and offer suggestions for federal legislation;

Whereas, the Office of the Utah Attorney General should investigate the inclusion of victims of mill tailings exposure in the Energy Employees Occupational Illness Compensation Program Act, which provides medical benefits to workers, contractors, subcontractors, and vendors at specified Department of Energy facilities;

Whereas, the Office of the Utah Attorney General should investigate the inclusion of victims of mill tailings exposure in the Radiation Exposure Compensation Act for their onsite participation and exposure to radiation from the uranium mill and its tailings; and

Whereas, the United States Congress should direct Legacy Management to provide from its budget an annual stipend for victims of mill tailings exposure to use in establishing a consistent cancer education, screening, and treatment services program: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge the United States Secretary of Health and Human Services to instruct the Health Resources and Services Administration to fund cancer education, screening, and treatment services to victims of mill tailings exposure until 2044 or until another equitable resolution can be reached through the United States Department of Energy; and, be it further

Resolved, That the Legislature and the Governor urge Utah's congressional delegation to help provide federal resources to ensure cancer education, screening, and treatment services to victims of mill tailings exposure through 2044. Be it further

Resolved, That the Legislature and the Governor urge the United States Attorney General's Office to investigate the United States Department of

Energy's federal statutory limitations in providing cancer education, screening, and treatment services to victims of mill tailings exposure and offer suggestions for federal legislation. Be it further

Resolved, That the Legislature and the Governor urge the Office of the Utah Attorney General to investigate the inclusion of victims of mill tailings exposure in the Energy Employees Occupational Illness Compensation Program Act and their inclusion in the Radiation Exposure Compensation Act for their onsite participation and exposure to radiation from the uranium mill and its tailings. Be it further

Resolved, That the Legislature and the Governor urge the United States Congress to direct Legacy Management to provide from its budget an annual stipend for victims of mill tailings exposure to use in establishing a consistent cancer education, screening, and treatment services program. Be it further

Resolved, That a copy of this resolution be sent to Victims of Mill Tailings Exposure, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Office of Legacy Management, the Office of the Utah Attorney General, the United States Attorney General's Office, the United States Department of Energy, the United States Secretary of Health and Human Services, the Health Resources and Services Administration, and the members of Utah's congressional delegation.

POM–106. A concurrent resolution adopted by the Legislature of the State of Hawaii commemorating the twentieth anniversary of Public Law 103–150; to the Committee on Indian Affairs.

HOUSE CONCURRENT RESOLUTION NO. 6

Whereas, in 1993, the United States Congress passed Public Law 103–150 (the ''Apology Resolution''), acknowledging and apologizing for the critical role of United States diplomats, military forces, and citizens in the overthrow of the sovereign Kingdom of Hawai'i; and

Whereas, the Apology Resolution confirms that the actions of United States agents in the overthrow and occupation of the Hawaiian government violated treaties between the United States and the sovereign Kingdom of Hawai'i, and norms of international law; and

Whereas, the Apology Resolution confirms that one million eight hundred thousand acres of crown and government lands were thereafter ceded to the United States without consent or compensation to the Native Hawaiian people or their sovereign government, as a result of the United States' annexation of Hawai'i; and

Whereas, the Apology Resolution recognizes that the Native Hawaiian people never relinquished their claims to their inherent sovereignty as a people or of their national lands throughout the overthrow, occupation, annexation, and admission of Hawai'i into the United States; and

Whereas, the Apology Resolution recognizes that the health and well-being of the Native Hawaiian people is intrinsically tied to their deep feelings and attachment to the land; and

Whereas, the Apology Resolution recognizes that the Native Hawaiian people are determined to preserve, develop, and transmit to their descendants, both their ancestral lands and their cultural identity; and

Whereas, the Apology Resolution acknowledges that the overthrow has resulted in the suppression of the inherent sovereignty of the Native Hawaiian people; and

Whereas, the Apology Resolution apologizes to the Native Hawaiian people on behalf of the people of the United States, commends the efforts of reconciliation initiated by the State of Hawaii and the United Church of Christ with the Native Hawaiians, including the appropriation of funds to educate the public regarding Hawaiian sovereignty; and

Whereas, the State Legislature also passed Act 340, Session Laws of Hawaii 1993, mandating that the lands and waters of Kaho 'olawe island be held in the public land trust, directing the State to transfer management and control of these lands and waters to the sovereign Native Hawaiian entity upon its recognition by the United States and the State of Hawai'i, and establishing the Kaho 'olawe Island Reserve Commission to manage these lands and waters in the interim; and

Whereas, the State Legislature passed Act 329, Session Laws of Hawaii 1997, recognizing the deep sense of injustice felt among many Native Hawaiians and others and affirming that reconciliation with the Native Hawaiian people is desired by all people of Hawai'i; and

Whereas, in 2000, the Department of the Interior and the Department of Justice published a report, ''From Mauka to Makai: The River of Justice Must Flow Freely,'' which formally initiated the federal government's efforts to reconcile past injustices, and recognize and establish a government-to-government relationship with the Native Hawaiian people; and

Whereas, in 2000 and 2002, the United States Congress passed Public Law 106–568, the Hawaiian Homelands Homeownership Act, and Public Law 107–110, the reenacted Native Hawaiian Education Act, confirming the special relationship between the federal government and the Native Hawaiian people; and

Whereas, in 2005, Hawai'i's entire congressional delegation, including then-representative and current Governor of Hawai'i, Neil Abercrombie, as well as the then-Hawai'i Governor, expressed to the United States Senate Committee on Indian Affairs their unanimous support for self-governance and self-determination for Native Hawaiians; and

Whereas, in Office of Hawaiian Affairs v. Housing and Community Development Corporation of Hawaii (HCDCH), 117 Hawaii 174, 195 (2008), rev'd and remanded by 556 U.S. 163 (2009), the Supreme Court of the State of Hawai'i held that ''the Apology Resolution and related state legislation . . . give rise to the State's fiduciary duty to preserve the corpus of the public lands trust, specifically, the ceded lands, until such time as the unrelinquished claims of the native Hawaiians have been resolved.''; and

Whereas, in Office of Hawaiian Affairs v. HCDCH, 117 Hawaii 174, 216, the Supreme Court of the State of Hawai'i also recognized the critical importance of the 'āina to Hawaiian people and stated, ''We firmly believe that, given the 'crucial importance [of the 'āina or land to] the [n]ative Hawaiian people and their culture, their religion, their economic self-sufficiency, and their sense of personal and community well-being,' any further diminishment of the ceded lands (the 'āina) from the public lands trust will negatively impact the contemplated reconciliation/settlement efforts between native Hawaiians and the State''; and

Whereas, the State Legislature passed Act 195, Session Laws of Hawaii 2011, acknowledging that Native Hawaiians are the only indigenous, aboriginal, maoli population of Hawai'i nei, that the State of Hawai'i has a special political and legal relationship with the Native Hawaiian people, that Native Hawaiians have continued to maintain their identity as a distinctly native political community with rights to self-determination, self-governance, and self-sufficiency, and establishing a Native Hawaiian roll commission to maintain a roll of qualified Native Hawaiians to facilitate Native Hawaiian self-governance; Now, therefore, be it

Resolved by the House of Representatives of the Twenty-seventh Legislature of the State of Hawaii, Regular Session of 2013, the Senate concurring, That the Legislature hereby commemorates the twentieth anniversary of the Apology Resolution, recognizes the progress that has been made towards reconciliation and Native Hawaiian self-governance and self-determination, reaffirms the State's commitment to reconciliation with the Native Hawaiian people for historical injustices, urges the federal government to advance reconciliation efforts with Native Hawaiians, and supports efforts to further the self-determination and sovereignty of Native Hawaiians; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Chief Justice of the Supreme Court of the United States, the Chief Justice of the Supreme Court of Hawai'i, the Governor of the State of Hawai'i, and the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs.

POM–107. A resolution adopted by the General Assembly of the State of New Jersey expressing strong opposition to the recent United States Supreme Court decision in Citizens United v. Federal Election Commission; to the Committee on the Judiciary.

ASSEMBLY RESOLUTION NO. 86

Whereas, A divided United States Supreme Court, in a 5-to-4 decision issued en January 21, 2010 in Citizens United v. Federal Elections Commission, overturned two important precedents by lifting a 20-year ruling in Austin v. Michigan Chamber of Commerce, that restricted campaign spending by corporations in support of or in opposition to political candidates; and

Whereas, The Court also overturned part of its 2003 decision in McConnell v. Federal Elections Commission by rejecting a large portion of the Bipartisan Campaign Reform Act of 2002, commonly called McCain Feingold, which restricted campaign spending by corporations and unions by banning broadcast, cable or satellite transmissions of electioneering communications paid for by corporations or labor unions from their general funds in the 30 days before a presidential primary and in the 60 days before the general election; and

Whereas, In his 80-page dissent in the Citizens United case, Justice Stevens called the decision ''a radical change in the law'' that ignores ''the overwhelming majority of justices who have served on this court'' and stated that ''In the context of election to public office, the distinction between corporate and human speakers is significant . . . [Corporations] cannot vote or run for office. Because they may be managed and controlled by nonresidents, their interests may conflict in fundamental respects with the interests of eligible voters''; and

Whereas, President Obama recently criticized the ruling as ''a green light to a new stampede of special interest money,'' and declared ''It is a major victory for big oil, Wall Street banks, health insurance companies and the other powerful interests that marshal their power every day in Washington to drown out the voices of everyday Americans''; and

Whereas, Senator John McCain who co-wrote the 2002 campaign reform law with

Senator Russell Feingold, said he was ''disappointed'' by the decision, and Senator Feingold called the decision ''a terrible mistake'' ignoring ''important principles of judicial restraint and respect for precedent''; and

Whereas, For decades, Congress has exercised its constitutional authority to regulate elections by seeking to prevent corporations and unions from exerting undue influence or the appearance of undue influence over federal candidates; and

Whereas, It is fitting and proper for the [Senate] General Assembly of this State to express its opposition to the Citizens United decision and to call upon the Congress of the United States to propose an amendment to the United States Constitution to provide that, with respect to corporation campaign spending, a person is only a natural person for First Amendment protection of free speech; Now, therefore, be it

Resolved by the General Assembly of the State of New Jersey:

1. The General Assembly of the State of New Jersey expresses strong opposition to the United States Supreme Court ruling in Citizens United v. Federal Elections Commission and calls upon the Congress of the United States to propose an amendment to the United States Constitution to provide that with regard to corporation campaign spending, a person means only a natural person for First Amendment protection of free speech.

2. Duly authenticated copies of this resolution, signed by the Speaker of the General Assembly and attested to by the Clerk of the Assembly, shall be transmitted to the President and Vice President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and to each member of the United States Congress elected from this State.

POM–108. A joint resolution adopted by the Legislature of the State of Maine memorializing the United States Congress to pass a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission; to the Committee on the Judiciary.

JOINT RESOLUTION

Whereas, United States Supreme Court rulings, beginning with Buckley v. Valeo and continuing through Citizens United v. Federal Election Commission and others, disproportionately elevate the role of wealthy special interests in elections and diminish the voices and influence of ordinary Americans; and

Whereas, Maine citizens wish to develop effective tools for self-governance, including strong laws governing elections and campaign finance; and

Whereas, the current legal landscape severely constrains the range of options available to citizens, frustrating efforts to reduce the influence of moneyed interest in elections and in government: Now, therefore, be it

Resolved, That We, your Memorialists, hereby declare our support for an amendment to the United States Constitution regarding campaign finance that would reaffirm the power of citizens through their government to regulate the raising and spending of money in elections; and be it further

Resolved, That We, your Memorialists, call upon each Member of the Maine Congressional Delegation to actively support and promote in Congress an amendment to the United States Constitution on campaign finance; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM–109. A joint resolution adopted by the Legislature of the State of Tennessee urging the United States Congress to adopt a balanced budget; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 38

Whereas, with each passing year our nation falls further into debt as federal government expenditures repeatedly exceed available revenue; and

Whereas, the annual federal budget has risen to unprecedented levels, demonstrating an unwillingness or inability of both the Legislative and Executive branches of federal government to control the federal debt; and

Whereas, knowledgeable planning and fiscal prudence require that the budget reflect all federal spending and that the budget be in balance; and

Whereas, fiscal discipline is a powerful means for strengthening our nation; with less of America's future financial resources channeled into servicing the national debt, more of our tax dollars would be available for public endeavors that reflect our national priorities, such as education, health, the security of our nation, and the creation of jobs; and

Whereas, Thomas Jefferson recognized the importance of a balanced budget when he wrote: ''The question whether one generation has the right to bind another by the deficit it imposes is a question of such consequence as to place it among the fundamental principles of government. We should consider ourselves unauthorized to saddle posterity with our debts, and morally bound to pay for them ourselves.''; and

Whereas, state legislatures overwhelmingly recognize the necessity of maintaining a balanced budget; whether through constitutional requirement or by statute, forty-nine states require a balanced budget; and

Whereas, the federal government's unlimited ability to borrow involves decisions of such magnitude, with such potentially profound consequences for the nation and its people, today and in the future, that it is of vital importance to the future of the United States of America that a balanced budget be adopted on an annual basis: Now, therefore, be it

Resolved by the Senate of the One Hundred Eighth General Assembly of the State of Tennessee, the House of Representatives concurring, That we hereby strongly urge the United States Congress to adopt a balanced federal budget on an annual basis; and be it further

Resolved, That an enrolled copy of this resolution be transmitted to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and each member of Tennessee's Congressional delegation.

POM–110. A concurrent resolution adopted by the Legislature of the State of Oklahoma reaffirming the definition of marriage as the union of one man and one woman; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 1009

Whereas, marriage is the building block upon which our society is based; and

Whereas, on November 2, 2004, Oklahoma voters expressed their collective intent to define marriage as the union of one man and one woman by approving State Question 711 which was an amendment to Article II of the Oklahoma Constitution; and

Whereas, the power to regulate marriage is a power reserved to the states that lies within the domain of state legislatures and not with the judicial branch of government; and

Whereas, the United States Supreme Court recently heard oral arguments in two separate cases that challenge the constitutionality of the federal Defense of Marriage Act and the authority of states to regulate marriage; and

Whereas, the Oklahoma Legislature commends the Honorable E. Scott Pruitt, Attorney General of Oklahoma, for filing an amicus curiae brief supporting Oklahoma's right to regulate marriage: Now, therefore, be it

Resolved by the House of Representatives of the 1st Session of the 54th Oklahoma Legislature, the Senate Concurring Therein, That the Oklahoma Legislature reaffirms its commitment to define marriage as the union of one man and one woman and urges the United States Supreme Court to uphold the Defense of Marriage Act and the right of states to regulate marriage. Be it further

Resolved, That a copy of this resolution be distributed to the President and Vice President of the United States and to the Oklahoma Congressional Delegation.

POM–111. A joint resolution adopted by the Legislature of the State of California urging the federal government, including the Department of Homeland Security and the General Services Administration, to fund necessary improvements at the San Ysidro, Calexico, and Otay Mesa Ports of Entry; to the Committee on the Judiciary.

ASSEMBLY JOINT RESOLUTION NO. 4

Whereas, The United States, Canada, and Mexico signed the North American Free Trade Agreement (NAFTA) in 1993 to foster trade among the countries, and improve global competitiveness; and

Whereas, Trade between the United States and Mexico has more than quintupled since the implementation of NAFTA, totaling $500 billion in bilateral trade in 2011; and

Whereas, Mexico continues to be California's number one export market with $25.8 billion in goods exported to Mexico in 2011, accounting for 16 percent of all California exports; and

Whereas, Ninety-nine percent of trade between California and Mexico is carried by trucks; and

Whereas, The SANDAG 2050 Comprehensive Freight Gateway Study projects that the nearly two million trucks that crossed the California-Mexico border in 2007 will increase to nearly five million trucks in 2050. In 2011, over $33.5 billion in goods moved between Mexico and the United States at the Otay Mesa Port of Entry and at the Tecate Port of Entry; and

Whereas, The San Diego and Imperial Counties' border traffic congestion and delays cost the U.S. and Mexican economies an estimated $8.63 billion in gross output and more than 73,900 jobs in 2007; and

Whereas, New land port of entry and improvement projects are under federal jurisdiction with significant influence over local communities; and

Whereas, The San Ysidro-Puerta Mexico Land Port of Entry is the busiest port of entry between the United States and Mexico and is undergoing a major reconfiguration and expansion project; and

Whereas, The Otay Mesa-Mesa de Otay Land Port of Entry has plans for the expansion and modernization of passenger and commercial inspection facilities; and

Whereas, The Calexico West Port of Entry also has plans to renovate and expand the facility to process and expand its operation for pedestrians and automobiles; and

Whereas, The collaboration between federal, state, and local agencies is essential for

the development of border infrastructure projects and security; and

Whereas, The General Accountability Office and the Department of Homeland Security estimate that $6 billion in border infrastructure is needed to fulfill their mission of preventing unlawful entry and smuggling while facilitating legitimate trade and tourism; and

Whereas, The need for improved border capacity and efficiency comes at a time when traditional federal funding is scarce and increasingly difficult to obtain; and

Whereas, Since February 2009, Congress and the Obama administration have not funded border infrastructure projects; and

Whereas, The San Ysidro project has a stated funding gap of $285 million, the Calexico project needs $318 million to complete construction, and the Otay Mesa project requires $161 million for completion; and

Whereas, Various agencies of the United States, including the Department of Homeland Security and the General Services Administration, should work with Congress to provide funding to support these border infrastructure investments: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges the federal government, including the Department of Homeland Security and the General Services Administration, to fund necessary improvements at the San Ysidro, Calexico, and Otay Mesa Ports of Entry; and be it further

Resolved, That the Chief Clerk of the Assembly 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, and to each Senator and Representative from California in the Congress of the United States.

POM–112. A joint resolution adopted by the Legislature of the State of California urging the President to sign and Congress to pass the Violence Against Women Reauthorization Act; to the Committee on the Judiciary.

ASSEMBLY JOINT RESOLUTION NO. 8

Whereas, The federal Violence Against Women Act (VAWA) was developed with the input of advocates from around the country with diverse backgrounds and experiences, and addresses the real and most important needs of victims of domestic violence, sexual assault, dating violence, and stalking; and

Whereas, VAWA represents the voices of women and their families, and the voices of victims, survivors, and advocates; and

Whereas, VAWA was first enacted in 1994, and has been the centerpiece of the federal government's efforts to stamp out domestic and sexual violence. VAWA provides millions of dollars to support programs for victim services, transitional housing, and legal assistance, as well as tools that law enforcement, prosecutors, and judges need to hold offenders accountable and keep communities safe while supporting victims; and

Whereas, Domestic violence, sexual assault, dating violence, and stalking, once considered private matters to be dealt with behind closed doors, have been brought out of the darkness; and

Whereas, VAWA has been successful because it has had consistently strong, bipartisan support for nearly two decades; and

Whereas, Senators Patrick Leahy and Mike Crapo and Representative Gwen Moore have introduced identical legislation, the Violence Against Women Reauthorization Act, in their respective houses with language that includes several updates and improvements to the law, including the following:

(a) An emphasis on the need to effectively respond to sexual assault crime by adding new purpose areas and a 25-percent set-aside in the STOP (Services, Training, Officers, and Prosecutors) Violence Against Women Formula Grant Program (STOP Program) and the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program.

(b) Improvements in tools to prevent domestic violence homicides by training law enforcement, victim service providers, and court personnel to identify and manage high-risk offenders and connecting high-risk victims to crisis intervention services.

(c) Critical improvements that provide important protections for students, immigrant women, as well as the lesbian, gay, bisexual, and transgender and Native American communities.

(d) Improvements in responses to the high rate of violence against women in tribal communities by strengthening concurrent tribal criminal jurisdiction over perpetrators who assault Indian spouses and dating partners in Indian countries.

(e) Measures to strengthen housing protections for victims by applying existing housing protections to nine additional federal housing programs.

(f) Measures to promote accountability to ensure that federal funds are used for their intended purposes.

(g) Consolidation of programs and reductions in authorization levels to address fiscal concerns, and renewed focus on programs that have been most successful.

(h) Technical corrections to update definitions throughout the law to provide uniformity and continuity; and

Whereas, There is a need to maintain services for victims and families at the local, state, and federal levels. VAWA reauthorization would allow existing programs to continue uninterrupted, and would provide for the development of new initiatives to address key areas of concern. These initiatives include the following:

(a) Addressing the high rates of domestic violence, dating violence, and sexual assault among women 16 to 24 years of age, inclusive.

(b) Improving the response to sexual assault with best practices, training, and communication tools for law enforcement, as well as for health care and legal professionals.

(c) Preventing domestic violence homicides through enhanced training for law enforcement, advocates, and others who interact with those at risk: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature requests the President to sign and Congress to pass the Violence Against Women Reauthorization Act and ensure the sustainability of vital programs designed to keep women and families safe from violence and abuse; and be it further

Resolved, That the Chief Clerk of the Assembly 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 each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM–113. A resolution adopted by the Senate of the State of California recognizing the critical importance of continued access to safe and legal abortion; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 10

Whereas, January 22, 2013, marks the 40th anniversary of the United States Supreme Court's landmark decision in Roe v. Wade, which held that every woman has a fundamental right to control her own reproductive decisions and decide whether to end or continue a pregnancy, and is an occasion that deserves celebration; and

Whereas, The 1973 Roe v. Wade decision, making access to abortion safe and legal, has greatly improved the health of women and families; and

Whereas, Roe v. Wade has been the cornerstone of women's remarkable strides toward equality in the past four decades, and reproductive freedom is critical to a woman's ability to participate fully in the social, political, and economic life of the community; and

Whereas, California is committed to protecting public health and the welfare of all its residents, and recognizes that access to reproductive health services, including family planning and prenatal care, supports individuals and their families by ensuring that babies are planned, wanted, and healthy; and

Whereas, The public policy of California, as expressed in the Reproductive Privacy Act, and protected by the California Constitution's express right to privacy, is that each woman has the fundamental right to make decisions regarding her reproductive health; and

Whereas, California has a pioneering history in supporting reproductive rights, including the California Supreme Court's 1969 decision in People v. Belous, recognizing that a woman's decision to end a pregnancy is protected by her constitutional right to privacy, four years prior to the United States Supreme Court's decision in Roe v. Wade; and

Whereas, In a democracy, people may have differing views about abortion, but most Californians recognize that only a pregnant woman can know, and should be entitled to decide, what option is best for herself and her family; and

Whereas, Over 75 percent of Californians oppose efforts to overturn Roe v. Wade, which could create a public health crisis if individual states made abortion illegal and unsafe; and

Whereas, The 2012 elections sent a powerful and unmistakable message to Members of Congress and state legislatures that women do not want politics or politicians to interfere with their personal medical decisions; and

Whereas, Violence against abortion providers and laws that create barriers to abortion endanger a woman's health: Now, therefore, be it

Resolved by the Senate of the State of California, That on the 40th anniversary of Roe v. Wade, the senate of the State of California recognizes the critical importance of continued access to safe and legal abortion and urges the President of the United States and the Congress to protect and uphold the intent and substance of the 1973 United States Supreme Court decision in Roe v. Wade; 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 each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM–114. A joint resolution adopted by the Legislature of the State of Maine honoring the victims of the Boston Marathon explosions; to the Committee on the Judiciary.

JOINT RESOLUTION

Whereas, on April 15, 2013, multiple explosions at the finish line of the 117th Boston Marathon, a horrific act of terrorism, killed

at least 3 people and injured more than 175 people; and

Whereas, law enforcement's unprecedented response and willingness to put their lives on the line to protect the innocent and bring those responsible to justice is an inspiration to us all; and

Whereas, many of the victims of this tragedy, who are both United States citizens and international visitors, are friends and family members of athletes and spectators celebrating community, sport and the intense effort and sacrifice required to qualify for the Boston Marathon; and

Whereas, many Americans and people of the world watched with horror as the tragedy occurred and the day progressed; and

Whereas, heroic emergency medical technicians, police officers, firefighters, members of the National Guard and other first responders, as well as many marathon participants, volunteers and spectators, saved lives while putting themselves at risk; and

Whereas, Maine and Massachusetts have a special historical, economic and cultural relationship, extending back before our Nation's founding, including our mutual celebration of Patriot's Day as a state holiday, and scores of Maine people run in the Boston Marathon every year: Now, therefore, be it

Resolved, That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, on behalf of the people we represent, join the people of Maine, the City of Boston, the Commonwealth of Massachusetts and the rest of the United States in collective sorrow and anguish; and be it further

Resolved, That We, the Members of the One Hundred and Twenty-sixth Legislature, stand united with the people of Maine, the City of Boston, the Commonwealth of Massachusetts and the rest of the United States against violence perpetrated against innocents; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the governors of the State of Maine and Commonwealth of Massachusetts, the President of the Massachusetts Senate, the Speaker of the Massachusetts House of Representatives and the Mayor of the City of Boston.

POM–115. A joint resolution adopted by the Legislature of the State of Utah recommending a name for a new federal courthouse; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 9

Whereas, a new federal courthouse is currently being constructed at 351 South West Temple in Salt Lake City;

Whereas, if this new structure is to bear the name of an exemplary Utahn, it should be named after Justice George Sutherland, the only Utahn to serve on the United States Supreme Court;

Whereas, to date, Justice Sutherland is Utah's most accomplished attorney, public servant, and judge;

Whereas, before joining the United States Supreme Court, Sutherland was a renowned legal scholar and sage politician, having served in the Utah State Senate, the United States House of Representatives, and the United States Senate;

Whereas, no past or present Utahn has done more for his state or country, or accomplished more as a lawyer;

Whereas, Sutherland was born in England in 1862 to converts to the Church of Jesus Christ of Latter-day Saints (LDS);

Whereas, Sutherland's family immigrated to Utah as part of an oxcart company in October 1863;

Whereas, the Sutherland family first settled in Springville, Utah, and then moved to Tintic, Utah, where George Sutherland, Sr. sold dry goods to miners;

Whereas, George Sutherland, Sr. left the LDS Church in 1870, and young George was never baptized;

Whereas, Sutherland recalled his boyhood as a ''period when life was very simple, but, as I can bear testimony, very hard as measured by present day standards. . . . Nobody worried about child labor, the average boy of 10 worked—and often worked very hard'';

Whereas, Sutherland grew up in a time when everybody was poor and everybody worked;

Whereas, neither the 8-hour day nor the 40-hour week had arrived, so work began when it was light enough to see and ended when it became too dark;

Whereas, Sutherland worked first in a clothing store in Salt Lake City, then as a Wells Fargo agent and later as a mining recording agent until age 17, when his family moved to Provo;

Whereas, Sutherland had no schooling from ages 12 to 17, but because he was taught well by his parents, he entered the Brigham Young Academy in 1879 as an excellent student and writer;

Whereas, at Brigham Young Academy, he flourished under the tutelage of renowned headmaster Karl Maeser, who nurtured the institution for decades;

Whereas, at Brigham Young Academy, George Sutherland made many lifelong friends, nearly all members of the LDS Church, including Sam Thurman, who later became his law partner, cofounder of the predecessor firm to Snow, Christensen & Martineau, and a Utah Supreme Court Chief Justice; William H. King, his future law partner and political opponent against whom he ran for Congress in 1900 and the United States Senate in 1916; and James E. Talmage and Richard Lyman, future Apostles of the LDS Church;

Whereas, at Brigham Young Academy, he met Rosamond Lee of Beaver, Utah, and several years later they married;

Whereas, George and Rosamond Sutherland were together for nearly 60 years and had three children, a boy who died at 17 and two daughters who survived him;

Whereas, Sutherland graduated from Brigham Young Academy in 1881 and attended the University of Michigan Law School for a year, passed the Michigan Bar, and then married Rosamond and moved to Provo, where he started a practice with his father, by then a self-taught lawyer;

Whereas, Sutherland once stated, ''I transacted all kinds of business, both civil and criminal. A lawyer in a small town can't pick and choose—public opinion demands that he shall treat all men alike when they call for his services. I often traveled on horseback in the mountains to try cases before Justices of the Peace'';

Whereas, Sutherland earned a well-deserved reputation as a hardworking and honest family man who was smart, empathetic, and kind;

Whereas, in 1886, at age 24, his law partnership with Sam Thurman began, and they were joined by William King two years later;

Whereas, as young lawyers, Sutherland and Thurman defended nine Irish miners accused of lynching, a capital offense; all were tried and convicted but none was executed—a victory for Sutherland and Thurman;

Whereas, Sutherland also represented many members of the LDS Church charged with violating the Federal Edmund's Act outlawing polygamy;

Whereas, through these cases and his general character, he earned respect within the LDS community and at the same time received the political support of the non-LDS community;

Whereas, Sutherland did not represent Karl Maeser when he was convicted in 1887 of violating the Edmund's Act, but he nonetheless appeared at Maeser's sentencing and made an impassioned and successful plea to the Court not to jail Maeser, citing his many accomplishments at Brigham Young Academy;

Whereas, the Court did not sentence Maeser to jail, but fined him $300, which Sutherland immediately paid to the Court;

Whereas, as a young lawyer, Sutherland dove into public service and politics;

Whereas, from 1886 to 1890, Sutherland was an Overseer of the State Hospital in Provo, and in 1890 he ran for Mayor of Provo as a Liberal Party candidate on an antipolygamy platform, and lost;

Whereas, LDS-Church sanctioned polygamy ended in late 1890, gutting the Liberal Party of its purpose, so Sutherland became a Republican and narrowly lost the 1892 Republican nomination for Congress;

Whereas, Sutherland was gratified that Utah's new Constitution provided for women's suffrage, a cause for which he campaigned throughout his political career;

Whereas, Sutherland's legal practice blossomed, and in 1894 he left Thurman & Sutherland and moved to Salt Lake City where he joined the predecessor to the Van Cott law firm;

Whereas, Sutherland helped form the Utah Bar Association in 1895, and in 1896 was elected to the first Utah State Senate, where he chaired the Judiciary Committee, which drafted the first Utah Judicial and Penal Codes;

Whereas, Sutherland proposed the state's first State Workers' Compensation Statute and laws granting eminent domain to miners and those working in irrigation;

Whereas, in 1900, Sutherland narrowly defeated Democrat and former law partner William H. King for Utah's lone seat in the United States House of Representatives;

Whereas, Sutherland remained very active in state and national Republican Party affairs, serving as a party delegate from Utah to every Republican convention between 1900 and 1916;

Whereas, in his only House term, Sutherland was instrumental in passing the Reclamation Act, which allowed Western water projects to be engineered and financed with federal money, allowing the Western States to grow much faster than if water projects had been left to private and state financing;

Whereas, Sutherland chose not to run for a second term and resumed his practice with Van Cott;

Whereas, in 1905, United States Senators were elected by State Legislatures;

Whereas, years earlier, Sutherland had represented United States Senator Reed Smoot's father in a polygamy case and now, with the endorsement of his friend and Senator, Sutherland prevailed in an interparty fight with incumbent Thomas Kearns;

Whereas, Sutherland's two-term Senate career was stellar;

Whereas, through his legal ability, affability, and hard work, Sutherland accomplished much regarding women's suffrage, workers' compensation, reclamation, Indian affairs, and foreign policy;

Whereas, Sutherland was the driving force behind the Federal Employer Liability Act, which created a workers' compensation system;

Whereas, in support of the new system, Sutherland argued, ''When we are able to get to the truth as to how these accidents happen we will be able to apply the remedy with greater certainty, so that the law is not only just in providing compensation to all injured

employees, one of the legitimate expenses of the industry, but what is perhaps still more important, it will tend to greatly reduce the number of accidents and consequently the aggregate of human suffering'';

Whereas, Sutherland championed many other labor causes, earning him the praise of Samuel Gompers, President of the American Federation of Labor;

Whereas, Sutherland's Judiciary Committee rewrote the United States Criminal and Judicial codes, ''a monumental task'' according to Chief Justice Charles Evans Hughes of the United States Supreme Court;

Whereas, in 1907, Sutherland's courtroom skills were well displayed in the Senate where he mounted a detailed and successful defense of Senator Reed Smoot when the Senate considered expelling Smoot due to his religious and alleged polygamous practices;

Whereas, Sutherland sponsored the Nineteenth Amendment to give women the right to vote in 1915 and exerted every effort to assure its passage;

Whereas, Sutherland gave several well received speeches promoting the amendment, including a 1914 speech in which he stated, ''I give my assent to woman suffrage because, as the matter appeals to me, there is no justification for denying to half our citizens the right to participate in the operations of a government which is as much their government as it is ours upon the sole ground that they happen to be born women instead of men'';

Whereas, Sutherland was not a pacifist, and contended that security should be won through vigilance and strength;

Whereas, when Germanys new submarine fleet attacked shipping in the open sea, President Wilson's apparent vacillation in 1915 gave rise to sham criticism from Sutherland in the Senate, where he stated, ''. . . my own view of the matter is that the new weapon [the submarine] must yield to the law not that the law must yield to the new weapon. . . . I for one am becoming sick and tired of the spineless policy of retreat and scuttle. . . . Instead of warning our own people to exercise their rights at their peril I would like to see issued to other people a warning to interfere with these rights at their peril. The danger of it all is that by this policy of always backing down, instead of backing up, we shall encourage an increased encroachment upon our rights until we shall finally be driven into crises from which nothing but war can extricate us'';

Whereas, during his Senate years, Sutherland was frequently engaged as a speaker on many public issues and he gained a strong reputation as a constitutional scholar;

Whereas, this reputation was enhanced by the fact that he argued three cases before the United States Supreme Court while serving in the Senate;

Whereas, in 1915, Sutherland supported the Seventeenth Amendment, which provided for popular election of United States Senators;

Whereas, in 1916, Sutherland ran for a third term against his old law partner and friend, William King, and lost;

Whereas, although Sutherland had not run a statewide campaign for 16 years, his loss was likely due to the coattail effect of the antiwar fervor that propelled President Wilson to a second term, on the mantra that ''He kept us out of war'';

Whereas, many Republican candidates were badly defeated in 1916, but in his consoling words to William Howard Taft on his loss of the presidential race, Sutherland stated, ''We are to pass through a period of readjustment, and the present administration, in view of its past history, is not likely to deal with the serious problems which will arise in such a way as to satisfy the country. The result will be, therefore, that we shall come back into power for a long time'';

Whereas, the Republicans won the next three presidential elections;

Whereas, after leaving the Senate, Sutherland practiced law in Washington, D.C. and argued four cases before the United States Supreme Court;

Whereas, in 1917, Sutherland was elected President of the American Bar Association and gave a series of six lectures at Columbia University Law School on the Constitution and foreign affairs;

Whereas, always a keen political strategist, Sutherland supported Warren G. Harding's seemingly unlikely but successful bid for the Republican presidential nomination, and after Harding was elected he appointed Sutherland as lead counsel for the United States in a seven week trial at The Hague;

Whereas, Sutherland was also counsel to the United States Delegation to the Armament talks of 1921;

Whereas, on September 5, 1922, President Harding nominated Sutherland for an open seat on the United States Supreme Court and the Senate unanimously confirmed him the same day;

Whereas, there was great public interest in and support for Sutherland's appointment because he was the first Utahn to be appointed, one of the few Senators to ascend to the bench, only the fourth foreign born Justice to serve on the Court, and the first to do so since 1793;

Whereas, as he had throughout every aspect of his life, Justice Sutherland worked very hard on the United States Supreme Court;

Whereas, in 15 years he wrote 295 majority opinions, 35 dissents, and 1 concurrence—an average of 20 majority opinions per year, which is double the average production of today's Supreme Court Justices;

Whereas, Justice Sutherland's broad life experiences, sobriety, hard work, and self-reliance brought a valuable perspective to the Court;

Whereas, Justice Sutherland's impoverished upbringing and boyhood years filled with extremely hard work, combined with his intellect and ambition, propelled him into the highest echelon of power on the state and national levels, exposing him to people from all walks of life;

Whereas, Justice Sutherland's extensive experience in the state and national legislative branches gave him a solid foundation as a constitutional scholar and an expert in governmental affairs;

Whereas, having seen temporary factions spring to life from time to time, claiming to have all the answers to society's challenges only to fade away and leave in their wake ill-considered legislation that often infringed on individual rights or violated other constitutional principles, Justice Sutherland was wary of the tyranny of the majority;

Whereas, Justice Sutherland challenged the Congress, the President, and other courts in order to protect individual rights or fundamental constitutional doctrines;

Whereas, in 1935, in Berger v. United States, wherein an Assistant U.S. Attorney was guilty of gross misconduct during a criminal trial, Justice Sutherland eloquently set the standard for prosecutorial misconduct when he wrote that the misconduct called for a stern rebuke and repressive measures, stating, ''The United States Attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in peculiar and very definite sense the servant of the law, the twofold name of which is that guilt shall not escape, or innocents suffer. He may prosecute with earnestness and vigor, indeed he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one'';

Whereas, this decision better clarified the prosecutor's role and obligations and gave trial judges a clear directive and authority to punish prosecutorial misconduct;

Whereas, when Franklin D. Roosevelt overwhelmingly defeated President Hoover in 1932, the Congress quickly passed many acts to address the economic calamity, but the laws were not thoroughly assessed from a constitutional point of view before they were passed;

Whereas, this led to scores of court challenges, and many laws were struck down by unanimous vote in 1934, 1935, and 1936, while others were struck down by close votes on various constitutional grounds;

Whereas, the most controversial opinions that Justice Sutherland wrote struck down portions of President Franklin Delano Roosevelt's New Deal legislation;

Whereas, after his landslide 1936 reelection, Roosevelt proposed adding six Justices to the United States Supreme Court, which Justice Sutherland saw as a roadblock to economic recovery;

Whereas, the political upheaval that the court-packing plan sparked caused conservative Justice Owen Roberts to change his votes and to uphold the New Deal legislation;

Whereas, this switch of a vote and strong public opposition to court-packing led to its defeat in the Senate and avoided a constitutional, and perhaps a national, crisis;

Whereas, Justice Sutherland was bitterly disappointed with Justice Roberts's vote change, and when the Supreme Court then reversed recent Supreme Court decisions, Sutherland dissented sharply, contending that political expediency had trumped constitutional principles;

Whereas, much to the disappointment of moderates and conservatives, Justice Sutherland retired in 1938;

Whereas, humble to the end, Sutherland did not mention the Supreme Court or his career in his last public address, the Convocation of the BYU Class of 1941, but instead reminisced about Utah in the 1860s and 70s, his daylong labors as a child, and his education at his beloved Brigham Young Academy;

Whereas, above all he implored graduates to be vigilant caretakers of their character, then to focus on career, family, and church;

Whereas, George Sutherland passed away in 1942;

Whereas, this nation's heritage and good sense teach us to honor distinguished and exemplary forefathers; and

Whereas, other public servants may deserve the recognition of having their names on the new federal courthouse, but none deserves it more than George Sutherland: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urge the members of Utah's congressional delegation to work to have the new federal courthouse in Salt Lake City named after Justice George Sutherland; and be it further

Resolved, That the Legislature urge the members of Utah's congressional delegation to make this effort in recognition of Justice Sutherland's lifetime of service to the citizens of the state of Utah as a member of the Utah Senate and to the United States as a member of the United States House of Representatives, a member of the United States

Senate, and the only Utahn to serve on the United States Supreme Court, and whose example of humility and integrity in public service is unsurpassed; and be it further

Resolved, That a copy of this resolution be sent to the members of Utah's congressional delegation.

POM–116. A concurrent resolution adopted by the Legislature of the State of Utah supporting the Financial Ready Utah enterprise risk management process; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION

Whereas, the Legislature of the state of Utah declares that the nation's fiscal recklessness poses a great, clear, and present threat to America's future;

Whereas, David Walker, former Comptroller General of the United States warns, ''The most serious threat to the United States is not someone hiding in a cave in Afghanistan or Pakistan, but our own fiscal irresponsibility'';

Whereas, the federal government is now in its fourth year of not passing a budget;

Whereas, the national debt has now surpassed $16.4 trillion, more than $136,000 per household;

Whereas, annual deficits have exceeded $1 trillion for each of the last four years, and unfunded obligations for social programs now exceed $85 trillion, with no apparent Congressional resolution on the horizon;

Whereas, it took 200 years for the United States to accumulate the first trillion dollars in debt and only 286 days to accumulate the most recent trillion;

Whereas, $85 billion per month of the national debt and annual deficits are now offset through Federal Reserve operations such as ''quantitative easing'' and ''operation twist'';

Whereas, more than 40 cents of every dollar the state of Utah spends comes from the federal government that borrows and prints more than 40 cents of every dollar it sends to Utah;

Whereas, last New Year's Eve, the United States Congress merely delayed until March 1, 2013, the implementation of the automatic cuts or ''sequestration'' of 8–9% of federal discretionary spending, including funds to state and local governments, and 10% of military spending under the Budget Control Act of 2011;

Whereas, in its recently released audit of the federal government's financial statements, the Government Accountability Office declared, ''Over the long term, the structural imbalance between spending and revenue will lead to continued growth of debt held by the public as a share of GDP [Gross Domestic Product]; this means the current structure of the federal budget is unsustainable'';

Whereas, this fiscal scenario is by all accounts unsustainable for the nation as well as for our state;

Whereas, in May 2012, the American Institute of Certified Public Accountants, in its review of the federal government's most recent annual financial statements, warned, ''The U.S. is not exempt from the laws of prudent finance. We must take steps to put our financial house in order. The credit rating agencies have recently issued renewed warnings of U.S. credit downgrades unless substantive reforms are made. Our current fiscal policy results in mortgaging our nation's future without investing in it, leaving our children, grandchildren and future generations to suffer the consequences. This is irresponsible, unethical and immoral'';

Whereas, restoring fiscal sanity and sustainability is at the heart of jumpstarting economic growth and fostering a business climate where companies can grow and begin to hire; and

Whereas, absent credible actions to address this fiscal irresponsibility, uncertainty will continue to dominate business decision making and economic recovery will languish: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, wholeheartedly supports the Financial Ready Utah initiative of fostering within the state of Utah an enterprise risk management process to assess the immediacy, severity, and probability of risks from any reductions of federal funds to the state of Utah and how the state will marshal its resources, both human and capital, to prioritize and provide the most essential government services; and be it further

Resolved, That the Legislature and the Governor strongly urge local, state, and national representatives to take immediate and sustained action to eliminate deficit spending and secure economic self-reliance to the state of Utah and to the United States;

Resolved, That the Legislature and the Governor strongly urge the President of the United States and the United States Congress to pass a budget each year and adopt a credible and sustainable plan to balance those budgets;

Resolved, That the Legislature and the Governor strongly urge Utah's towns, cities, and counties to adopt and implement comprehensive financial risk management measures as soon as possible;

Resolved, That copies of this resolution be sent to the Attorney General of the United States, the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Utah Association of Counties, the Utah League of Cities and Towns, Financial Ready Utah, the Utah State Chamber of Commerce, the Utah Board of Regents, the Utah State Board of Education, and the members of Utah's congressional delegation.

POM–117. A joint resolution adopted by the Legislature of the State of Utah rejecting United Nations Agenda 21 and urging state and local governments across the United States to reject it; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 11

Whereas, the United Nations Agenda 21 was initiated at the United Nations Conference on Environment and Development in Rio de Janeiro, Brazil, in 1992;

Whereas, the United Nations Agenda 21 is being introduced into local communities across the United States through the International Council of Local Environmental Initiatives, through local ''sustainable development'' policies including Smart Growth America, the Wildlands Project, and Center for Resilient Cities;

Whereas, the United Nations has accredited and enlisted numerous nongovernmental and intergovernmental organizations to assist in the implementation of its policies relative to Agenda 21 around the world;

Whereas, the United Nations Agenda 21 plan of sustainable development views private property ownership, single family homes, private car ownership, individual travel choices, and privately owned farms as destructive to the environment;

Whereas, according to the United Nations Agenda 21 policy, social justice is described as the right and opportunity of all people to benefit equally from the resources afforded citizens by society and the environment, which would be accomplished by redistribution of wealth;

Whereas, according to United Nations Agenda 21 policy, national sovereignty is deemed a social injustice;

Whereas, Utah has a tradition of locally driven community planning efforts dating back to the first settlers who laid out a community plat that formed the basis for most of the cities in Utah;

Whereas, Utah regional planning efforts have focused on citizen participation, local decision making, transparent processes, sound technical data, response to market demand, and respect for due process and private property;

Whereas, Utah's Associations of Governments and Councils of Governments are created and controlled by Utah counties, cities, and towns, predate the adoption of Agenda 21 by more than 20 years, and provide a forum for these local governments to cooperate on issues of regional significance; and

Whereas, cooperative decision making that is locally driven and controlled provides great benefits in terms of cost and service delivery and continues to serve the state of Utah well: Now, therefore, be it

Resolved, That the Legislature of the state of Utah rejects United Nations Agenda 21, both its intent and its potential for abuse; and be it further

Resolved, That the Legislature urges Utah's state agencies and political subdivisions to not adopt or implement policy recommendations that deliberately or inadvertently infringe or restrict private property rights without due process, as may be required by policy recommendations originating in or traceable to Agenda 21, adopted by the United Nations in 1992 at its Conference on Environment and Development, or any other international law or ancillary plan of action that contravenes the Constitution of the United States or the Constitution of the state of Utah;

Be it Further Resolved, That the Legislature urges Utah's state agencies and political subdivisions to not adopt or develop environmental and developmental policies that, without due process, would infringe or restrict the private property rights of property owners;

Be it Further Resolved, That the Legislature urges state and local governments across the United States to be well informed regarding the underlying harmful implications of implementing United Nations Agenda 21's strategies for ''sustainable development.'';

Be it Further Resolved, That the Legislature urges state and local governments across the United States to not enter into any agreement, expend any sum of money, contract services, or give financial aid to those nongovennnental and intergovernmental organizations affiliated with United Nations Agenda 21;

Be it Further Resolved, That the Legislature urges state and local governments across the United States to reject United Nations Agenda 21 and any grant money or financial aid attached to it;

Be it Further Resolved, That the Legislature of the state of Utah supports the locally directed regional planning efforts that are occurring in Utah and encourages other states to look to the Utah model of collaboration that protects local sovereignty and private property rights;

Be it Further Resolved, That a copy of this resolution be sent to the Council of State Governments, the National Conference of State Legislatures, the National Association of Counties, the United Nations General Assembly, the Wildlands Project, Smart Growth America, Center for Resilient Cities, the International Council of Local Environmental Initiatives, the Utah Association of Counties, the Utah League of Cities and Towns, the Majority Leader of the United

States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship, with an amendment:

S. 415. A bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes (Rept. No. 113–84).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 1171. A bill to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property.

S. 233. A bill 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. A bill 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. A bill 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. A bill 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. A bill 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''.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Robert F. Cohen, Jr., of West Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2018.

*William Ira Althen, of Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2018.

*Catherine Elizabeth Lhamon, of California, to be Assistant Secretary for Civil Rights, Department of Education.

*Harry R. Hoglander, of Massachusetts, to be a Member of the National Mediation Board for a term expiring July 1, 2014.

*Linda A. Puchala, of Maryland, to be a Member of the National Mediation Board for a term expiring July 1, 2015.

*Nicholas Christopher Geale, of Virginia, to be a Member of the National Mediation Board for a term expiring July 1, 2016.

By Mr. CARPER for the Committee on Homeland Security and Governmental Affairs.

*Katherine Archuleta, of Colorado, to be Director of the Office of Personnel Management for a term of four years.

*John H. Thompson, of the District of Columbia, to be Director of the Census for the remainder of the term expiring December 31, 2016.

*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. HOEVEN (for himself, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. COCHRAN, Mr. VITTER, Mr. CRAPO, Mr. BLUNT, Mr. MANCHIN, Mr. WICKER, Mr. ROBERTS, and Mr. CHAMBLISS):

S. 1401. A bill to provide for the development of a plan to increase oil and gas exploration, development, and production under oil and gas leases of Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOZMAN:

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

By Mr. PRYOR (for himself and Ms. AYOTTE):

S. 1403. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to facilitate the screening of severely injured or disabled members of the Armed Forces and severely injured or disabled veterans at airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 1404. A bill to prohibit the consideration of any bill by Congress unless the authority provided by the Constitution of the United States for the legislation can be determined and is clearly specified; to the Committee on Rules and Administration.

By Mr. SCHUMER (for himself, Mr. ROBERTS, Mr. LEAHY, and Ms. LANDRIEU):

S. 1405. A bill to amend title XVIII of the Social Security Act to provide for an extension of certain ambulance add-on payments under the Medicare program; to the Committee on Finance.

By Ms. AYOTTE (for herself and Mr. WARNER):

S. 1406. A bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 1407. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen elementary and secondary computer science education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 1408. A bill to address the dramatic increase of HIV/AIDS in minority communities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ:

S. 1409. A bill to amend the Internal Revenue Code of 1986 to provide a credit for employer-provided job training, and for other purposes; to the Committee on Finance.

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

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

By Mr. FRANKEN (for himself and Mr. BOOZMAN):

S. 1411. A bill to specify requirements for the next update of the current strategic plan for the Office of Rural Health of the Department of Veterans Affairs for improving access to, and the quality of, health care services for veterans in rural areas; to the Committee on Veterans' Affairs.

By Mrs. HAGAN (for herself and Mr. GRAHAM):

S. 1412. A bill to provide the Department of Homeland Security, U.S. Customs and Border Protection, and the Department of the Treasury with authority to more aggressively enforce customs and trade laws relating to textile and apparel articles, and for other purposes; to the Committee on Finance.

By Mr. PRYOR (for himself, Mr. BLUNT, Mr. FRANKEN, Mr. MORAN, and Mr. COATS):

S. 1413. A bill to exempt from sequestration certain fees of the Food and Drug Administration; to the Committee on the Budget.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1414. A bill to provide for the conveyance of certain Federal land in the State of Oregon to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1415. A bill to provide for the conveyance of certain Federal land in the State of Oregon to the Cow Creek Band of Umpqua Tribe of Indians; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER:

S. 1416. A bill to protect miners from pneumoconiosis (commonly known as black lung disease), and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. REED (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mrs. HAGAN, Mr. REID, Mr. WHITEHOUSE, Mr. CHAMBLISS, Mr. COCHRAN, Mr. WICKER, Mr. BLUMENTHAL, Mr. TESTER, Mr. BAUCUS, Mr. MORAN, Mr. ISAKSON, Ms. COLLINS, Mr. BLUNT, Mr. BURR, Mr. CASEY, and Mrs. MURRAY):

S. Res. 207. A resolution designating August 16, 2013, as ''National Airborne Day''; considered and agreed to.

By Mr. CARDIN (for himself, Ms. COLLINS, Ms. WARREN, Mr. GRASSLEY, Mr. BROWN, Mr. ROCKEFELLER, and Mr. MURPHY):

S. Res. 208. A resolution designating the week beginning September 8, 2013, as ''National Direct Support Professionals Recognition Week''; considered and agreed to.

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

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

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

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

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

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

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

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

ADDITIONAL COSPONSORS

S. 116

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

S. 153

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

S. 195

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

S. 203

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

S. 314

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

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 338

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

S. 351

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

S. 381

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

S. 422

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

S. 489

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

S. 496

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

S. 562

At the request of Mr. WYDEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 562, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 573

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

S. 647

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

S. 692

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

S. 709

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

S. 718

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

S. 809

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

S. 862

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

S. 896

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

(Mr. LEAHY) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 915

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

S. 942

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

S. 968

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

S. 1012

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

S. 1118

At the request of Mr. WYDEN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1118, a bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, and for other purposes.

S. 1123

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

S. 1135

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1135, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 1137

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

S. 1155

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

S. 1181

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

S. 1204

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

S. 1217

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

S. 1235

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

S. 1250

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

S. 1251

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

S. 1276

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

S. 1277

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

S. 1302

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

S. 1310

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

S. 1323

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

S. 1324

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

S. 1332

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

S. 1335

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

S. 1360

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

S. 1386

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

S. 1392

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

AMENDMENT NO. 1823

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

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOZMAN:

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

Mr. President, part of the American Dream is to build an inheritance that will benefit our future generations. The death tax works against that idea by making planning and passing on family farms and businesses to the next generation even more difficult. Often times the cost is too much to absorb and families end up spending their hard-earned money on attorney fees, selling their land or business and its assets, or laying off workers just to pay Uncle Sam. We need to eliminate polices like the death tax that create unnecessary burdens on our agriculture community and family businesses. The Death Tax Repeal Act would permanently eliminate the federal estate and gift taxes that punish America's agriculture producers and small business owners. According to a study by Douglas Holtz-Eakin, a former director of the non-partisan Congressional Budget Office, repealing the death tax would create 1.5 million additional small business jobs and would decrease the national unemployment rate by nearly 1 percent.

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

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

S. 1402

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

SECTION 1. SHORT TITLE.

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

SEC. 2. REPEAL OF ESTATE AND GIFT TAXES.

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

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

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

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

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

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

S. 1410

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

SECTION 1. SHORT TITLE.

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

SEC. 2. APPLICABILITY OF STATUTORY MINIMUMS.

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

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

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

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

(c) LIMITATIONS.—No court shall entertain a motion made under this section to reduce a sentence if the sentence was previously imposed or previously reduced in accordance with the amendments made by sections 2 and 3 of the Fair Sentencing Act of 2010 (Public Law 111–220; 124 Stat. 2372) or if a motion made under this section to reduce the sentence was previously denied. Nothing in this section shall be construed to require a court to reduce any sentence pursuant to this section.

SEC. 4. SENTENCING MODIFICATIONS FOR CERTAIN DRUG OFFENSES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 5. DIRECTIVE TO THE SENTENCING COMMISSION.

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

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

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

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

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

(4) the relevant public safety concerns involved in the considerations before the United States Sentencing Commission;

(5) the intent of Congress that penalties for violent and serious drug traffickers who present public safety risks remain appropriately severe; and

(6) the need to reduce and prevent racial disparities in Federal sentencing.

(c) EMERGENCY AUTHORITY.—The United States Sentencing Commission shall—

(1) promulgate the guidelines, policy statements, or amendments provided for in this Act as soon as practicable, and in any event not later than 120 days after the date of enactment of this Act, in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired; and

(2) pursuant to the emergency authority provided under paragraph (1), make such conforming amendments to the Federal sentencing guidelines as the Commission determines necessary to achieve consistency with other guideline provisions and applicable law.

SEC. 6. REPORT BY ATTORNEY GENERAL.

Not later than 6 months after the date of enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the House of Representatives and the Senate a report outlining how the reduced expenditures on Federal corrections and the cost savings resulting from this Act will be used to help reduce overcrowding in the Federal Bureau of Prisons, help increase proper investment in law enforcement and crime prevention, and help reduce criminal recidivism, thereby increasing the effectiveness of Federal criminal justice spending.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 1414. A bill to provide for the conveyance of certain Federal land in the State of Oregon to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I rise to introduce two bills that are aimed at righting past wrongs and fostering the self-sufficiency of proud nations. The Canyon Mountain Land Conveyance Act of 2013 and the Oregon Coastal Land Conveyance Act will provide homelands for the Cow Creek Band of Umpqua Tribe of Indians and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, respectively—two tribes that are currently without a land base or that have only a nominal land base. I am pleased to be joined in this effort by my friend and colleague, Senator MERKLEY.

Our country's official policies toward its native peoples have changed over time since the founding of the United States. When European settlers came to American shores, they recognized that the lands on which our Nation now sits were occupied by millions of people organized by hundreds of governments, and these European colonial powers respected these governments as fellow sovereigns. In the late 1700's, when our great Nation was born, it followed suit, making treaties with the governments of the various tribes and aiming to get along with them to ensure peace and prosperity for all. As our Nation became more powerful, its policies toward Native peoples and governments shifted with the political tides of those times. If you examine history books, some of the darkest episodes in our history can be found in the chapters written about our federal government's treatment of the first Americans.

Our Nation's past is littered with failed policies toward its first peoples, and one of those failed policies—that to which scholars refer to as, ''Termination''—had a profoundly negative impact on my State. During the 1950's, the federal government was not in the business of honoring the treaties it made with the Indian tribes nor was it interested in living up to its trust responsibility toward its first peoples. Importantly, and as an aside, the tribes had bargained for these rights in exchange for the millions of acres of lands ceded to the United States to enable our westward expansion. At that time, our official Federal stance was focused on terminating the government-to-government relationships between tribal governments and the United States. In my own State of Oregon, several tribes west of the Cascade Mountains were terminated, including the two that are the subjects of the bills I am introducing today. The Termination Era had tragic effects on those tribes that lost Federal recognition. Members of terminated tribes struggled to retain their cultural and religious identities and to survive in a new landscape in which federal programs for their health, education, and housing did not exist.

The Termination Era was such a disaster that the Federal Government formally rebuked it a mere twenty years later when Presidents Johnson an Nixon ushered in the Self-Determination Era. Now, our Federal stance toward tribes is one that respects tribal sovereignty and supports a tribe's right to determine its own destiny while at the same time, fulfilling our duty as trustee to the various tribes. Our Federal policy of self-determination has been lauded by scholars as being the only Federal Indian policy that has succeeded in benefitting our native peoples. Self-Determination Era policies have resulted in an economic boom all over Indian Country as tribes have used Federal assistance to create jobs for Indians and non-Indians alike all across the Nation, much of the time in rural areas where economic opportunities would otherwise not exist. Many of the tribes in my State, for instance, have been able to build their economies, become more self-sufficient and provide valuable goods and services as well as jobs to surrounding community members.

For a tribe to fully exercise its governmental powers—to protect and nurture its members, to retain its cultural and religious heritage, and to grow its economy—it needs a land base. Even though the Cow Creek and Coos tribes were restored to Federal recognition in the 1980's, they still have not been given back any of their former land from which they can exercise their inherent authority as sovereigns. My bills would provide home bases for these tribes from which they can flourish.

The bills I am introducing today convey 17,826 and 14,804 acres of land that is now managed by the Bureau of Land Management, to the Secretary of the Interior to hold in trust for the Cow Creek Band of Umpqua Tribe of Indians and the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, respectively. The bills specify that commercial forestry activities taking place on the land must be done pursuant to all applicable federal laws, and because both of the tribes already own casinos, they specify that the land cannot be used for gaming purposes. Lastly, to address the concerns of counties over lost timber revenues from the Oregon and California Railroad lands within the conveyances, the bills contain provisions ensuring there will be no net loss of O&C lands to the counties.

I want to thank the tribes, counties, and other stakeholders for working together to find the common ground which made these bills a reality.

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

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

S. 1414

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 ''Oregon Coastal Land Conveyance Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term ''Federal land'' means the approximately 14,804 acres of Federal land, as generally depicted on the map entitled ''Oregon Coastal Land Conveyance'', and dated March 27, 2013.

(2) PLANNING AREA.—The term ''planning area'' means land—

(A) administered by the Director of the Bureau of Land Management; and

(B) located in—

(i) the Coos Bay District;

(ii) the Eugene District;

(iii) the Medford District;

(iv) the Roseburg District;

(v) the Salem District; and

(vi) the Klamath Falls Resource Area of the Lakeview District.

(3) DEFINITION OF PUBLIC DOMAIN LAND.—

(A) IN GENERAL.—In this subsection, the term ''public domain land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(B) EXCLUSION.—The term ''public domain land'' does not include any land managed in accordance with the Act of August 28, 1937 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) TRIBE.—The term ''Tribe'' means the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians.

SEC. 3. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, including rights-of-way, all right,

title, and interest of the United States in and to the Federal land, including any improvements located on the Federal land, appurtenances to the Federal land, and minerals on or in the Federal land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 4. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Federal land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical or typographical errors in the map or legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary.

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—Unless expressly provided in this Act, nothing in this Act affects any right or claim of the Tribe existing on the date of enactment of this Act to any land or interest in land.

(b) PROHIBITIONS.—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Federal land.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 3 shall not be eligible, or used, for any gaming activity carried out under Public Law 100–497 (25 U.S.C. 2701 et seq.).

SEC. 6. FOREST MANAGEMENT.

Any commercial forestry activity that is carried out on the Federal land shall be managed in accordance with all applicable Federal laws.

SEC. 7. LAND RECLASSIFICATION.

(a) IDENTIFICATION OF OREGON AND CALIFORNIA RAILROAD LAND.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture and the Secretary shall identify any land owned by the Oregon and California Railroad that is conveyed under section 3.

(b) IDENTIFICATION OF PUBLIC DOMAIN LAND.—Not later than 18 months after the date of enactment of this Act, the Secretary shall identify public domain land that—

(1) is approximately equal in acreage and condition as the land identified under subsection (a); and

(2) is located within the planning area.

(c) MAPS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress and publish in the Federal Register 1 or more maps depicting the land identified in subsections (a) and (b).

(d) RECLASSIFICATION.—

(1) IN GENERAL.—After providing an opportunity for public comment, the Secretary shall reclassify the land identified in subsection (b) as land owned by the Oregon and California Railroad.

(2) APPLICABILITY.—The Act of August 28, 1937 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.) shall apply to land reclassified as land owned by the Oregon and California Railroad under paragraph (1)(B).

S. 1415

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 ''Canyon Mountain Land Conveyance Act of 2013''.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term ''Federal land'' means the approximately 17,826 acres of Federal land, as generally depicted on the map entitled ''Canyon Mountain Land Conveyance'', and dated June 27, 2013.

(2) PLANNING AREA.—The term ''planning area'' means land—

(A) administered by the Director of the Bureau of Land Management; and

(B) located in—

(i) the Coos Bay District;

(ii) the Eugene District;

(iii) the Medford District;

(iv) the Roseburg District;

(v) the Salem District; and

(vi) the Klamath Falls Resource Area of the Lakeview District.

(3) DEFINITION OF PUBLIC DOMAIN LAND.—

(A) IN GENERAL.—In this subsection, the term ''public domain land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(B) EXCLUSION.—The term ''public domain land'' does not include any land managed in accordance with the Act of August 28, 1937 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) TRIBE.—The term ''Tribe'' means the Cow Creek Band of Umpqua Tribe of Indians.

SEC. 3. CONVEYANCE.

(a) IN GENERAL.—Subject to valid existing rights, including rights-of-way, all right, title, and interest of the United States in and to the Federal land, including any improvements located on the Federal land, appurtenances to the Federal land, and minerals on or in the Federal land, including oil and gas, shall be—

(1) held in trust by the United States for the benefit of the Tribe; and

(2) part of the reservation of the Tribe.

(b) SURVEY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall complete a survey of the boundary lines to establish the boundaries of the land taken into trust under subsection (a).

SEC. 4. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Federal land with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical or typographical errors in the map or legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be on file and available for public inspection in the Office of the Secretary.

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(b) PROHIBITIONS.—

(1) EXPORTS OF UNPROCESSED LOGS.—Federal law (including regulations) relating to the export of unprocessed logs harvested from Federal land shall apply to any unprocessed logs that are harvested from the Federal land.

(2) NON-PERMISSIBLE USE OF LAND.—Any real property taken into trust under section 3 shall not be eligible, or used, for any gaming activity carried out under Public Law 100–497 (25 U.S.C. 2701 et seq.).

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Any commercial forestry activity that is carried out on the Federal land shall be managed in accordance with all applicable Federal laws.

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(a) IDENTIFICATION OF OREGON AND CALIFORNIA RAILROAD LAND.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture and the Secretary shall identify any land owned by the Oregon and California Railroad that is conveyed under section 3.

(b) IDENTIFICATION OF PUBLIC DOMAIN LAND.—Not later than 18 months after the date of enactment of this Act, the Secretary shall identify public domain land that—

(1) is approximately equal in acreage and condition as the land identified under subsection (a); and

(2) is located within the planning area.

(c) MAPS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress and publish in the Federal Register 1 or more maps depicting the land identified in subsections (a) and (b).

(d) RECLASSIFICATION.—

(1) IN GENERAL.—After providing an opportunity for public comment, the Secretary shall reclassify the land identified in subsection (b) as land owned by the Oregon and California Railroad.

(2) APPLICABILITY.—The Act of August 28, 1937 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et seq.) shall apply to land reclassified as land owned by the Oregon and California Railroad under paragraph (1)(B).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 207—DESIGNATING AUGUST 16, 2013, AS ''NATIONAL AIRBORNE DAY''

Mr. REED of Rhode Island (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mrs. HAGAN, Mr. REID of Nevada, Mr. WHITEHOUSE, Mr. CHAMBLISS, Mr. COCHRAN, Mr. WICKER, Mr. BLUMENTHAL, Mr. TESTER, Mr. BAUCUS, Mr. MORAN, Mr. ISAKSON, Ms. COLLINS, Mr. BLUNT, Mr. BURR, Mr. CASEY, and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 207

Whereas the members of the airborne forces of the Armed Forces of the United States have a long and honorable history as bold and fierce warriors who, for the national security of the United States and the defense of freedom and peace, project the ground combat power of the United States by air transport to the far reaches of the battle area and to the far corners of the world;

Whereas the experiment of the United States with airborne operations began on June 25, 1940, when the Army Parachute Test Platoon was first authorized by the Department of War, and 48 volunteers began training in July 1940;

Whereas August 16 marks the anniversary of the first official Army parachute jump, which took place on August 16, 1940, to test the innovative concept of inserting United

States ground combat forces behind a battle line by means of a parachute;

Whereas the success of the Army Parachute Test Platoon in the days immediately before the entry of the United States into World War II validated the airborne operational concept and led to the creation of a formidable force of airborne formations that included the 11th, 13th, 17th, 82nd, and 101st Airborne Divisions;

Whereas, included in those divisions, and among other separate formations, were many airborne combat, combat support, and combat service support units that served with distinction and achieved repeated success in armed hostilities during World War II, and provide the lineage and legacy of many airborne units throughout the Armed Forces;

Whereas the achievements of the airborne units during World War II prompted the evolution of those units into a diversified force of parachute and air-assault units that, over the years, have fought in Korea, Vietnam, Grenada, Panama, the Persian Gulf region, and Somalia, and have engaged in peacekeeping operations in Lebanon, the Sinai Peninsula, the Dominican Republic, Haiti, Bosnia, and Kosovo;

Whereas, since the terrorist attacks of September 11, 2001, the members of the United States airborne forces, including members of the XVIII Airborne Corps, the 82nd Airborne Division, the 101st Airborne Division, the 173rd Airborne Brigade Combat Team, the 4th Brigade Combat Team (Airborne) of the 25th Infantry Division, the 75th Ranger Regiment, special operations forces of the Army, Marine Corps, Navy, and Air Force, and other units of the Armed Forces, have demonstrated bravery and honor in combat, stability, and training operations in Afghanistan and Iraq;

Whereas the modern-day airborne forces also include other elite forces composed of airborne trained and qualified special operations warriors, including Army Special Forces, Marine Corps Reconnaissance units, Navy SEALs, and Air Force combat control and pararescue teams;

Whereas, of the members and former members of the United States airborne forces, thousands have achieved the distinction of making combat jumps, dozens have earned the Medal of Honor, and hundreds have earned the Distinguished Service Cross, the Silver Star, or other decorations and awards for displays of heroism, gallantry, intrepidity, and valor;

Whereas the members and former members of the United States airborne forces are all members of a proud and honorable tradition that, together with the special skills and achievements of those members, distinguishes the members as intrepid combat parachutists, air assault forces, special operation forces, and, in the past, glider troops;

Whereas individuals from every State in the United States have served gallantly in the airborne forces, and each State is proud of the contributions of its paratrooper veterans during the many conflicts faced by the United States;

Whereas the history and achievements of the members and former members of the United States airborne forces warrant special expressions of the gratitude of the people of the United States; and

Whereas, since the airborne forces, past and present, celebrate August 16 as the anniversary of the first official jump by the Army Parachute Test Platoon, August 16 is an appropriate day to recognize as National Airborne Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates August 16, 2013, as ''National Airborne Day''; and

(2) calls on the people of the United States to observe National Airborne Day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 208—DESIGNATING THE WEEK BEGINNING SEPTEMBER 8, 2013, AS ''NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK''

Mr. CARDIN (for himself, Ms. COLLINS, Ms. WARREN, Mr. GRASSLEY, Mr. BROWN, Mr. ROCKEFELLER, and Mr. MURPHY) submitted the following resolution; which was considered and agreed to:

S. RES. 208

Whereas direct support professionals, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals (referred to in this preamble as ''direct support professionals'') are the primary providers of publicly funded long-term supports and services for millions of individuals;

Whereas a direct support professional must build a close, trusted relationship with an individual with disabilities;

Whereas a direct support professional assists an individual with disabilities with the most intimate needs on a daily basis;

Whereas direct support professionals provide a broad range of support, including—

(1) preparing meals;

(2) managing medications;

(3) bathing;

(4) dressing;

(5) helping with mobility;

(6) providing transportation to school, work, and religious, and recreational activities; and

(7) helping with general daily affairs;

Whereas a direct support professional provides essential support to help keep an individual with disabilities connected to the family and community of the individual;

Whereas direct support professionals enable individuals with disabilities to live meaningful, productive lives;

Whereas a direct support professional is the key to allowing an individual with disabilities to live successfully in the community and avoid more costly institutional care;

Whereas the majority of direct support professionals are female, and many are the sole breadwinners of their families;

Whereas direct support professionals work and pay taxes, but many are impoverished and are eligible for the same Federal and State public assistance programs on which the individuals with disabilities served by the direct support professionals must depend;

Whereas Federal and State policies, as well as the Supreme Court in Olmstead v. L.C., 527 U.S. 581 (1999), assert the right of an individual to live in the home and community of the individual;

Whereas, in 2013, the majority of direct support professionals are employed in home- and community-based settings, and this trend is projected to increase during this decade;

Whereas there is a documented critical and growing shortage of direct support professionals in every community throughout the United States; and

Whereas many direct support professionals are forced to leave jobs due to inadequate wages and benefits, creating high turnover and vacancy rates that research demonstrates adversely affects the quality of support provided to individuals with disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 8, 2013, as ''National Direct Support Professionals Recognition Week'';

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals of all ages with disabilities;

(3) appreciates the contribution of direct support professionals in supporting the needs that are beyond the capacities of millions of families in the United States;

(4) commends direct support professionals as integral in supporting the long-term support and services system of the United States; and

(5) finds that the successful implementation of the public policies of the United States depends on the dedication of direct support professionals.

SENATE RESOLUTION 209—REMEMBERING THE ANNIVERSARY OF THE TRAGIC SHOOTING ON AUGUST 5, 2012, AT THE SIKH TEMPLE OF WISCONSIN IN OAK CREEK, WISCONSIN

Ms. BALDWIN (for herself, Mr. JOHNSON of Wisconsin, Mr. COONS, Mr. CORNYN, and Mrs. GILLIBRAND) submitted the following resolution; which was considered and agreed to.:

S. RES. 209

Whereas, on Sunday, August 5, 2012, a shooting took place at the Sikh Temple of Wisconsin in Oak Creek, Wisconsin;

Whereas 6 innocent people of the United States, including one woman and 5 men, lost their lives on that day in a senseless and violent act of hate at a house of worship;

Whereas 3 people sustained serious injuries, including Lieutenant Brian Murphy, the first responding officer;

Whereas many members of the Sikh community and the community as a whole selflessly sought to aid and protect others by putting their own safety at risk;

Whereas the heroic action of law enforcement officers such as Officer Sam Lenda prevented additional loss of life; and

Whereas the Sikh community has responded to the shooting in a peaceful manner consistent with the Sikh religious tenets of peace and equality: Now, therefore, be it

Resolved, That the Senate—

(1) remembers the anniversary of the tragic shooting on August 5, 2012, at the Sikh Temple of Wisconsin in Oak Creek, Wisconsin;

(2) condemns in the strongest possible terms that horrific shooting;

(3) condemns hatred and acts of violence towards racial and religious groups and calls for renewed efforts to end that violence;

(4) honors the memory of Suveg Singh Khattra, Satwant Singh Kaleka, Ranjit Singh, Sita Singh, Paramjit Kaur, and Prakash Singh, who died in the shooting;

(5) offers heartfelt condolences to the families, friends, and loved ones of those who died in the shooting;

(6) commends the heroism of first responders, and members of the community who courageously and selflessly placed their lives in danger to prevent the death of more innocent people; and

(7) stands with those who plan to gather in Oak Creek on August 2 through August 5, 2013, to memorialize the lives lost in the shooting and to continue healing as a community.

SENATE RESOLUTION 210—RECOGNIZING AND HONORING ROBERT S. MUELLER, III, DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

Mr. LEAHY (for himself, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. HATCH, Mr. DURBIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Ms. HIRONO) submitted the following resolution; which was considered and agreed to:

S. RES. 210

Whereas Robert S. Mueller, III has enjoyed a long and distinguished career in public service as a military officer, as a prosecutor, and as the sixth Director of the Federal Bureau of Investigation (referred to in this preamble as the ''FBI'');

Whereas Director Mueller received his undergraduate degree from Princeton University, a master's degree in International Relations from New York University, and a juris doctor from the University of Virginia;

Whereas Director Mueller served with bravery in the United States Marine Corps during the Vietnam War, leading a rifle platoon of the 3rd Marine Division and earning the Bronze Star, 2 Navy Commendation Medals, the Purple Heart, and the Vietnamese Cross of Gallantry;

Whereas Director Mueller began his career in law enforcement in 1976 as an Assistant United States Attorney in the United States Attorney's Office for the Northern District of California in San Francisco, and then served as an Assistant United States Attorney for the District of Massachusetts in Boston;

Whereas Director Mueller later served in a variety of other positions in the Department of Justice, including as a senior litigator in the Homicide Section of the United States Attorney's Office for the District of Columbia, assistant to Attorney General Richard L. Thornburgh, and Assistant Attorney General for the Criminal Division;

Whereas, in 1998, Director Mueller was nominated by President William J. Clinton and confirmed by the Senate to be the United States Attorney for the Northern District of California in San Francisco;

Whereas, in 2001, Director Mueller was nominated by President George W. Bush and confirmed by the Senate to be the Director of the FBI;

Whereas Director Mueller took office as Director of the FBI on September 4, 2001, just 1 week before the terrorist attacks on September 11, 2001;

Whereas Director Mueller led the FBI in the wake of the September 11 attacks and helped transform the FBI into an intelligence-driven organization with a primary focus on national security threats;

Whereas, in 2011, Director Mueller again answered the call to public service by agreeing to serve for an additional 2 years beyond his original 10-year term as Director of the FBI;

Whereas, in 2011, Congress enacted legislation creating a special 2-year term that enabled Director Mueller to continue serving as Director of the FBI;

Whereas Director Mueller has earned the trust and respect of Senators from both parties as a result of his candor, integrity, and unwavering commitment to the rule of law; and

Whereas, throughout the past 12 years, Director Mueller has embodied the principles of fidelity, bravery, and integrity that are at the core of the FBI: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the distinguished service of Robert S. Mueller, III as the sixth Director of the Federal Bureau of Investigation; and

(2) expresses, on behalf of the United States, its deep appreciation to Director Mueller for his dedication, sacrifice, and outstanding service to his country.

SENATE RESOLUTION 211—DESIGNATING SEPTEMBER 2013 AS ''NATIONAL SPINAL CORD INJURY AWARENESS MONTH''

Mr. RUBIO (for himself and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

S. RES. 211

Whereas the estimated 1,275,000 individuals in the United States who live with a spinal cord injury cost society billions of dollars in health care costs and lost wages;

Whereas an estimated 100,000 of those people are veterans who suffered the spinal cord injury while serving as members of the Armed Forces of the United States;

Whereas accidents are the leading cause of spinal cord injuries;

Whereas motor vehicle crashes are the second leading cause of spinal cord and traumatic brain injuries;

Whereas 70 percent of all spinal cord injuries that occur in children under the age of 18 are a result of motor vehicle accidents;

Whereas every 48 minutes a person will become paralyzed, underscoring the urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for victims of spinal cord injuries, improving the quality of life of victims, and ultimately curing paralysis: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2013 as ''National Spinal Cord Injury Awareness Month'';

(2) supports the goals and ideals of National Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, therapies, and a cure for paralysis;

(4) supports clinical trials for new therapies that offer promise and hope to those persons living with paralysis; and

(5) commends the dedication of local, regional, and national organizations, researchers, doctors, volunteers, and people across the United States that are working to improve the quality of life of people living with paralysis and their families.

SENATE CONCURRENT RESOLUTION 21—EXPRESSING THE SENSE OF CONGRESS THAT CONSTRUCTION OF THE KEYSTONE XL PIPELINE AND THE FEDERAL APPROVALS REQUIRED FOR THE CONSTRUCTION OF THE KEYSTONE XL PIPELINE ARE IN THE NATIONAL INTEREST OF THE UNITED STATES

Ms. LANDRIEU (for herself, Mr. HOEVEN, Mr. PRYOR, Mr. DONNELLY, Mr. BEGICH, Ms. HEITKAMP, Mr. THUNE, Mr. RISCH, Mr. CORNYN, Mr. JOHANNS, and Mr. BARRASSO) submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 21

Whereas safe and responsible production, transportation, and use of oil and petroleum products provide the foundation of the energy economy of the United States, helping to secure and advance the economic prosperity, national security, and overall quality of life in the United States;

Whereas the Keystone XL pipeline would provide short- and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes;

Whereas the State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts;

Whereas the Department of State and other Federal agencies have conducted extensive studies and analysis over a long period of time on the technical, environmental, social, and economic impact of the proposed Keystone XL pipeline;

Whereas assessments by the Department of State found that the Keystone XL pipeline is ''not likely to impact the amount of crude oil produced from the oil sands'' and that ''approval or denial of the proposed Project is unlikely to have a substantial impact on the rate of development in the oil sands'';

Whereas the Department of State found that the incremental life cycle greenhouse gas emissions associated with the Keystone XL project are estimated in the range of 0.07 to 0.83 million metric tons of carbon dioxide equivalents, with the upper end of this range representing 12/1,000 of 1 percent of the 6,702,000,000 metric tons of carbon dioxide emitted in the United States in 2011;

Whereas after extensive evaluation of potential impact to land and water resources along the 875-mile proposed route of the Keystone XL pipeline, the Department of State found, ''The analyses of potential impacts associated with construction and normal operation of the proposed Project suggest that there would be no significant impacts to most resources along the proposed Project route (assuming Keystone complies with all laws and required conditions and measures).'';

Whereas the Department of State found that ''[s]pills associated with the proposed Project that enter the environment are expected to be rare and relatively small'' and that ''there is no evidence of increased corrosion or other pipeline threat due to viscosity'' of diluted bitumen oil that will be transported by the Keystone XL pipeline;

Whereas, the National Research Council convened a special expert panel to review the risk of transporting diluted bitumen by pipeline and issued a report in June 2013 to the Department of Transportation in which the National Research Council found that existing literature indicates that transportation of diluted bitumen poses no increased risk of pipeline failure;

Whereas plans to incorporate 57 project-specific special conditions relating to the design, construction, and operations of the Keystone XL pipeline led the Department of State to find that the pipeline will have ''a degree of safety over any other typically constructed domestic oil pipeline''; and

Whereas, the Department of State found that oil destined to be shipped through the pipeline from the oil sands region of Canada and oil shale deposits in the United States would otherwise move by other modes of transportation if the Keystone XL pipeline is not built; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) construction of the Keystone XL pipeline will promote sound investment in the infrastructure of the United States;

(2) construction of the Keystone XL pipeline will promote energy security in North America and will generate an increase in private sector jobs that will benefit both the region surrounding the Keystone XL pipeline and the United States as a whole; and

(3) completion of the Keystone XL pipeline is in the national interest of the United States.

Mr. HOEVEN. Mr. President, I come to the floor today to talk about the Keystone XL Pipeline. I am going to submit a concurrent resolution that I am sponsoring with MARY LANDRIEU of Louisiana, but before I do that, I want to talk specifically in terms of the Keystone XL Pipeline and correcting the record. I am correcting the record relative to statements the administration has made recently about the project.

As we all know, the Obama administration has been reviewing this project for 5 years. The initial application was submitted by TransCanada, the parent company, in September of 2008, and we are now almost in August of 2013. So in addition to delaying the project, they are also putting out false information. President Obama and Treasury Secretary Lew presented information this week on the Keystone Pipeline that is wrong, and today I want to correct the record.

I want to quote directly from an interview President Obama conducted and reported in the New York Times on Saturday. I am going to read from that transcript because it goes to a number of issues in terms of jobs and energy development as well as the requirements the administration says need to be addressed for the Keystone Pipeline. However, I think the company has addressed those issues in great detail.

Again, this is the transcript from the New York Times. Also, the interview was conducted last week when the President was on his jobs tour.

The interviewer said:

A couple of other quick subjects that are economic-related. Keystone pipeline—Republicans especially talked about that as a big job creator. You've said that you would approve it only if you could be assured it would not significantly exacerbate carbon in the atmosphere. Is there anything that Canada could do or the oil companies could do to offset that as a way of helping you reaching that decision?

That was the question asked of the President. The President responded:

Well, first of all, Michael, [the interviewer] Republicans have said that this would be a big jobs generator. There is no evidence that that's true. And my hope would be that any reporter who is looking at the facts would take the time to confirm that the most realistic estimates are this might create maybe 2,000 jobs during the construction of the pipeline—

That is the Keystone Pipeline.

which might take a year or two—and then after that we're talking somewhere between 50 and 100 [chuckles] jobs in an economy of 150 million working people.

The interviewer goes on:

Yet there are a number of unions who want you to approve this.

Mr. Obama:

Well, look, they might like to see 2,000 jobs initially. But that is a blip relative to the need.

So what we also know is, is that that oil is going to be piped down to the Gulf to be sold on the world oil markets, so it does not bring down gas prices here in the United States. In fact, it might actually cause some gas prices in the Midwest to go up where currently they can't ship some of that oil to world markets.

Now, having said that, there is a potential benefit for us integrating further with a reliable ally to the north our energy supplies.

But I meant what I said; I will evaluate this based on whether or not this is going to significantly contribute to carbon in our atmosphere. And there is no doubt that Canada at the source in those tar sands could potentially be doing more to mitigate carbon releases.

The interviewer asked:

And if they did, could that offset concerns about the pipeline itself?

To which the President responded:

We haven't seen specific ideas or plans. But all of that will go into the mix in terms of John Kerry's decision or recommendation on this issue.

That was the key part of the interview I want to address in my comments.

There are three points I would like to make. The first one is jobs. President Obama says the project will create 2,000 jobs during construction. Then he says maybe 50 or so after that, and he kind of chuckles as he says that.

The first question is: Where does that number come from? Where is he getting his number? His own State Department has a very different number. They say it is going to create more than 42,000 jobs during construction. They didn't say 2,000 jobs during construction, but more than 42,000 jobs during construction.

I will read from the State Department report. It is a draft from the environmental impact statement which came out on March 1, 2013. The State Department report says:

Including direct, indirect, and induced effects, the proposed Project would potentially support approximately 42,100 average annual jobs across the United States over a 1-to 2-year construction period.

That is right out of the report. The State Department goes on to talk about some of the other employment benefits created by the Keystone project.

This employment would potentially translate into approximately $2.05 billion in earnings. Direct expenditures such as construction and material costs . . . would total approximately $3.3 billion. Short-term revenues from sources such as sales and use taxes would total approximately $65 million in states that levy such a tax.

So you are getting tax revenues and $65 million as well.

Yields from fuel and other taxes could not be calculated, but would provide some additional economic benefit to host countries and states.

There is the environmental impact as to the employment right out of the State Department report. We have to ask: Why is President Obama talking about a number like 2,000? It appears the number he is quoting comes from opponents of the projects. Rather than taking his own State Department numbers—done after 5 years of study—he is quoting numbers which are wrong from opponents of the project. Again, don't take my word for it.

Recently the Washington Post—in their fact-check article—stated that President Obama appeared to be using numbers from opponents of the project rather than from his own State Department.

So why would he do that? Why would he take numbers from opponents rather than the State Department?

Well, here is what Sean McGarvey, president of North America's Building Trades Unions, had to say about it in a statement he issued several days ago. According to Sean McGarvey, president of North America's Building Trade Unions:

America's Building Trade Unions were disappointed to see that the President chose to minimize the importance of jobs for construction workers and to use employment figures promulgated by special interests and activist billionaires rather than his own Department of State's findings that the proposed Keystone XL Pipeline would support approximately 42,100 average annual jobs across the United States over a 1- to 2-year construction period.

But the President goes on—it is not just the jobs number that is incorrect. The President also stated this in that New York Times interview:

What we also know is, is that that oil is going to be piped down to the Gulf to be sold on the world oil markets, so it does not bring down gas prices here in the United States. In fact, it might actually cause some gas prices in the Midwest to go up where currently they can't ship some of that oil to world markets.

So he is saying the oil won't be used in the United States and, in fact, it might cause gas prices to go up. But now he is contradicting a report from his own Department of Energy. His own Department of Energy addressed those very issues back in June of 2011. They issued a report, and that report forecasted that the oil will be used in the United States and, further, that it will reduce the price of fuel at the pump for Midwest consumers. I will quote from that report. Again, this is a report from the Department of Energy that was provided in June of 2011.

Without a surplus of heavy oil in (the Gulf Coast), there would be no economic incentive to ship Canadian oil sands to Asia via Port Arthur (in Texas). Many of these (Gulf Coast) refineries rely on declining supplies of Mexican and Venezuelan heavy crudes. . . . They would be natural customers for increased supplies of Canadian dilbit (oil sands oil). . . . The Gulf Coast appetite for Canadian oil sands . . . will be much higher than can be supplied by just the Keystone XL Pipeline.

So they are saying it will be used in the United States.

Concerning the cost of fuel to customers, DOE said:

With substantial additional volumes of light-sweet and other crudes accessible to Gulf Coast refineries, (West Texas Intermediate) prices would increase, Brent, Argus

and other market crude prices would decline. Crude costs to (East Coast) and (Gulf Coast) refineries would be lower.

Here is the key sentence from this section:

Gasoline prices in all markets served by (East and Gulf Coast) refineries would be lower, including the Midwest.

So the Department of Energy in its report specifically states that the oil will be used in the United States—we are a net importer of crude oil—and that gas prices would be lower, not higher. As I said earlier, the State Department in the EIS said the job number will be 42,000, not 2,000.

The President then concludes the interview by essentially telling Canada what they should do in terms of their regulatory requirements. He says:

And there is no doubt that Canada at the source in those tar sands could potentially be doing more to mitigate carbon release.

The interviewer then asks:

And if they did, could that offset the concerns about the pipeline itself?

President Obama declines to indicate any specifics, but he says essentially all of that will go into the mix for the decision on whether to approve the Keystone XL Pipeline.

So here we are. After 5 years—after 5 years of delay, the President is talking about adding new requirements to the project. He is talking about adding those requirements in another country—our closest friend and ally, Canada—or I guess he is essentially saying he would turn down the project—a project that actually reduces greenhouse gas because there is less greenhouse gas if we move that oil by pipeline than if it is moved by truck, by train, or by tanker.

Furthermore, perhaps the biggest irony is that he is imposing this type of regulatory barrier at the same time he is on a jobs tour, which created some problems for his Cabinet members as well. For example, Jack Lew was on ''Fox News Sunday'' with Chris Wallace, and he got it wrong on Keystone as well last Sunday. The following is part of that transcript. Again, this was ''Fox News Sunday'' with Chris Wallace and Jack Lew. Wallace asked this question:

Let me ask you one question. If you're so interested in creating more jobs, why not approve the Keystone Pipeline which would create tens of thousands of jobs, sir?

Lew responds:

Chris, I think, as you know, the Keystone Pipeline is being reviewed. It's been in the process that was slowed down because—

Wallace then says:

Several years it's being reviewed. I think what, three, four years.

Lew responds:

It was—there were some political games that were played that took it off the trail, past its completion. When Republicans put it out there as something that was put on a timetable where it could not be resolved, it caused a delay. We are getting to the end of the review and we'll have to see where that review is. But I think playing political games with something like this is a mistake.

So he is saying that somehow the Republicans were playing political games and that slowed down the project and that is why it has been in review for 5 years. Five years it has been in review.

Well, as for Secretary Lew's remarks on ''Fox News Sunday,'' we need only to let the facts—especially the dates—speak for themselves. Secretary Lew claimed that the Keystone XL project was delayed because Republicans politicized it. I would be happy to share with them a letter I received in the summer of 2011 from Secretary of State Hillary Clinton. In that letter the Secretary assured me that the Department was poised to make a permitting decision on the Keystone XL project by December of that year—December of 2011.

I have the letter here. It is dated July 26, 2011. It is addressed to Senator HOEVEN. It says: ''Thank you for your letter regarding the proposed Keystone XL Pipeline.'' It goes on to make various comments. The key line in the letter is this: ''We expect to make a decision on whether to grant or deny the permit before the end of the year.'' This is for the Keystone XL Pipeline project from, at that time, Secretary of State Clinton. Instead, however, during the 2012 Presidential election—less than a year away in November—President Obama intervened to postpone that decision until after the election. Then and only then did I press to seek legislatively for a timely decision on the Keystone XL Pipeline and introduced legislation, which we passed, calling for a decision within 60 days, which the President declined to make. So clearly the delay of 5 years is because the administration has refused to make a decision and not for any other reason.

It is not only time to make a decision on the Keystone Pipeline, it is far past time. That is exactly what the American people want. As a matter of fact, in a recent—the most recent poll on the Keystone Pipeline project, Harris Interactive Poll, 82 percent of Americans support approving the Keystone XL Pipeline—82 percent. The President has continued to review it and talk about more requirements. He has provided incorrect information on the jobs and whether the oil will be used here and the impact on gas prices. But 82 percent of Americans want this project approved.

It is about energy. It is about jobs. It is about economic activity. It is about energy security for our country. That is why, as I conclude here today, I wish to submit for the Senate RECORD today, along with Senator MARY LANDRIEU of Louisiana, a concurrent resolution expressing the sense of the Congress that construction of the Keystone XL Pipeline and the Federal approvals required for construction of the Keystone XL Pipeline are in the national interests of the United States. Essentially, with this concurrent resolution, what we are saying is that the Keystone XL Pipeline is in the national interests of the United States and that the administration needs to approve it. It is a bipartisan resolution, and we will seek to have it approved here in the Senate and approved in the House as well. This is in addition to bipartisan legislation I have already introduced which would approve the project congressionally.

The simple point is this: We need to keep the push on to get this project approved, whether it is with a joint resolution of Congress in support of the project, getting the President to make a decision and to make a favorable decision and to do it now instead of continuing to postpone after 5 years or whether Congress steps forward and approves the project directly through legislation I have already submitted.

We need to get this project done for the American people. It really is about jobs. It is about economic growth and activity. It is about energy for our country and getting this country to the point where we are energy independent, energy secure, where we don't need to rely on oil from the Middle East. That is why 82 percent of Americans in the most recent poll across this country are saying this is the kind of project we need. Mr. President, step up and get it done for the American people.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1832. Mr. KING (for himself and Ms. HEITKAMP) 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 1833. Ms. HEITKAMP submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1834. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1835. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1836. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1837. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1838. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1839. Mr. PRYOR (for himself and 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.

TEXT OF AMENDMENTS

SA 1832. Mr. KING (for himself and Ms. HEITKAMP) 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 91, line 8, strike the period and insert ": *Provided further*, That the Secretary shall notify public housing agencies of their annual formula allocation not later than 90 days after the date of enactment of this Act: *Provided further*, That the Secretary may extend the notification period established in the prior proviso with the prior written approval of the House and Senate Committees on Appropriations.''.

SA 1833. Ms. HEITKAMP 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:

On page 74, line 18, strike ''$521,375,000'' and insert ''$516,375,000''.

On page 98, line 5, strike ''$3,295,000,000'' and insert ''$3,300,000,000''.

On page 98, line 11, after the colon insert ''*Provided further*, That of the total amounts made available under this heading, $5,000,000 is for carrying out grants to assist tribal colleges and universities under the Tribal Colleges and Universities Program pursuant to section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307):''.

SA 1834. Mr. SANDERS 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 75, line 8, strike ''$193,600,000'' and insert ''$191,100,000''.

On page 84, line 10, strike ''$78,000,000'' and insert ''$80,500,000''.

SA 1835. Mr. SANDERS 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 85, line 21, after the semicolon insert ''*Provided further*, That the Secretary of Housing and Urban Development and the Secretary of Veterans Affairs shall, in administering and distributing rental voucher assistance funded under this paragraph, give consideration to the unique challenges of identifying homeless veterans in rural areas during point in time counts, and adjust their rental voucher assistance allocations accordingly:''

SA 1836. Mr. DURBIN 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 74, between lines 8 and 9, insert the following:

SEC. 192. (a) The Surface Transportation Board shall investigate any complaint filed by any office or agency of the State of Illinois concerning a freight railroad's actions to delay or obstruct studies, access, investigations, or planning of a new or existing intercity passenger rail route in Illinois.

(b) The Surface Transportation Board is authorized to award damages and other relief pursuant to section 24308 of title 49, United States Code, if the Board finds that a freight railroad—

(1) has delayed studies, access, investigations, or planning of a new or existing intercity passenger rail route in Illinois; or

(2) is deemed to have failed to negotiate with any agency or office of the State of Illinois on any such route.

SA 1837. Mr. WHITEHOUSE 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. 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 not more than 20,000 residential units in multifamily buildings 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), other than assistance provided under section 8(o) of that Act;

(2) the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q); or

(3) the supportive housing for persons with disabilities program under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013(d)(2)).

(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 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 that is sufficient to cover the administrative costs of carrying out this section.

(ii) LIMITATIONS.—A payment made by the Secretary under an agreement under this section shall—

(I) be contingent on documented utility savings; and

(II) not exceed the utility savings achieved by the date of the payment, and not previously paid, as a result of the improvements made under the agreement.

(C) THIRD PARTY VERIFICATION.—Savings payments made by the Secretary under this section shall be based on a measurement and verification protocol that includes at least—

(i) establishment of a weather-normalized and occupancy-normalized utility consumption baseline established preretrofit;

(ii) annual third party confirmation of actual utility consumption and cost for owner-paid utilities;

(iii) annual third party validation of the tenant utility allowances in effect during the applicable year and vacancy rates for each unit type; and

(iv) annual third party determination of savings to the Secretary.

(2) TERM.—The term of an agreement under this section shall be not longer than 12 years.

(3) ENTITY ELIGIBILITY.—The Secretary shall—

(A) establish a competitive process for entering into agreements under this section; and

(B) enter into such agreements only with entities that demonstrate significant experience relating to—

(i) financing and operating properties receiving assistance under a program described in subsection (a);

(ii) oversight of energy and water conservation programs, including oversight of contractors; and

(iii) raising capital for energy and water conservation improvements from charitable organizations or private investors.

(4) GEOGRAPHICAL DIVERSITY.—Each agreement entered into under this section shall provide for the inclusion of properties with the greatest feasible regional and State variance.

(c) PLAN AND REPORTS.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed plan for the implementation of this section.

(2) REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall—

(A) conduct an evaluation of the program under this section; and

(B) submit to Congress a report describing each evaluation conducted under subparagraph (A).

(d) 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 the renewal of contracts under a program described in subsection (a).

SA 1838. Ms. MURKOWSKI 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. _____. TECHNICAL CORRECTION RELATING TO FORMULA GRANTS FOR PUBLIC TRANSPORTATION.

Section 5336(b)(2)(E) of title 49, United States Code, is amended by striking ''22.27 percent'' and inserting ''27 percent''.

SA 1839. Mr. PRYOR (for himself and 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:

On page 74, between lines 8 and 9, insert the following:

SEC. 192. (a)(1) Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation, acting through the Pipeline and Hazardous Materials Safety Administration (referred to in this section as the ''Secretary''), shall publish on the website of the Department of Transportation the following information relating to the rupture of the Pegasus pipeline in the State of Arkansas:

(A) A summarized analysis of the ExxonMobil 2010 and 2013 in-line inspection reports or the full reports.

(B) A summarized analysis of the ExxonMobil 2006 hydrostatic test report or the full report.

(C) The 2013 metallurgical report.

(2) The Secretary shall publish the information required under paragraph (1) in full, with limited redactions allowed under paragraphs (4) and (7)(A) of section 552(b) of title 5, United States Code.

(b) Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress (including the Committees on Appropriations of the House of Representatives and the Senate) a report that—

(1) describes the status of the investigation of the Secretary of the rupture of the Pegasus pipeline;

(2) contains an evaluation of the integrity of the remaining pipeline; and

(3) provides recommendations for improving future pipeline inspections, testing, and monitoring.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. MENENDEZ. 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 31, 2013 at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MENENDEZ. 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 31, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Energy Drinks: Exploring Concerns about Marketing to Youth.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MENENDEZ. 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 31, 2013, at 9:30 a.m. in room 406 of the Dirksen Senate office building, to conduct a hearing entitled, ''Strengthening Public Health Protections by Addressing Toxic Chemical Threats.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 31, 2013, at 3 p.m., to hold a European Affairs subcommittee hearing entitled, ''Where is Turkey Headed? Gezi Park, Taksim Square, and The Future of the Turkish Model.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. MENENDEZ. 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 31, 2013, at 10 a.m. in room SD–608 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 31, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to 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.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 31, 2013, at 9 a.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled ''Strengthening Privacy Rights and National Security: Oversight of FISA Surveillance Programs.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on July 31, 2013, at 10 a.m., in room SR–418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGENCY MANAGEMENT, INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 31, 2013, at 2 p.m. to conduct a hearing entitled, ''How Prepared is the National Capital Region for the Next Disaster?''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ENERGY, NATURAL RESOURCES, AND INFRASTRUCTURE

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on Energy, Natural Resources, and Infrastructure of the Committee on Finance be authorized to meet during the session of the Senate on July 31, 2013, at 2:30 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Powering Our Future: Principles for Energy Tax Reform.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be authorized to meet during the session of the Senate to conduct a hearing on July 31, 2013, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that Allan Van Vliet be given floor privileges for the balance of the day. He is an intern in my office.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that two fellows from Senator BROWN's staff, Andrew Steigerwald and Katherine LaBeau, be granted floor privileges for tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Rhode Island.

10-YEAR ANNIVERSARY OF NATO ALLIED COMMAND TRANSFORMATION

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 146, S. Res. 156.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 156) expressing the sense of the Senate on the 10-year anniversary of NATO Allied Command Transformation.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment and an amendment to the preamble, as follows:

(Strike out all after the resolving clause and insert the part printed in italic.)

(Strike the preamble and insert the part printed in italic.)

Whereas, on June 19, 2003, NATO's Allied Command Transformation (ACT), was formally established to increase military effectiveness and prepare the Alliance for future security challenges;

Whereas, on June 19, 2013, the North Atlantic Treaty Organization (NATO) will celebrate the 10-year anniversary of the establishment of NATO ACT;

Whereas the security of the United States and its NATO allies have been enhanced by the establishment and continued work of NATO ACT;

Whereas, for the past 10 years, ACT has been leading NATO's military transformation, and providing relevant and timely support to NATO operations, while developing partnerships around the globe to adapt to the changing global security environment;

Whereas ACT is the only NATO headquarters in the United States, and the only permanent NATO headquarters outside of Europe;

Whereas ACT provides state of the art education, training, and application of best practices and lessons learned from past operations, and equips Alliance troops with the tools they need to win today's wars;

Whereas ACT improves NATO's defense planning and develops compatible equipment and common standards necessary to keep Alliance capabilities aligned;

Whereas NATO ACT has been integral to a NATO mission of promoting a Europe that is whole, undivided, free, and at peace;

Whereas NATO ACT strengthened the ability of NATO to perform a full range of missions throughout the world;

Whereas NATO ACT has provided crucial support and participation in the NATO International Security Assistance Force in Afghanistan, as NATO endeavors to help the people of Afghanistan create the conditions necessary for security and successful development and reconstruction;

Whereas ACT employs personnel from 26 of the 28 NATO member nations and six of the 41 NATO Partner nations and contributes more than $100,000,000 annually to the local economy;

Whereas NATO has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and throughout the world for over 60 years, representing the vital transatlantic bond of solidarity between the United States and Europe, as NATO nations share similar values and interests and are committed to the maintenance of democratic principles;

Whereas the Chicago Summit Communique affirms that all NATO members ''are determined that NATO will continue to play its unique and essential role in ensuring our common defense and security'' and that NATO ''continues to be effective in a changing world, against new threats, with new capabilities and new partners'';

Whereas, through the Alliance, the United States and Europe are effective and steadfast partners in security, and ACT is well positioned to contribute to the strength of the Alliance on both continents;

Whereas NATO ACT has done much to help NATO meet the global challenges of the 21st century, including the threat of terrorism, the spread of weapons of mass destruction, instability caused by failed states, and threats to global energy security; and

Whereas the 10th anniversary of NATO ACT is an opportunity to enhance and more deeply entrench those principles, which continue to bind the alliance together and guide our efforts today: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 10th anniversary of the establishment of NATO Allied Command Transformation (NATO ACT);

(2) recognizes NATO ACT's leading role in transforming Alliance forces and capabilities, using new concepts such as the NATO Response Force and new doctrines in order to improve the Alliance's military effectiveness;

(3) expresses appreciation for the continuing and close partnership between the United States Government and NATO to transform the Alliance;

(4) remembers the 64 years NATO has served to ensure peace, security, and stability in Europe throughout the world, and urges the United States Government to continue to seek new ways to deepen and expand its important relationships with NATO;

(5) recognizes the service of the brave men and women who have served to safeguard the freedom and security of the United States and the whole of the transatlantic alliance;

(6) honors the sacrifices of United States personnel, allies of the North Atlantic Treaty Organization, and partners in Afghanistan;

(7) recognizes the outstanding partnership between the local community in Norfolk, Virginia and NATO personnel assigned to ACT;

(8) reaffirms that NATO, through the new Strategic Concept, is committed to helping the Alliance adapt and prepare for the complex and demanding future security;

(9) urges all NATO members to take concrete steps to implement the Strategic Concept and to utilize the taskings from the 2012 NATO summit in Chicago, Illinois, to address current NATO operations, future capabilities and burden-sharing issues, and strengthen the relationship between NATO and partners around the world;

(10) calls upon the President to use the momentum of the occasion of the 10th anniversary of NATO ACT—

(A) to engage each of the member states of the North Atlantic Treaty Organization in a dialogue about the long-term health of the Alliance, and strongly encourage each of the member states to make a serious effort to protect defense budgets from further reductions, better allocate and coordinate the resources presently available, and recommit to spending at least 2 percent of gross domestic product (GDP) on defense; and

(B) to examine and report to Congress on recommendations that will lead to a stronger Alliance in terms of military capability and readiness across the 28 member states, with particular focus on the smaller member states; and

(11) conveys appreciation for the steadfast partnership between NATO and the United States.

Mr. WHITEHOUSE. I further ask unanimous consent that the committee-reported substitute be agreed to; the resolution, as amended, be agreed to; the amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported substitute was agreed to.

The resolution (S. Res. 156), as amended, was agreed to.

The amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

RESOLUTIONS SUBMITTED TODAY

Mr. WHITEHOUSE. I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 207, S. Res. 208, S. Res. 209, S. Res. 210, and S. Res. 211.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. WHITEHOUSE. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

Mr. WHITEHOUSE. Mr. President, before I note the absence of a quorum, let me express my appreciation to Senator MORAN for his patience as we go through the closing script. He will have an opportunity to speak at the conclusion of this, and I appreciate very much his courtesy in accommodating us in this way.

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. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFFORDABLE CARE ACT

Mr. MORAN. Mr. President, 3 years ago Congress passed a massive health insurance law which didn't have a single Republican vote, and it had significant opposition by the public.

In an administration proclaiming to be the most transparent ever, this 2,700-page bill was rammed through Congress in the early morning hours on Christmas Eve. Even then-Speaker of the House Pelosi said Congress had to pass this bill so that we could find out what was in it.

Well, we did. It was passed, and the American people are not liking what they have discovered.

While the President promised the Affordable Care Act would lower health care costs and strengthen our health care system, the law, instead, is increasing health insurance premiums, slowing economic recovery, and hindering job creation. We should not allow the administration to continue to ignore this reality. We must permanently delay the Affordable Care Act.

Since its enactment in 2010, 18 components of the health care law have been changed, cancelled, or delayed. The President downplays the law's substantial defects by characterizing them as ''glitches and bumps'' that are to be expected. He also claims that the Affordable Care Act critics are responsible for the law's broken promises by arguing that the problem is with ''folks out there who are actively working to make this law fail.'' Meanwhile, the Affordable Care Act is slowly unraveling.

Every day brings new information about missed deadlines, funding shortfalls, soaring health insurance premium rates, and a technical implementation that is floundering. Is it any wonder that this law continues to be publicly unpopular?

With the majority of mandates, fees, and taxes taking effect in 2014, we are already beginning to see the alarming effects of the law on individuals, families, employers, and on our economy. It is one broken promise after another.

Promise No. 1. In attempting to convince the American people that the ACA was good, the President promised it would ''save families $2,500 in the coming years.'' But since 2008, the average American family has seen health insurance premiums rise more than $3,000. Nonpartisan actuaries estimate that national health spending will grow at an average rate of close to 6 percent annually between 2011 and 2021. As national spending ticks up, American families will continue to see their monthly premiums go up.

States are beginning to release details on the rates consumers will pay for ACA-related health insurance starting on January 1. An unfortunate pattern is emerging—ACA-mandated insurance is going to increase costs for many Americans.

Recently, the State of Indiana announced that insurance rates will increase 72 percent for consumers in the individual market. Consumers in Ohio, Florida, South Carolina, and Maryland have also announced they are expecting to see their premiums increase significantly. Just yesterday, the Georgia insurance commissioner asked the Department of Health and Human Services to extend the deadline to approve health plans in their State because some rates were expected in Georgia to rise by 198 percent.

In my home State of Kansas, I consistently hear concerns from individuals, business owners, and even local government officials about the impending costs of the Affordable Care Act.

For example, rural Kansas school districts and special education co-ops, whose budgets are already stretched thin, will now be forced to cover the costs associated with the law. This has resulted in reductions in employees' hours and may trigger layoffs in order for the districts to avoid significant ACA-related penalties.

It is sad to visit with the director of a special education co-op only to learn that less services are going to be provided to special needs students because of the costs associated with the Affordable Care Act.

The American people were promised savings and security. Instead, we are experiencing less of both. The Affordable Care Act is leaving Americans with less options and simply unaffordable care.

Promise No. 2. In 2009, the President said:

> No matter how we reform health care, we will keep this promise: If you like your doctor, you will be able to keep your doctor, period.

Reality has since whittled down this promise dramatically. If you go to the Affordable Care Act Web site today, you will find this far less confident statement:

> Depending on the plan you choose in the Marketplace, you may be able to keep your current doctor.

Even large labor unions have recently criticized the President and congressional Democrats for breaking this promise. Notably, the National Treasury Employees Union, the union that represents most IRS employees, is urging its members to write their elected officials to oppose any effort that would force them to participate in the health insurance exchanges.

Further, several unions stated:

> When you and the President sought our support for the Affordable Care Act (ACA), you pledged that if we liked the health plans we have now, we could keep them. Sadly, that promise is under threat.

And another statement:

> [A]pproximately 3 million laborers, retirees, and their families now face the very real prospect of losing their health benefits. This, I must remind you, was something that you promised would not happen.

Promise No. 3. The President indicated that the Affordable Care Act would ''lower costs for . . . the federal government, reducing our deficit by over $1 trillion in the next two decades. It is paid for. It is fiscally responsible.''

The only way the Affordable Care Act will reduce deficits is by grossly increasing the taxes and fees associated with this law. One wonders how anyone believed at the time that the new entitlement program would ever save money.

These broken promises are more than just words. The administration's false starts and early failures in implementing the Affordable Care Act are just the beginning. The harm this law will do to individuals, families, and businesses will continue to emerge. In less than 3 months, individuals will be asked to start enrolling in a health insurance exchange when insurance rates, coverage requirements, and subsidy amounts are still largely unknown. And, increasingly, the question being asked is, What happens to individuals required to buy health insurance or face penalties if the exchanges are not ready on time?

I am the ranking member of the Senate Appropriations Subcommittee on Labor, Health and Human Services. I offered two amendments to the fiscal year 2014 bill that would bring some certainty to this overarching issue.

First, I offered an amendment to codify the administration's decision to delay the employer mandate. While many of my colleagues on the Democratic side issued press releases praising the administration's decision to delay, when asked to affirmatively vote in committee to delay for 1 year, they all voted no. The amendment failed on a straight party-line vote.

The second amendment I offered delayed the implementation and enforcement of the individual mandate for 1 year. While I support the delay of the employer mandate, in that decision, like it or not, the administration undermined its own credibility in stating that the Affordable Care Act would be implemented on time, as promised. We should not, and cannot, require individuals to risk their health care coverage by signing up for an unworkable program with a dubious future. Unfortunately, my colleagues—again, on the Democratic side—disagreed. They refused to extend the exemption the President granted to businesses to families and individuals—to all Americans.

The evidence continues to show that the Affordable Care Act is so large and convoluted that it cannot be implemented into practice. Reports from State actuaries, the Congressional Budget Office, the Government Accountability Office, and nonpartisan think tanks have reached the same conclusion: Almost everything we were told about the Affordable Care Act is untrue.

We were told 3 years ago that we need to pass the Affordable Care Act to find out what is in it. Now we know, and it is not good. We don't need to force American families to endure another 3 years just to see how bad it actually will be.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, AUGUST 1, 2013

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, August 1, 2013, and 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 until 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; that following morning business, the Senate proceed to executive session to consider Calendar No. 96, the Chen nomination, under the previous order; and finally, that the second-degree filing deadline for amendments to S. 1243 be 11 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WHITEHOUSE. There will be two rollcall votes at noon tomorrow: confirmation of the Chen nomination and cloture on the THUD bill. Additionally, there will be a vote in the afternoon on confirmation of the Power nomination.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, 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 8:17 p.m., adjourned until Thursday, August 1, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

KENNETH L. MOSSMAN, OF ARIZONA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2016, VICE JOHN EDWARD MANSFIELD, TERM EXPIRED.

DEPARTMENT OF TRANSPORTATION

SYLVIA I. GARCIA, OF MICHIGAN, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF TRANSPORTATION, VICE CHRISTOPHER P. BERTRAM, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

JO EMILY HANDELSMAN, OF CONNECTICUT, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE CARL WIEMAN, RESIGNED.

DEPARTMENT OF THE INTERIOR

MICHAEL L. CONNOR, OF NEW MEXICO, TO BE DEPUTY SECRETARY OF THE INTERIOR, VICE DAVID J. HAYES, RESIGNED.

DEPARTMENT OF THE TREASURY

SARAH BLOOM RASKIN, OF MARYLAND, TO BE DEPUTY SECRETARY OF THE TREASURY, VICE NEAL S. WOLIN.

UNITED STATES TAX COURT

L. PAIGE MARVEL, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

DEPARTMENT OF STATE

JOHN L. ESTRADA, OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TRINIDAD AND TOBAGO.

NOAH BRYSON MAMET, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ARGENTINE REPUBLIC.

ROBERT O. BLAKE, JR., OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF INDONESIA.

THOMAS FREDERICK DAUGHTON, OF ARIZONA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NAMIBIA.

PHILIP S. GOLDBERG, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER–MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE PHILIPPINES.

MICHAEL STEPHEN HOZA, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON.

EUNICE S. REDDICK, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NIGER.

KAREN CLARK STANTON, OF MICHIGAN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DEMOCRATIC REPUBLIC OF TIMOR–LESTE.

GREGORY B. STARR, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (DIPLOMATIC SECURITY), VICE ERIC J. BOSWELL, RESIGNED.

BROADCASTING BOARD OF GOVERNORS

KENNETH R. WEINSTEIN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2014, VICE DENNIS MULHAUPT, RESIGNED.

DEPARTMENT OF STATE

AMY JANE HYATT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PALAU.

NATIONAL SCIENCE FOUNDATION

FRANCE A. CORDOVA, OF NEW MEXICO, TO BE DIRECTOR OF THE NATIONAL SCIENCE FOUNDATION FOR A TERM OF SIX YEARS, VICE SUBRA SURESH, RESIGNED.

CONFIRMATION

Executive nomination confirmed by the Senate July 31, 2013:

DEPARTMENT OF JUSTICE

BYRON TODD JONES, OF MINNESOTA, TO BE DIRECTOR, BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES.

EXTENSIONS OF REMARKS

CELEBRATING THE 15 YEARS OF SERVICE OF THE TAHOE TRUCKEE COMMUNITY FOUNDATION

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. MCCLINTOCK. Mr. Speaker, I rise today to recognize the Tahoe Truckee Community Foundation for 15 years of service to the community. The Foundation began with a generous gift of one million dollars from William Hewlett, co–founder of Hewlett Packard. It was his vision and commitment that challenged other individuals to dedicate time and resources to help promote philanthropy. Today, more than 3,000 donors have distributed millions of dollars to local nonprofits, improving the quality of life in this historic and beautiful region.

The Tahoe Truckee Community Foundation has awarded more than $20 million in grants to the community. The most recent project, the Community House, opens this fall and will serve as a long-term community wellness center. The House will provide a variety of services including professional counseling and enrichment classes to help individuals become more self-reliant.

It is the initiative of private citizens to improve the quality of life for all that has earned the Foundation national recognition by the Council on Foundations as one of the top community organizations in the entire nation. This honor attests to the vibrancy of the group and the importance of the Foundation's deeds.

As John Adams put it, the success of this organization is the ''result of good heads prompted by good hearts.'' May the good hearts of the many donors and volunteers continue to make the name of the Tahoe Truckee Community Foundation a beacon for all those in need and an enduring example for those who work to make our cities, states, and the nation better for all. Mr. Speaker, I am proud to recognize and thank the Foundation for its years of service to our community.

IN RECOGNITION OF C. WAITMAN TAYLOR AND HIS CAREER IN SERVICE TO OWENSBORO, KENTUCKY

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. GUTHRIE. Mr. Speaker, I rise today in recognition of C. Waitman Taylor, Jr. Born and raised in Lewisport, Kentucky, Waitman has continued the Taylor family legacy by serving Hancock and Daviess Counties in a variety of ways.

Waitman is retiring as Executive Director of Owensboro Health's Foundation for Health. Nearly 86 years old, Waitman has over 60 years in the workforce along with serving in the U.S. Air Force, retiring as a captain of the U.S. Air Force reserves in 1966. The list of titles and duties are long, but his distinguished career is truly one to be acknowledged.

Waitman has served in his current role since 2002. Prior to that, Waitman served as an industry official at institutions such as L.R. Chapman Inc., General Electric Co. and Texas Gas Transmission. He was also elected Mayor of Owensboro, a position he held from 1972–1976, after serving as Mayor Pro-Tem for two years.

Waitman's roles go beyond industry and elected office. Waitman served in numerous board positions for the University of Louisville, Murray State University and 30 years with Brescia University receiving honorary doctorate in 1976. Waitman's list of community and fundraising activities are equally as impressive, serving in a variety of leadership positions at the Owensboro-Daviess County Chamber of Commerce, United Way, Owensboro-Daviess County Industrial Foundation, Junior Achievement, Owensboro-Daviess County Regional Airport and Industry Inc., now known as Greater Owensboro Economic Development Corp. Waitman was the co-founder and chairman of Community Foundation of Owensboro-Daviess County. And he was a member of the first Leadership Kentucky class in 1985.

It should come as no surprise that Waitman's achievements have been recognized with numerous awards. In 1958, Waitman was named Owensboro's Outstanding Young Man. Hancock County Historical Society named him Historian of the Year in 2012. In January 2013, when the Greater Owensboro Chamber of Commerce celebrated its 100th birthday they named Waitman as their Chamber Member of the Century.

Quoted in Owensboro's Messenger Inquirer, Waitman said, ''Looking back, if I had retired at 65, I wouldn't have met and worked with all these wonderful people in the last 21 years.'' I can tell you that sentiment is shared. It has been a true pleasure working with Waitman and I join the people of Kentucky's Second District in thanking him for his contributions. Please accept my best wishes and blessings for Waitman and his family.

A TRIBUTE TO JAMES WATTS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. SCHIFF. Mr. Speaker, I rise, along with my colleague Representative STEVEN PALAZZO, to honor James Watts for his many years of service to the community. Born in 1919 in McComb, Mississippi, Mr. Watts has dedicated his career to public service. His children and stepchildren have followed in their parent's footsteps and have been leaders in their own right throughout the United States.

During World War II, Mr. Watts defended his country by tracking German submarines as a member of the United States Coast Guard. Later, in civilian life, he would go on to hold executive board positions in both the Boy Scouts of America and the Girl Scouts of America organizations.

Mr. Watts' passion for volunteerism speaks volumes about his character. While he lived in Grand Junction, Colorado, he volunteered as an EMT and then a paramedic for what is now St. Mary's Hospital and Regional Medical Center in Grand Junction, Colorado. Upon relocation to Gulfport, Mississippi, Mr. Watts taught CPR and First Aid for the American Red Cross and various organizations around the country, which is a testament to his devotion to the well-being of the communities he has visited.

Perhaps one of his biggest accomplishments was in 1956 while he worked for the Atomic Energy Commission. As a mine safety engineer in New Mexico, Mr. Watts noticed a uranium boom town of more than 10,000 residents who were living without access to a local hospital for emergency services. With ambition and selflessness, he took it upon himself to spearhead organization efforts for the creation of Cibola General Hospital, which has been committed to serving the medical needs of the community since 1959. Ever since, patients continue to be saved, the critically ill continue to be treated, and 24-hour emergency care is still available to the community.

Now at 94 years old, Mr. Watts resides with his wife, Barbara, in Gulfport, Mississippi. Although he is retired, the organizations and community projects developed under his leadership are still in operation today. I believe Mr. Watts' life is a great example of generosity and devotion to the greater good of society. We can all learn from Mr. Watt's inspiring story of public service. I join my colleagues in recognizing and thanking Mr. Watts for his life of service. We wish him, his wife Barbara, and their children Susan, Rick, Jane, Danette, and Paul all the best in their future endeavors and thank them for continuing their father's legacy of noble service to the community.

RECOGNIZING BRYON MAZADE'S NINETEEN YEARS AS CITY MANAGER OF MUSKEGON

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to recognize Bryon Mazade and his over 19 years of commendable service to Muskegon, Michigan as their city manager.

Bryon grew up in Muskegon and graduated from Reeths-Puffer High School. After earning a Master's in Public Administration from Western Michigan University, Bryon stayed in West Michigan to serve his community. He quickly

earned a reputation in West Michigan as a hard-working and reliable city manager for both Coopersville and Newaygo. Bryon had the opportunity to return to his hometown of Muskegon in 1994 and has served as the city manager ever since.

Muskegon is a place where families and businesses can thrive. A city of 38,000 people and 1,100 businesses, Muskegon is representative of Michigan as a manufacturing hub, popular beach-town, and close knit community. Bryon certainly played a large roll in making Muskegon what it is today.

During his 19 years as the city manager for Muskegon, Bryon tackled challenging projects that revitalized his hometown. To name just a few, Bryon oversaw the implementation of the Muskegon Lake Express, Lake Michigan's first high-speed, cross lake ferry. He also spearheaded improvements to L.C. Walker Arena, helped establish two Grand Valley State University facilities in Muskegon, developed Shoreline Drive and Bluffton Bay Estates, created many beautiful miles of bike trails, and encouraged countless other redevelopment projects, improving the economy while showcasing Muskegon's natural beauty on the shores of Lake Michigan.

Bryon recently announced that he will retire in October, capping 19 notable years as the Muskegon City Manager. His tenure in a position that rarely has longevity, speaks volumes about his managing skills and ability to work with Commissioners and staff for the good of the people. While Bryon will no longer be Muskegon's City Manager, he will continue to play a prominent roll in the city that he dedicated decades to.

I ask my colleagues to join me in honoring City Manager of Muskegon Bryon Mazade for his great service in Muskegon and throughout West Michigan.

A MEMORIAL TRIBUTE TO ROBERT SIEV

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. SCHIFF. Mr. Speaker, I rise today to honor the memory of Robert Siev of South Pasadena, California, a kind, brave and highly respected man.

Robert was born on April 6, 1926, in Germany. During the Holocaust, at the age of thirteen, he and some of his family escaped by boarding a moving train in Lithuania, getting their visas stamped by Japanese Consul General Chiune Sugihara, and then jumping off of that train. After a dangerous flight across Russia, they eventually made it to America. Having lost much of his family to the Holocaust, including his younger brother Jonah, Robert was eternally grateful to the United States for permitting his family to emigrate, live freely and for the educational opportunities the United States afforded.

The Sievs came to the United States and settled in New York, where Robert attended New York University. During this time period, he taught himself English, joined the Army, and became a United States citizen. Robert moved to Philadelphia and while at Penn State University, in 1943, he met the love of his life, Beatrice (Bea) Spector. Robert and Bea got married and in 1946, their daughter Carol was born. In 1955, Robert moved his family to South Pasadena, California, where he and Bea became active in the community.

A chemical engineer by trade, Robert worked for renowned engineering companies CF Braun, Aerojet General, and Bechtel from which he retired. In his volunteer life, Robert was involved in all aspects of the South Pasadena community. Generous with his time and money, he was active in the South Pasadena Educational Foundation—which supports the city's schools, interested in city politics, and he was a staunch "freeway fighter" in the effort to stop the 710 freeway extension through South Pasadena. Robert was a steadfast supporter of Israel and was proud of the accomplishments made by the Jewish people. He was very involved in his temple, Temple Beth Israel in Highland Park, and was a continuous contributor to the American Israel Public Affairs Committee and the Holocaust Museum. In addition, Mr. Siev was also occasionally the featured guest speaker at various organizations, where he would speak about his own experiences during the Holocaust.

Robert passed away on July 6, 2013, and is survived by his wife of nearly 70 years, Beatrice, daughter Carol, brother–in–law Ellis, son–in–law Stuart, grandchildren Lisa and Daniel, and one great–grand daughter Shana. I ask all members to join me in remembering Robert Siev, a true treasure to the South Pasadena and greater Los Angeles community.

HONORING THE LIFE OF COLONEL JESSE EDWARDS GREEN

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. WEBSTER of Florida. Mr. Speaker, I rise today to honor the life and service of a dear friend, Colonel Jesse Edwards Green. Col. Green passed away at the age of 90 in Windermere, Florida, on June 30, 2013.

Col. Green was born in Leavenworth, Kansas, on September 30, 1922, to the late Claire and Jesse Green. As the son of a career Army officer, he followed in his father's footsteps and attended the United States Military Academy at West Point. In 1946, he graduated from West Point with his Army Air Corps pilot wings and was assigned to the Air Force's first all jet squadron. In January 1947, Col. Green married the love of his life, former Caroline Bailey, and started a family which grew to four children.

Col. Green's 30-year military career included over 120 combat missions in Korea, where he was awarded the Distinguished Flying Cross, and two tours in Vietnam. He also graduated as a test pilot from the Air Force Flight Test School at Edwards Air Force Base in California and was among the first Air Force pilots to fly above 50,000 feet in the Lockheed F–104 Starfighter. His bravery, dedication and sacrifice to our nation will not be forgotten.

In 1976, after retiring from the Air Force, Col. Green and his wife moved to Windermere, Florida. During retirement, they both enjoyed water skiing, cooking and gardening together. Today, their papayas are legendary on Second Avenue in downtown Windermere. Col. Green was also a beloved friend, board member and construction volunteer of the Edgewood Children's Ranch and West Orange Habitat for Humanity. For 37 years, he volunteered alongside many friends and neighbors building homes and varieties of construction projects. The numerous contributions that Col. Green made to his community, along with his legacy of hard work, strength and love he leaves behind to his children and grandchildren will be forever cherished.

He was a loving and dedicated father, son, brother, grandfather, and uncle. On behalf of the citizens of Central Florida, my prayers and condolences go out to his loving wife of 67 years Caroline, his daughters Patricia, Molly, and Judy, son Mike, grandchildren Leon, Cannon–Marie, Cody, Kyra, Serafina, Tyler, Evan, Kellen, Caitlin, and Michael, sister–in–law Anne Bailey, and many beloved nieces and nephews. May God bless them through this time of remembrance.

CONDEMNING THE ATTACK ON THE TURKISH EMBASSY IN SOMALIA

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. KINZINGER of Illinois. Mr. Speaker, I rise today to express my sincere condolences to the people and Government of Turkey.

On July 27, 2013, their embassy in Mogadishu, Somalia was attacked by three suicide bombers. Two security guards and a Somali student lost their lives in the explosions, while several members of the embassy staff were also injured. An al–Qaida–linked, Somali militant group named al–Shabab has claimed responsibility for the attack. This serves as a stark reminder that al–Qaida remains strong throughout the Middle East and Africa and needs to be confronted at every turn.

Turkey has been a force for good in Somalia and is actively involved with Somalia's reconstruction. Turkish aid workers have been assisting Somali authorities to rebuild their war torn country by undertaking development projects, including street renovations and the construction of schools. Furthermore, Turkey continues to strengthen commercial times with Somalia to help boost its economy.

Mr. Speaker, I share the Obama administration's condemnation of this attack and express my condolences in the strongest terms possible.

HONORING DANIEL WEICKENAND

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. FINCHER. Mr. Speaker, I rise today to congratulate Daniel Weickenand on his recent election to the Board of Directors at the National Association of Federal Credit Unions (NAFCU).

Mr. Weickenand is the President and CEO of Orion Federal Credit Union in Memphis, Tennessee. He earned his BA in accounting

and MBA from the University of Texas in San Antonio. He practiced public accounting before devoting more than 20 years to the credit union industry. Prior to his service at Orion Federal Credit Union, where he oversaw a complete brand overhaul from Memphis Area Teacher's Credit Union, Mr. Weickenand served as the Chief Financial Officer at FedEx Employees Credit Association.

In addition to his expertise in financial services, Mr. Weickenand is actively involved in the Memphis community in various charitable capacities and is currently serving as treasurer for the Memphis in May International Festival Board of Directors.

Undoubtedly, Mr. Weickenand will bring a tremendous amount of expertise to the NAFCU Board. I wish Mr. Weickenand the best of luck in his new role on the NAFCU Board. I ask that my colleagues join me today in congratulating him on this achievement.

HONORING ANDREW JAMES FARNEN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Andrew James Farnen. Andrew is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and earning the most prestigious award of Eagle Scout.

Andrew has been very active with his troop, participating in many scout activities. Over the many years Andrew has been involved with scouting, he has not only earned 24 merit badges, but also the respect of his family, peers, and community. Most notably, Andrew has earned the rank of Firebuilder in the Tribe of Mic-O-Say, become an Ordeal Member of the Order of the Arrow, and led his troop as the Junior Assistant Scout Master and Senior Patrol Leader. Andrew has also contributed to his community through his Eagle Scout project. Andrew designed and constructed a sandbox for a new outdoor classroom at Burr Oaks Nature Center in Blue Springs, Missouri. Andrew cut down trees for logs, cleared the area for the sandbox, constructed and filled the sandbox, and landscaped the area surrounding the sandbox for the Nature Center.

Mr. Speaker, I proudly ask you to join me in commending Andrew James Farnen for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE LIFE AND DEDICATED SERVICE OF COLONEL GEORGE EVERETT ''BUD'' DAY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 31, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life of one of America's greatest warriors, Colonel George Everett ''Bud'' Day. Colonel Day was a proud resident of Northwest Florida where he retired from the United States Air Force after courageously serving our Nation with honor and distinction in three wars across four decades.

Colonel Day's service began in 1942 when he voluntarily joined the United States Marine Corps and subsequently served 30 months in the South Pacific Theater during World War II as a non-commissioned officer. Following the War, Colonel Day attended Morningside College in Sioux City, Iowa earning a Bachelor of Science degree and a Doctor of Humane Letters. He also earned a Master of Arts degree from St. Louis University, a Juris Doctor from the University of South Dakota, and a Doctor of Laws from Troy State University. Colonel Day was also admitted to practice law in South Dakota and Florida.

After being honorably discharged from the Marine Corps, Colonel Day continued his quest to serve our Nation when he joined the Air National Guard after receiving a direct commission as a Second Lieutenant in 1950. In 1951, Colonel Day was called to active duty in the United States Air Force and entered Undergraduate Pilot Training. Following his graduation from training, Colonel Day served two tours in the Far East as a fighter bomber pilot during the Korean War.

In April 1967, Colonel Day was assigned to the 31st Tactical Fighter Wing at Tuy Hoa Air Base, Republic of Vietnam. He later moved to Phu Cat Air Base where he organized and became the Commander of Detachment 1 of the 416th Tactical Fighter Squadron also known as the ''Misty Super FAC's.'' This new unit flew two-seated F–100F Super Sabre aircraft in a pioneering top secret mission as Fast Forward Air Controllers operating inside many high threat areas of Vietnam and Laos.

On August 26, 1967, flying under the call sign ''Misty-01'' and after flying more than five thousand hours defending our great Nation, Colonel Day was shot down over North Vietnam and began sixty-seven long and brutal months as a Prisoner of War. Despite severe injuries from his ejection over enemy territory and repeated torture, Colonel Day was always defiant to his captors who labeled him a ''hard resistor'' and often singled him out for exceptionally harsh treatment. During one such event in which Colonel Day participated in a forbidden religious service amongst his fellow prisoners, Colonel Day defiantly stared down the Vietnamese guards who tried to stop the service ultimately singing our National Anthem in protest. Colonel Day's resistance, leadership, and bravery in the face of deadly enemy pressure saved the lives of countless fellow aviators who were still flying over Vietnam, and he served as an inspiration to his fellow servicemembers who were also held as Prisoners of War.

In March 14, 1973 Colonel Day was released after an unimaginable two thousand twenty-eight days of captivity. His heroism, determination, and courage were further echoed by the presentation of our Nation's highest award, the Medal of Honor by President Gerald Ford on March 6, 1976.

Colonel Day retired from the Air Force on December 9, 1977 as the Vice Commander of the great 33rd Fighter Wing at Eglin Air Force Base, Florida. By the end of his career, Colonel Day was the Air Force's most highly decorated officer having been awarded nearly seventy military decorations and awards with an astounding fifty earned for actions in combat. A patriot in the truest sense of the word, Colonel Day never stopped looking out for his brothers in arms.

Following his retirement, Colonel Day continued to be a very passionate and active leader in the community and throughout the Nation. Colonel Day had a very successful law practice often championing veterans and military retiree issues. His leadership was instrumental in protecting the earned health care benefits of military retirees both in litigation before the federal court system and through his successful advocacy of the Congress which ultimately resulted in the restoration of military medical benefits.

Colonel Day's most important legacy is that of a family man and as a great neighbor and friend to so many in our community. Colonel Day's enduring impact on his community and Nation will be felt for generations to come. Though many have bravely served their country before Colonel Day, and many continue to honorably serve, few have endured as much as Bud Day for duty, honor, and love of country.

Mr. Speaker, on behalf of the United States Congress, it gives me great pride to honor the life and service of an American hero, Colonel George Everett ''Bud'' Day. Our community and countless others will miss his unwavering perseverance and optimism, but his legacy will endure for years to come. My wife Vicki joins me in extending our most sincere condolences to Colonel Day's wife, Doris; their four children, Steven; George, Jr., Lieutenant Colonel (USAF retired); Sonja; and Sandra; their fourteen grandchildren; and the entire Day family.

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. Madam Chair, I rise today to express my support for H.R. 2397, the Department of Defense Appropriations Act for FY2014. I commend Chairmen ROGERS and YOUNG and Ranking Members LOWEY and VISCLOSKY for crafting a bipartisan bill that both strengthens the security of our nation and provides for vital programs that benefit our men and women in uniform and their civilian colleagues.

I am particularly encouraged that the bipartisan amendment I offered with Rep. MULVANEY, Rep. COFFMAN, and Rep. MURPHY was adopted and included in final passage. Our amendment ensures that the account to fund our operations in Afghanistan and overseas contingency operations will not become a slush fund for unrequested defense spending. The FY2014 funding for the war in Afghanistan and other overseas contingences is at the level the DoD and military leaders say is necessary for the mission, and the underlying bill had originally provided $5 billion more than our military leaders say is needed for overseas contingency operations (OCO). Our

amendment eliminates $3.5 billion of the excess funds. It provides sufficient funds to fully meet the President's FY 2014 request for the war in Afghanistan and other overseas contingences, as well as an additional $1.5 billion to address any shortfalls in Guard and Reserve Equipment Modernization.

I am also pleased that this legislation fully funds the Sexual Assault and Prevention Office (SAPRO) at $156.5 million and includes a new provision establishing dismissal or dishonorable discharge as a minimum mandatory sentence for individuals subject to a Uniformed Code of Military Justice court-martial. In addition, I strongly support an amendment that Rep. SPEIER introduced—and which was adopted—that provides increased funding to train investigators to properly investigate sexual assault related offenses.

I also support Rep. BONAMICI's amendment in support of preserving the 34 C–23 Sherpa aircraft operated by the Army National Guard. These aircraft are vital to the Maryland National Guard and I am pleased that this amendment was adopted. I also strongly support the provision that fully funds the request of $220.3 million for Iron Dome and includes $173 million above the request of $95.8 million for the Israeli Cooperative Missile Defense Programs.

Lastly, I support the amendment which would require the Executive Branch to receive Congressional approval before taking any military action in Syria. This reinforces the role of Congress in making decisions that would put our men and women in the Armed Forces at risk.

With regards to Congressman AMASH's amendment, I have submitted a separate statement for the record to address that vote.

While I voted for this defense bill, I do so with reservations. This bill deprives deserving employees of the Department of Defense of a modest cost-of-living adjustment by denying them of a 1 percent COLA proposed by the Administration. It is unreasonable to ask federal employees, who have already disproportionately sacrificed for deficit reduction, to bear the burden again.

This legislation also includes a misguided provision which would continue funding restrictions that prohibit the construction or modification of a detention facility in the United States to house Guantanamo detainees, and would constrain DoD's ability to transfer Guantanamo detainees, including those who have already been designated for transfer to other countries. Unfortunately, Representative MORAN's amendment to lift the prohibition on using funds to transfer or release any individual detained at Guantanamo Bay was rejected. This legislation also contains provisions which ignore DoD recommendations and blocks the Administration's ability to retire aging and unnecessary military aircraft, including the C–130 AMP, when less expensive options are readily available.

While I support the funding level contained in the Defense Appropriations bill, I strongly oppose the overall House Republican Budget. That budget would dramatically cut our investments in education, scientific research, infrastructure, Head Start, Meals on Wheels, and programs to provide and supply for the most vulnerable. I strongly support President Obama's position that we will not boost defense spending at the expense of the other investments needed to support economic growth. After all, our national security is directly tied to the strength of our economy and putting Americans back to work.

For these reasons, I support President Obama's threat to veto final passage of this legislation unless it "passes the Congress in the context of an overall budget framework that supports our recovery and enables sufficient investments in education, infrastructure, innovation and national security for our economy to compete in the future." However, it is my hope that these issues will be resolved in conference with the Senate and that I will be able to support its final passage.

STATEMENT OF REPRESENTATIVE CHRIS VAN HOLLEN REGARDING CONGRESSMAN AMASH'S AMENDMENT H. AMDT. 413 TO THE FY14 DEPARTMENT OF DEFENSE APPROPRIATIONS ACT (H.R. 2397)

We must protect the privacy and civil liberties of all Americans. While we must ensure that our nation has the necessary and appropriate tools to protect itself, we must also ensure that those tools do not undermine the very liberties we seek to protect. I have always been a staunch defender of the 4th Amendment, and have long opposed the broad language in Section 215 of the so-called PATRIOT Act (along with the similarly broad language in Section 702 of the Foreign Intelligence Surveillance Act). In fact, I voted against the reauthorization of Section 215 in 2011 and Section 702 in 2012. I am pleased that others are now joining the conversation in seeking to amend and improve these sections.

I voted against the Amash amendment because I did not believe that it was the most comprehensive and effective way to address this important issue. I have opposed Section 215 because the "tangible items" authority and the "relevance" standard are overly broad and subject to potential abuse. These definitions need to be narrowed. Also problematic is the fact that recipients of Section 215 orders are required to wait a year before challenging a nondisclosure order. Additionally, I oppose the provision that allows the government to use secret evidence to oppose judicial challenges to a Section 215 order. Finally, when Congress reauthorized this section in 2005, it made permanent the authorization for the use of National Security Letters (NSLs), which are surveillance tools used to obtain certain types of communications and financial records. I opposed this measure, and have advocated for amendments that would reintroduce sunsets (i.e. established dates upon which these authorities expire so we can hold agencies accountable) for NSLs and require Inspector General audits on the use of NSLs and other "tangible item" orders. The use of these orders should also be publically reported to increase transparency and oversight.

I am interested in reforming Section 215 and its legislative language in a manner that addresses all of these issues, creating a workable solution that can serve as a foundation for our national security efforts while upholding the 4th Amendment protections in the Constitution for this and future administrations. Unfortunately, the Amash amendment did not address any of these important issues. Rather, it focused on a narrow issue that has been the subject of much misinformation. I worry that this piecemeal approach to amending this law could both hamper our national security efforts in the near-term while creating inconsistent policies in the long-term because of laws enacted at different periods of time on different legislative vehicles (such as an appropriations bill). I am also concerned about unintended consequences; for example, under the Amash amendment, the FBI would have been unable to obtain an individual order for records from an associate of someone under investigation for terrorism activities. This is an example of the policy implications that can arise when complex issues are addressed in a hasty, non-deliberative process.

My biggest concern since the disclosure of particular aspects of these programs by Edward Snowden has been with respect to the standards in place that control how and when the government can request access to the content of Americans' communications. I asked pointed questions on this issue at recent intelligence briefings on these programs and I am confident that any access to the content of communications within a program authorized under Section 215 does require an individualized warrant from a judge. These warrants are not issued unless the government has shown probable cause that the identified individual is an agent of a foreign power or a potential terrorist.

I will continue my efforts to improve Section 215 (along with the other problematic sections of the PATRIOT Act and FISA). We must introduce more accountability, transparency, and checks and balances into these laws. That is why I am a co-sponsor of the Ending Secret Law Act (H.R. 2475) and the Presidential Appointment of FISA Court Judges Act (H.R. 2671). These bills would make important reforms to the FISA Court by shining a light on the secretive rulings it issues that significantly construct or interpret the law, along with ensuring that the judges who sit on that court are appointed by the President and subject to a public confirmation process in the Senate (currently, they are only chosen by the Chief Justice of the Supreme Court). There should be no institution in our country with the power to create secret laws.

Finally, I am pleased that the Privacy and Civil Liberties Oversight Board finally has a confirmed Chairman (David Medine) and has announced plans to release a report on the legality of the NSA FISA programs and their impact on civil liberties. We pushed for the creation of this Board to serve as a crucial check to the government's authority with respect to these activities. I had been discouraged by the lack of operational progress of this Board since its establishment by Congress in 2004, and it is my hope that this Board will now begin to more forcefully exercise its oversight role (through its access to classified documents and FISA Court opinions).

As a Member of Congress who opposed the reauthorization of Section 215 of the so-called PATRIOT Act, I will continue to press for comprehensive changes to this and other provisions. However, we must do so in a way that addresses the real problems with these programs, and in a manner that doesn't have unintended consequences that could unnecessarily compromise our abilities to prevent terrorist attacks on Americans.

HONORING THE CEREALINE MANUFACTURING CO.

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. MESSER. Mr. Speaker, I rise today to recognize the Cerealine Manufacturing Co.,

the newest addition to the roster of the Indiana Historical Bureau's state historical marker series.

The Cerealine Manufacturing Company, founded in 1880, was an early producer of corn flakes and grew to prominence as the railroads opened national markets to Midwest producers. Founded in Columbus, Indiana, the Cerealine Manufacturing Co. produced up to 12,000 bushels of product daily, creating a corn flake that was the precursor to the famous cold breakfast cereal. The state historical marker honoring the company will be placed at the site of the original mill building, currently restored and serving as offices for Cummins, Inc.

I want to thank the Indiana Historical Bureau for its continued leadership in recognizing and commemorating significant individuals, organizations, places, and events in Indiana history. These roadside markers are familiar to all Hoosiers and visitors who pass through the State. With over 500 state historical markers in place, the Indiana Historical Bureau impresses on Hoosiers across the State the importance of our history and the promise of our future.

I ask the 6th Congressional District to join me in thanking the Indiana Historical Bureau for recognizing and publicly marking our shared history and the heritage of the Cerealine Manufacturing Company in Columbus, Indiana.

HONORING WILLIE B. NELSON, DISTRICT DEPUTY GRAND EXALTED RULER FOR THE SOUTHERN DISTRICT OF ILLINOIS, IMPROVED BENEVOLENT PROTECTIVE ORDER OF ELKS OF THE WORLD

HON. WILLIAM L. ENYART

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. ENYART. Mr. Speaker, I rise today to ask my colleagues to join me in honoring Willie B. Nelson, District Deputy Grand Exalted Ruler for the Southern District of Illinois and Exalted Ruler of Hercules Lodge #90 in East St. Louis, of the Improved Benevolent Protective Order (I.B.P.O.) of Elks of the World.

Willie B. Nelson has been a pioneer who helped break down racial barriers in the local banking community. He worked as a custodian at the former Illini Federal Savings and Loan Association in East St. Louis at a time when management positions were not available to African-Americans. While working for the financial institution, which would later become Associated Bank, Nelson went to school at nights and took a number of financial training and internship programs. His determination and stellar performance succeeded in his appointment as Branch Manager for the bank. He would retire as Branch Manager after serving Associated Bank for 43 years.

In addition to his professional career, Willie B. Nelson has dedicated his life to service and leadership within his community. Since being initiated into the I.B.P.O. Elks of World in 1955, he has served in virtually every leadership position for that organization, including two times as Exalted Ruler, first from 1975 through 1990 and again from 2007 to the present. In addition to serving as District Deputy Director for the Southern District of Illinois, he also served for 15 consecutive years as State Director of the Illinois/Wisconsin States Association.

Willie B. Nelson has served in a leadership capacity on many other community organizations. He has served as President of the East St. Louis Chamber of Commerce, the Leadership Council of Southwestern Illinois, Target 2000, the Katherine Dunham Museum and the Southern Illinois Healthcare Foundation. He has also served as a Commissioner on the Board of the Illinois Housing Department. His leadership service extends to his church as well where he serves as Chairman of the Board of Trustees and Interim Finance Director for the Greater Faith Christian Church in Centreville, Illinois.

Willie B. Nelson has been a devoted family man as well. His wife and two of his children have gone on to their heavenly reward but he is still blessed with the presence of his loving daughter, Lavonda Nelson, along with numerous grandchildren and great grandchildren.

Mr. Speaker, I ask my colleagues to join me in celebrating the life of community service of Willie B. Nelson and wishing him the very best in the future.

IN RECOGNITION OF RALPH PETTY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Ms. MATSUI. Mr. Speaker, I rise today to recognize Mr. Ralph Petty as he retires from 38 years with the U.S. Postal Service. As his family, friends, and colleagues gather to celebrate his illustrious career, I ask my colleagues to join me in tribute to Mr. Petty's many years of service.

After honorably serving his nation in the Vietnam War, Ralph began a long career with the Postal Service as a letter carrier. He would later rise to become the spokesman and customer relations coordinator for the Postal Service in Sacramento, where he has constantly engaged the public, furthering access and understanding of the postal services available to area residents and businesses. Ralph has a widespread reputation for incredible customer service, and is a well-beloved member of the Postal Service staff, even earning the nickname ''Mr. Stamp''. His good nature and excellent work ethic have made him an invaluable asset to Sacramento area residents, including my staff and me, and his service will be sorely missed.

Ralph has left his mark of the Postal Service in California and our Nation. He was instrumental in the creation of the Breast Cancer Stamp that has raised over $75 million for breast cancer awareness, and has been recognized by the Postal Service's leadership with the ''Benjamin Award'' for spreading postal services and products. Ralph was also a key proponent of the Santa Letter Program, which brings joy to countless needy children, and created a time capsule in 1993 that marked 150 years of mail delivery to Sacramento.

Mr. Speaker, I am pleased to pay tribute to Mr. Ralph Petty, who has served our Nation and community for so long. His diligent work has greatly contributed to the Sacramento region and he has helped to ensure that the Postal Service products are at the forefront of the public's mind. I ask my colleagues to join me in recognizing this man whose community mindedness and service have been such an asset to Sacramento and our Nation.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 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 $16,738,084,158,233.57. We've added $6,111,207,109,320.49 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.

PERSONAL EXPLANATION

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. COLE. Mr. Speaker, on July 30, 2013, I was unavoidably detained and was not present for rollcall vote No. 424. Had I been present, I would have voted ''no.''

HONORING KYLE WILLIAM MILLSAP

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Kyle William Millsap. Kyle is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 138, and earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop, participating in many scout activities. Over the many years Kyle has been involved with scouting, he has not only earned 32 merit badges, but also the respect of his family, peers, and community. Most notably, Kyle has earned the rank of Firebuilder in the Tribe of Mic-O-Say, become an Ordeal Member of the Order of the Arrow, and led his troop as the Patrol Leader. Kyle has also contributed to his community through his Eagle Scout project. Kyle leveled the ground, installed a border ring and placed rubber mulch within the ring for the Joella Conrad Memorial Playground at Heartland Church in Blue Springs, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Kyle William Millsap for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

LETTER TO SECRETARY OF DEFENSE, THE HONORABLE ROBERT F. HALE

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. COURTNEY. Mr. Speaker, I insert this letter from myself to Under Secretary of Defense, the Honorable Robert F. Hale.

Hon. ROBERT F. HALE,
Under Secretary of Defense (Comptroller), Pentagon, Washington, DC.

DEAR SECRETARY HALE: Thank you for providing me and members of the Readiness Subcommittee a briefing on the implementation of civilian furloughs at the Department of Defense. I appreciate your first-hand view of the policy and its impacts on our defense civilian workforce and our military readiness, and I benefitted from your candid remarks about the challenges that sequestration continues to present to the department.

While I continue to believe that the best way to address furloughs and other impacts to our military readiness is for Congress to pass a comprehensive and balanced plan to end sequestration, I also believe that the department must continue to evaluate all options available to it in reducing or eliminating furloughs this year. During our briefing you indicated that the department was evaluating whether additional reductions in furlough days can be made. It is my hope that the department will finish that analysis and make a positive public announcement on that matter as quickly as possible in order to provide furloughed employees the greatest possible certainty as to their financial outlook for the rest of the year.

Additionally, as I and several of my colleagues mentioned in our session, there are a number of specific aspects of the current furlough policy that continue to frustrate those individuals facing loss of pay through no fault of their own. For example, I believe that the individual military services and agencies can be provided with greater flexibility to pay down or eliminate furloughs under their purview. Additionally, further consideration must be given to the status of dual status technicians and those whose work is funded through the defense working capital funds—both workforces are critical to the day-to-day needs of our military, and I continue to believe that exceptions must be made for these personnel.

Just this past Saturday, I attended a welcome home event for the 1109th TASMG of the Connecticut National Guard, who spent the last year in Afghanistan providing critical maintenance for our helicopter fleet. Their joy at being home with family was undermined with the reality that nearly a third of the 100 returning members are dual status technicians and therefore hit by furlough. After serving in a war zone away from family, it was a bitter pill for these patriots to lose 20 percent of their pay almost immediately upon return.

As I also mentioned in our briefing, the department must better quantify and communicate the cuts that have already been made in attempting to avoid furloughs. When I recently met with furloughed personnel at Naval Submarine Base New London, I received many questions about whether the department made any attempts to cut back on contracting for services, returning outsourced work to federal employees and other potential ways to find the savings necessary to reduce or eliminate furloughs. It is my hope that you will provide members of this committee, as well as the workforce at large, with additional information on the extent to which the department has, or plans, to cut in other areas to limit the reach of furloughs.

Finally, let me thank you for your positive words about the work that our DOD civilians do each and every day in support of the defense of our nation. As you shared in our meeting, one of the most disappointing impacts of the furloughs has been giving our defense civilians the impression that they are not important to or valued by the department, by Congress and by our fellow Americans. That these furloughs, and the greater budget uncertainty at large, is causing long-serving and hard working civilian professionals to question whether they want to stay at the defense department is one of the most insidious impacts of this budget impasse. That is why I hope you and Secretary Hagel will continue to do all you can to reduce or eliminate furloughs, revisit specific unique exemptions, and provide more detailed information about the steps you have, and will continue to take, to limit furloughs through reductions in areas like service contracting and reversing outsourcing decisions.

Thank you, again, for taking the time to meet with me and my colleagues on the Readiness Subcommittee, and I sincerely thank you for your service to our country in these challenging times.

Sincerely,

JOE COURTNEY,
Member of Congress.

HONORING THE DEDICATED SERVICE OF HEDY RATNER AND CAROL DOUGAL

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to pay tribute to Hedy Ratner and Carol Dougal, the founders of Women's Business Development Center (WBDC), for their exemplary leadership in supporting women's entrepreneurship. As Hedy and Carol step down from their role as co-presidents of the WBDC, let us recognize the work that these two remarkable women have done for more than 25 years to empower other women to start, improve and expand their small businesses.

In 1986, Hedy Ratner and Carol Dougal created the Women's Business Development Center to address the lack of support for women in the business world. Since then, Hedy and Carol have worked tirelessly to accelerate the growth of women-owned businesses and microenterprise ownership, increase the economic impact of women business owners on families and communities, build awareness of business ownership as a path to economic self-sufficiency, and help stimulate policy and system changes to empower women in the economy. Today, the positive impact of the WBDC is clear, and the Center continues to be a leader in expanding opportunities for women.

Over the years, the WBDC has helped more than 66,000 women in the greater Chicago area in their entrepreneurial efforts. Its success has spurred the creation of 14 other centers in 6 states. The oldest and largest women's business assistance center in the country, the WBDC is constantly developing and implementing new approaches to help potential and current women business owners. The Center and its outstanding staff give women the tools, the needed support and the confidence to know that they can become successful entrepreneurs.

Hedy and Carol are recognized leaders who have advised business groups and public officials at all levels about ways to help women improve their families' well-being and our nation by creating new business opportunities. I am one of many who have been fortunate enough to receive their advice on ways to improve federal contracting and lending policies and to learn about the barriers that must be torn down so that more women can enter the realm of business ownership.

I congratulate Hedy and Carol on the extraordinary contributions they have made through the Women's Business Development Center. Although they are leaving their posts as co-presidents of WBDC, I know that they will remain leaders in advocating for women-owned businesses in Chicago and nationwide. I look forward to watching their next steps toward helping women business owners successfully achieve economic independence through entrepreneurship.

RELEASE OF THE DREAM 9

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. GUTIÉRREZ. Mr. Speaker, I submit this letter, from Rep. JARED POLIS of Colorado and myself to the President of the United States asking for the release of the DREAM 9 held in detention in Arizona.

JULY 25, 2013.

President BARACK OBAMA,
The White House, Washington, DC.

DEAR PRESIDENT OBAMA: We write you to express concern for the nine undocumented young people who earlier this week attempted to re-enter the United States from Mexico to return to their homes. They presented themselves at a check point, were detained by U.S. border patrol and are currently being held in the Eloy detention center in Arizona.

As we understand it, these ''DREAMers'' are asking that discretion be exercised by federal authorities to allow them back into the United States and to return to their families and communities. An additional goal that they express is to work to change a system that has resulted in the deportations of DREAMers. Regardless of whether we feel their actions are the best way to affect the change they desire, we share their goal to allow DREAMers and others with strong ties to the United States and who were deported to return to the United States. You stood firmly with the DREAMers when you put in place beneficial case by case relief for DREAMers through Deferred Action of Childhood Arrivals (DACA). We believe that the DREAMers currently detained on the border should have your concern and consideration, as well.

We understand that a long term legislative solution is required in order to provide the most justice for the most people. We are deeply committed to ensure that the ability to return to the U.S. for previously deported individuals is enacted into law, and have worked hard to incorporate such relief into the bipartisan proposal currently being drafted in the House of Representatives. We continue to build the bipartisan support

needed to pass legislation this year. While immigration reform is making its way through Congress, we ask that the young people currently detained at the border be released from detention and allowed back into the United States. Their actions to lift up the needs of those deported should not result in detention or exclusion from the United States. In fact, their return would likely be allowed under the Senate-passed immigration bill, S. 744, which we all support.

Thank you for your leadership on behalf of DREAMers and your support of comprehensive immigration reform. We urge you to release the DREAMers detained on the U.S. border in Arizona and allow them to rejoin their families. We urge you to act with all possible speed to make this happen.

Sincerely,

LUIS V. GUTIÉRREZ,
Member of Congress.
JARED POLIS,
Member of Congress.

PERSONAL EXPLANATION

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. MEADOWS. Mr. Speaker, I was unable to participate in the following votes. If I had been present, I would have voted as follows:

July 30, 2013—rollcall vote 419: on agreeing to the Gallego Amendment to H.R. 2610—I would have voted ''nay''; rollcall vote 420: on agreeing to the Young Amendment to H.R. 2610—I would have voted ''nay''; rollcall vote 421: on agreeing to the Grayson Amendment to H.R. 2610—I would have voted ''aye''; rollcall vote 422: on agreeing to the McClintock Amendment to H.R. 2610—I would have voted ''aye''; rollcall vote 423: on agreeing to the First Hastings Amendment to H.R. 2610—I would have voted ''nay''; rollcall vote 424: on agreeing to the Second Hastings Amendment to H.R. 2610—I would have voted ''nay''; rollcall vote 425: on agreeing to the Third Hastings Amendment to H.R. 2610—I would have voted ''nay''.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA INCENTIVES FOR BUSINESS AND INDIVIDUAL INVESTMENT ACT

HON. ELEANOR HOLMES NORTON

OF DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Ms. NORTON. Mr. Speaker, I rise today to introduce the District of Columbia Incentives for Business and Individual Investment Act, to reauthorize the federal tax incentives for investment in economically distressed areas in the District of Columbia, commonly known as the D.C. empowerment zone, and the D.C. $5,000 first-time homebuyer tax credit, both of which expired at the end of 2011. This bill would reauthorize the tax incentives through the end of 2015, and would be retroactive for 2012 and any period in 2013 during which they remain lapsed, consistent with similar empowerment zone legislation. The empowerment zone incentives include a special capital gains rate, expanded tax-exempt bond financing, additional expensing for equipment purchases and a wage credit of up to $3,000.

The D.C. tax incentives were due to be extended with the package of temporary tax provisions that Congress regularly extends, commonly known as ''tax extenders.'' However, the D.C. tax incentives, for the first time, were not included in the most recent tax extenders package, the American Taxpayer Relief Act (ATRA or P.L. 112–240), which was approved at the beginning of the year. This omission was possible, and we believe occurred, because the D.C. empowerment zone was separately and specially created in 1997, several years after the first, similar urban empowerment zones were created.

Although the D.C. tax incentives, as well as a small number of other expiring temporary tax provisions, were not extended in ATRA, Congress, in the same bill, recognized that the benefits of incentives for investment in economically distressed communities outweighed their costs when it extended all the other empowerment zones. This same logic has particularly strong application to the D.C. tax incentives.

The Republican Party Platform first proposed the D.C. tax incentives in 1996, a year before Congress created them. Republicans, who saw D.C. as a demonstration for what tax incentives could do to revitalize a city, wanted to make the entire District of Columbia an empowerment zone. The Republican platform stated, ''We endorse proposals by the congressional Republican Leadership for dramatic reductions in federal taxes . . . within the District . . . . A Republican president will make it part of a comprehensive agenda to transform the nation's capital into a renewal community, an enterprise zone leading the way for the rest of urban America to follow.'' Every Republican platform since 1996 has indicated strong support for one or more of the D.C. tax incentives.

Senate and House Republicans took the lead in the creation of the D.C. tax incentives after an unprecedented financial crisis revealed the unique peril for a city required to pay for many state-like functions. They reasoned that the tax incentives would revive and sustain the District, and where they have been applicable, they have met that test. The success of the tax incentives is a vindication of the work of the cosponsors. The D.C. tax incentives were proposed by, among others, then-Senators Trent Lott (R–MS), Connie Mack (R–FL), Sam Brownback (R–KS), Spencer Abraham (R–MI), Kent Conrad (D–ND) and Joe Lieberman (D–CT), as well as by then-Representative Amo Houghton (R–NY), and have always been embraced by both Republican and Democratic Congresses and presidents.

The wisdom of the bipartisan use of modest, targeted tax incentives has been amply and visibly demonstrated in the economic resurgence in parts of the city designated as empowerment zones, including parts of downtown Washington. Effects of the empowerment zone incentives are apparent throughout the city, but among the most visible are the Penn Quarter neighborhood, which had limited residential, commercial and retail spaces and is now a popular mixed-use neighborhood, and the vibrant area around the Verizon Center, then a virtual downtown slum but now surrounded by offices, restaurants and nightlife.

Before the business tax incentives, the city found it difficult to retain, much less attract, businesses. However, one of the business tax incentives enabled the city government to issue more than $155 million in tax-exempt bonds on behalf of for-profit and non-profit entities for capital projects. For example, $15 million was issued for the construction of the International Spy Museum, which has brought the added benefit of increasing tourism.

In addition to the business tax incentives, the $5,000 homebuyer tax credit has provided invigorating nourishment to the District's badly starved residential tax base. This credit, which applied citywide, almost immediately reversed the city's alarming residential decline. According to the 2010 census, the District gained population (5.2%) for the first time since the 1950 census, with much of this increase traceable to the homebuyer tax credit. Not only did the homebuyer tax credit staunch the taxpayer exodus for the first time in decades, but with the stability that the credit initiated, other individuals and families began moving to the city. The District is attracting 1,100 residents a month, but these are mostly young, unmarried people. However, the goal of growing the residential tax base by 100,000 to ensure sustainability, set by Alice Rivlin, chair of the D.C. Financial Control Board, as well as a respectable business tax base, is far from being achieved. The city's residential tax base remains well below the Washington metropolitan region and the nation, where it trails all 50 states. In 2012, the homeownership rate in D.C. was 45%, compared to the national rate of 65.4%. D.C.'s homeownership rate was also lowest among the 75 largest Metropolitan Statistical Areas and significantly lower than in the statistical area for the Washington metropolitan region, which was 66.9%. The reauthorization of the homebuyer tax credit is essential if the District is to reach the 100,000 residents the Financial Control Board said was required for the city to sustain itself.

For all of its recent economic progress, the District remains a city without a state backstop. Recognizing this anomaly, Congress passed the National Capital Revitalization and Self-Government Improvement Act of 1997, but the city continues to operate many state-like services, such as higher education, roads and bridges, and health and human services. Furthermore, the federal government continues to impose significant revenue constraints on the District in the Home Rule Act, including a tax exemption on the federal government's use of the city's most valuable real property, a federal limit on the height of buildings in the District and a prohibition on taxing non-resident income.

Now, the city's low-income neighborhoods east of the Anacostia River and in Northeast are on the brink of developing economically, similar to the development experienced in other parts of the District such as NoMa and Capitol Riverfront. The new headquarters for the U.S. Coast Guard will open in August, the first in a complex of buildings Congress has authorized for the federally owned West Campus of the St. Elizabeths hospital. The tax incentives have demonstrated that they can revitalize the eastern half of the nation's capital. Particularly after the recent recession, the business and homebuyer tax incentives are essential for these neighborhoods to see the revival that the incentives have contributed to in downtown and near-in neighborhoods. Withdrawing these incentives, particularly after they have proven effective elsewhere in city,

leaves the nation's capital with essentially half of a revival, and would be tragically timed just as the lower-income parts of the District, which need the incentives most, are ready for residential and commercial redevelopment.

There is no reason to extend incentives to the other large empowerment zone cities but not to the nation's capital, which lacks many of the advantages of other cities. Like the health of many other cities, the District's fiscal health has improved since the tax incentives were established in 1997, but the incentives continue to be indispensable for ensuring that lower-income areas of the city are part of the city's economic progress. It would be tragic to single out the nation's capital as the only empowerment zone city not to be renewed just as the eastern sections of the city are about to take off. As essential as the federal incentives have been, their costs have been de minimis compared to the billions of dollars in construction, new local revenue and new taxpayers the incentives have generated. They deserve to be extended.

I urge my colleagues to support the bill.

IN RECOGNITION OF THE FOURTH ANNUAL CIGAR BOX FESTIVAL

HON. SCOTT PERRY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. PERRY. Mr. Speaker, I rise today to recognize the York Emporium as it hosts its fourth annual Pennsylvania Cigar Box Guitar Festival in York Pennsylvania.

The cigar box guitar is a traditional American instrument, with roots funning through the Civil War, the Great Depression, and the Panic of 1983. It harkens back to a time when folks would make-do with musical instruments they had constructed with their own hands, using found objects.

The annual Pennsylvania Cigar Box Guitar Festival, now in its 4th year, celebrates this homegrown musical style and the ingenuity of its musicians with the largest music festival of its kind. It features performers from Illinois, Ohio, Maryland, New Jersey, North Carolina, upstate New York and Pennsylvania. The festival brings tourists from throughout New England, the Mid-Atlantic and Midwestern states. In recent years, the festival has even seen the arrival of international visitors.

Mr. Speaker, I ask that you join our colleagues in recognizing the uniquely American attributes that this festival celebrates.

HONORING JAMES K. BAKER

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the life and extraordinary accomplishments of one of my constituents, James K. Baker of Columbus, Indiana.

James Baker became president and chief executive officer of Arvin Industries in 1981 and served until his retirement in 1998. During James' stewardship of the company, Arvin Industries was noted for its aggressive pursuit and success in building a globalized sales and supply infrastructure as the auto industry diversified globally in the 1980s.

In addition to building a Fortune 500 company, James served from 1990–1991 as the chairman of the U.S. Chamber of Commerce. He was a former chairman of the DePauw University Board of Trustees, his alma mater, the Indiana Chamber of Commerce, and the 2003 Indiana Government Efficiency Commission. James was a strong advocate of education reform efforts and higher educational standards as a means of building and sustaining a global and competitive workforce in our communities across the State. I know Jim was particularly proud of his involvement as a Member of the Board of Trustees with the Charles A. Tindley Accelerated School, an Indianapolis charter school.

James Baker was my friend and an inspiration to people across the Hoosier State. I ask the entire 6th Congressional District to keep his wife, Beverly, in your thoughts and prayers as we celebrate the life of James Baker.

CELEBRATING 28 YEARS OF SERVICE: PEGGY LYNCH, EXECUTIVE DIRECTOR, FRIENDS OF THE PARKS AND TRAILS OF SAINT PAUL AND RAMSEY COUNTY

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Ms. MCCOLLUM. Mr. Speaker, today I rise to honor the inspiring career of Ms. Peggy Lynch, a leader in preservation of parks and green space, on the occasion of her retirement as Executive Director from Friends of the Parks and Trails of Saint Paul and Ramsey County.

The Friends of the Parks and Trails of Saint Paul and Ramsey County has its origins in a group of citizens who banded together to protect Hidden Falls—Crosby Lake Regional Park in 1984 from developers proposing to build housing within the park. After the housing proposal was defeated, the group continued to meet, and a permanent organization was established in 1985 with a grant from the Saint Paul Foundation. Peggy Lynch co-founded the organization and served as Executive Director for the next 28 years. Today, because of Peggy's extraordinary persistence and advocacy for the outdoors, the organization has led development and preservation of parks across the east metro region and earned her the title the "Conscience of the Parks."

Thanks to Peggy Lynch's vision, the organization achieved foundational work to protect public access to green space. In 1985 the group initiated a study of parks in Saint Paul and Ramsey County during a period of intense developer interest in prime park land. At the time, there were few local park commissions and developers had no obligation to contribute to the park system. Cities such as Saint Paul sold parkland for a dollar per parcel. As a result of a study by the Friends of the Parks and Trails of Saint Paul and Ramsey County, Park Commissions in Saint Paul and Ramsey County were established. The amendment of the City of Saint Paul and Ramsey County charters for "no net loss" of parkland were approved. These actions built a system to preserve and add parkland for public use.

Additionally, Peggy and Friends of the Parks and Trails of Saint Paul and Ramsey County have helped develop and support the environment by promoting appreciation for parks and open space through quality parks, trails, and bikeways. Through educational, community, and corporate outreach programs, they have provided access to recreational opportunities to communities who otherwise may not have the opportunity to experience it.

Peggy's influence brought increased recognition and elevated the importance of preserving the great outdoors for present and future generations to come. Her work along with the Friends of the Parks and Trails of Saint Paul and Ramsey County are legacies that will live on in the organization's work advocating for the environment in the Twin Cities.

Mr. Speaker, in honor of Ms. Peggy Lynch, a leader in the environmental community, I am pleased to submit this statement to the CONGRESSIONAL RECORD in recognition of her retirement as Executive Director of the Friends of the Parks and Trails of Saint Paul and Ramsey County.

HONORING THE LIFE AND DEDICATED SERVICE OF DR. REED BELL

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life and dedicated service of Northwest Florida's Dr. Reed Bell, who passed away on July 28, 2013. Dr. Bell's mission was to better the lives of children, and still today, his name is synonymous with pediatric health. The entire Northwest Florida community mourns the loss of this talented, kind–hearted man.

Dr. Bell was born on December 24, 1926 at Sacred Heart Hospital in Pensacola, Florida. Growing up, he attended Pensacola High School, where he was a model scholar–athlete. He was the captain of both the football and basketball teams, elected king of the high school's coronation, and graduated as Salutatorian. Dr. Bell then took his athletic talents to the University of Florida, where he was awarded a football scholarship. However, shortly thereafter, he answered the call of his Nation by serving in World War II. When he returned home, Dr. Bell opted to attend the University of the South, where he further applied his natural leadership abilities by again captaining both the basketball and football teams.

Despite his athletic successes, Dr. Bell was destined to serve his community through his knowledge of medicine and his love of children. He graduated from Duke's College of Medicine in 1953 and performed his residency in pediatrics and fellowship in endocrinology at Baylor University in 1957. Returning to his native Pensacola, Dr. Bell began practicing as a board–certified pediatrician and pediatric endocrinologist. In 1969, however, Dr. Bell founded the Sacred Heart Children's Hospital, the only facility of its kind in the area. To support this great endeavor, founded at the hospital where he himself was born over forty years prior, he served as the Medical Director, formed a pediatric residency program, and established a neonatal intensive care unit to better serve the children of our community. In a

further testament to his strength as a leader and his humanitarian nature, Dr. Bell also co–founded the Ronald McDonald House of Northwest Florida.

Dr. Bell's exceptional abilities were not localized to Northwest Florida alone. In 1986, then–President Ronald Reagan appointed him as the founding Director of the National Institute of Health Office of Substance Abuse Prevention, the federal government's first substance abuse prevention program. This appointment marked another example of Dr. Bell's exceptional ability to lead and help his fellow man. It would be exhausting to list the many awards and accolades he received throughout his career, which further represents his tremendous strength of character. However, these pale in comparison to his sheer love of family, service, and community.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the life of Dr. Reed Bell. My wife Vicki and I offer our prayers and sincerest condolences to his wife, Nell; six children, Rev. William R. Bell, Jr.; Mitzi Peters; Terry Bush; Former Florida Supreme Court Justice Kenneth Bell; Lance Bell; and Brian Bell; 20 grandchildren; and 13 great–grandchildren. He will truly be missed by all who were fortunate enough to know him.

INTRODUCTION OF THE OBSTETRIC FISTULA PREVENTION, TREATMENT, HOPE, AND DIGNITY RESTORATION ACT OF 2013

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, I, along with Representatives JOSEPH CROWLEY, JOHN CONYERS, SAM FARR, RAÚL GRIJALVA, HENRY ''HANK'' JOHNSON, JIM MCDERMOTT, GWEN MOORE, JAMES MORAN, and JACKIE SPEIER, am reintroducing the ''Fistula Prevention, Treatment, Hope and Dignity Restoration Act.'' This comprehensive legislation both prevents new obstetric fistulas and helps to treat existing ones, helping millions of women throughout the world.

Pregnancy shouldn't leave a woman with a disability and ostracized from her community. Congress should ensure investments for the more than two million women worldwide that have obstetric fistula and we do what we can to prevent new cases. Obstetric fistula is a devastating condition that results from prolonged labor without medical attention. During delivery, the infant's head presses against the woman's pelvis for so long that it kills the tissues. This causes a hole between the woman's vagina and rectum develops, leaving her without control of her bladder and/or bowels for the rest of her life if she goes untreated. It often results in the death of the infant. They are almost always abandoned by their husbands and shunned by their families. According to the World Health Organization, about two million women suffer this condition worldwide.

Fortunately, multilateral organizations such as UNFPA (the United Nations Population Fund) and bilateral organizations such as USAID are working with partners on a global campaign to prevent and treat fistula with the goal of making the condition rare in developing areas such as sub-Saharan Africa and South Asia.

It is imperative that we in Congress support these efforts to eradicate the devastating condition which is why this bill authorizes the President to provide assistance to prevent and treat obstetric fistula. This legislation allows for a comprehensive, three pronged approach of prevention, treatment and reintegration which includes: increasing access to prenatal care, emergency obstetric care, postnatal care, and voluntary family planning; building local capacity and improving national health systems; addressing underlying social and economic inequities such as reducing the incidence of child marriage and increasing access to formal and informal education; and supporting reintegration and training programs to help women who have undergone treatment return to full and productive lives. These essential investments create a multiplier effect of benefits in the lives of women and their communities.

The legislation also supports coordination among the community working to prevent and treat obstetric fistula through the International Obstetric Fistula Working Group. Support for monitoring, evaluation, and research to measure the effectiveness and efficiency of such programs throughout their planning and implementation phases will ensure the most efficient and effective use of US foreign assistance dollars.

I urge my colleagues to support this important, meaningful legislation.

HONORING THE SERVICE OF COLONEL KEIL GENTRY, USMC

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. COFFMAN. Mr. Speaker, today I rise to honor a fellow Marine, Colonel Keil Gentry. After more than two years of service as the Marine Corps' Deputy Legislative Assistant to the Commandant, Keil will be assuming responsibilities as the Director of the Marine Corps War College. On this occasion, I believe it is fitting to recognize Colonel Gentry's distinguished service and dedication to fostering the warm relationship between the United States Marine Corps and the Congress.

With over two decades of dedicated service to his country, Colonel Gentry has distinguished himself serving the cause of freedom across the globe. His service leading young Marines as a Battery, Battalion, and Regimental Commander, in garrison and in combat, is emblematic of the caliber of his character.

Over the course of the last two years, Colonel Gentry has been instrumental to ensuring the Marine Corps' story is heard on the Hill. Known for his in-depth knowledge of legislative issues, personal warmth, and an ability to skillfully navigate Headquarters Marine Corps, Colonel Gentry worked long hours and through major surgery to ensure that Congress was armed with timely information on Operation Enduring Freedom, Marine Security Guards at our Embassies, and all other forward deployed Marine forces. Colonel Gentry could be counted on as a trustworthy source on Marine Corps Programs, be it the Joint Strike Fighter, the Amphibious Combat Vehicle, or the MV–22 Osprey. Moreover, his efforts helped this body properly recognize the contributions of the first African American Marines through the award of the Congressional Gold Medal in tribute to the Montford Point Marines.

As Keil departs the Pentagon he will be heading just down the road to Quantico, Virginia. There he will be directing the Marine Corps' top level school, the Marine Corps War College. It is only fitting that an officer who has spent a career mentoring and training Marines should assume this great responsibility. Here Keil will interact with the Corps' senior leaders, those ready to assume vital commands around the globe. We can have no doubt that he will ensure they are well prepared for the duties they are about to undertake.

Colonel Gentry's absence will be felt in the Congress and the Pentagon. I join many past and present Members in my gratitude and appreciation to him for his outstanding leadership and his unwavering support of the missions of the United States Marine Corps. I wish him and his wife, Jenny, fair winds and following seas as he continues to serve our great nation.

KEEP TEACHERS TEACHING ACT

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. PRICE of North Carolina. Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution provides Congress with the authority to ''make all Laws which shall be necessary and proper'' to provide for the ''general Welfare'' of Americans. In the Department of Education Organization Act (P.L. 96–88), Congress declared that ''the establishment of a Department of Education is in the public interest, will promote the general welfare of the United States, will help ensure that education issues receive proper treatment at the Federal level, and will enable the Federal Government to coordinate its education activities more effectively.'' The Department of Education's mission is to ''promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.''

HONORING THE LIFE OF MIKE TAUGHER

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. MCNERNEY. Mr. Speaker, I rise today to ask my friends and colleagues to join me in recognizing the distinguished public servant Mr. Mike Taugher and his dedicated work in journalism and his dedication to protecting the environment. Mike passed away earlier this month at the age of 50.

For many years, Mike worked as the environmental reporter for the Contra Costa

Times. His deep knowledge and tireless pursuit of articles earned Mike the respect of readers, citizens, and other journalists in addition to numerous awards. Governor Jerry Brown recognized his expertise on environmental issues and appointed Mike as a spokesperson for the California Department of Fish and Wildlife in May of 2012. His commitment to these issues was a benefit for all Californians.

With his outstanding public service both as a reporter and a spokesperson, the people of California will always be thankful to Mike. I myself enjoyed working with him during his years as a reporter. In his personal life, Mike was known to talk as much about his family as his work. In the words of his brother, David, "Mike loved his family very dearly."

I ask you all to join me in honoring the life and work of Mike Taugher.

RETIREMENT OF POLICE SERGEANT JOEL R. ORR

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Sergeant Joel R. Orr as he retires after nearly 25 years of law enforcement service to the City of Fairfield.

Hired as a Public Safety Officer with the Fairfield Police Department on July 25, 1988, and served the community in various capacities that included Patrol, Investigations, and School Resource Officer. Sergeant Orr also took on ancillary assignments by joining the Crisis Negotiation Team and being selected for the first Street Criminal Apprehension Team (SCAT). In the course of teaching important skills such as Parent Project, Drug Abuse Resistance Education (DARE) and driver awareness, he earned the City Manager's Commendation Award for outstanding leadership in developing and implementing the City's Driver Training Program. Sergeant Orr also assisted California's Commission on Peace Officer Standards and Training (POST) with their Entry-Level Patrol Officer Job Analysis Project and then completed the distinctive Robert Presly's Institute of Criminal Investigation (ICI) certification course with a specialty in homicide investigation.

On December 5, 2003, Sergeant Orr was promoted to Police Corporal and then on August 18, 2006, he was promoted to Police Sergeant where he served in Patrol, Investigations and Professional Standards, and as a Public Information Officer. In 2008 and 2010, as the Police Department experienced changes in leadership and command staff, Sergeant Orr consistently stepped in and assisted City management in filling the gaps. Over the last five years, he has assumed the Police Lieutenant's position twice and managed Patrol Operations. Sergeant Orr has a can-do attitude and he consistently provided quality service to the community.

Sergeant Orr has been a valued employee and leader and his commitment to the community was evidenced on a daily basis. He was a loyal representative of the law enforcement community and admired for his hard work, dedication, and positive work ethic.

RECOGNIZING TRANSPORTATION SECURITY OFFICER, JACOB NEAL, FOR SAVING A MAN'S LIFE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise to recognize one of my constituents, Transportation Security Officer Jacob Neal, who saved a life at Chicago O'Hare International Airport with the help of two other TSA officials earlier this month.

When TSO Marvin Jackson noticed that a passenger had collapsed and lost consciousness, he quickly placed a call to his supervisor, Jacob Neal. TSO Neal, who served in the U.S. Air Force as a firefighter and medic before joining the TSA, demonstrated great leadership and poise as he took control of the situation, asking everyone to step away unless they were certified in CPR. He put on his gloves and started to give chest compressions, while also comforting the passenger's wife by letting her know that he was a former paramedic. His quick thinking, expertise, and professionalism made the difference.

"When someone is suffering like that you just feel compelled to jump in and help," said TSO Neal, a two-time O'Hare TSO of the Year honoree.

Jacob Neal along with the others who helped save a man's life that day showed extraordinary strength and exemplified what it means to go above and beyond the call of duty. It is acts like these that inspire us to be better people and better citizens. Due to the quick thinking and composure of the men and woman involved, a potentially tragic situation was avoided.

Again, I would like to thank Jacob Neal for his commendable efforts in saving a life this past month. I also want to recognize him and his TSA colleagues, and other federal employees who work hard each and every day to serve the public and keep our nation strong and secure.

RECOGNIZING MYKE REID ON THE OCCASION OF HIS RETIREMENT FROM THE AMERICAN POSTAL WORKERS UNION, AFL–CIO

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize and commend Myke Reid on the occasion of his retirement after a distinguished career as the Legislative and Political Director for the American Postal Workers Union, APWU. Mr. Reid dedicated his career to postal reform and played an integral role in the enactment of important legislation, including the Family & Medical Leave Act in 1993 and reform of the Hatch Act.

Myke Reid began his long and accomplished career with the United States Postal Service in 1976 as a clerk in Norfolk, VA. Mr. Reid's community involvement and enthusiasm for legislative reform won the recognition and admiration of his fellow union members, and he quickly rose to the position of state legislative director and state president.

In 1984, Mr. Reid arrived in Washington, DC, and joined the fight to preserve Social Security. For nine years, Mr. Reid served as the Special Assistant to the President of the APWU.

After the retirement of Roy Braunstein in 2004, Mr. Reid was appointed to serve as the Legislative and Political Director of the APWU. His service, his expertise on postal issues, and his accomplishments have earned the respect of many within the APWU and across the postal community and Capitol Hill. Commenting on Mr. Reid's retirement, APWU President Cliff Guffey spoke for many when he said, "He has made great contributions to our struggle and will be missed."

In addition to his service to the nation's postal workers and his important contributions in the halls of Congress, Mr. Reid still found the time to serve his community. He served on many community-based organizations, including the Virginia Employment Commission Advisory Board, the Virginia Community College Board, the Alexandria Redevelopment and Housing Authority Board, and the Alexandria Democratic Committee. Mr. Reid is a native Virginian, born in Portsmouth. He received a B.A. from Norfolk State University and currently resides in Alexandria.

Mr. Speaker, I ask that my colleagues join me in congratulating Myke Reid on this occasion and in commending him for his service and his work to represent the interests of America's Postal Workers and working families.

HONORING THE VOLUNTEERS OF HONOR FLIGHT SOUTH ALABAMA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. BONNER. Mr. Speaker, it is with great pride that I recognize the driving force behind Honor Flight South Alabama, the organization which sent more than 950 World War II veterans from Southwest Alabama to the National World War II Memorial in Washington, DC from 2009 to 2013.

I was honored to have met all nine flights of courageous veterans as they arrived at their Memorial. The monumental effort required to complete these flights came to fruition due to the hard work of the seven key players, each donating their tremendous talents to ensure this noble effort to thank our veterans was a success. Today, I pay tribute to those who made this remarkable program possible: Margaret Coley, Col. Pat Downing, Col. John New, Cdr. Pete Riehm, Anne Eubanks, Tina McGrath, and Dr. Barry L. Booth.

Over the last four years, Honor Flight South Alabama provided the veterans of Southwest Alabama an opportunity to visit the memorials on the National Mall as well as Arlington National Ceremony and to receive our Nation's sincerest gratitude for their selfless sacrifice and service. Honor Flight South Alabama chartered their final plane to Washington on May 8, 2013, and returned home to a grand welcome by family, friends and the community at large.

While the Honor Flight South Alabama program gleamed in a well-deserved spotlight, the

efforts behind it went somewhat unnoticed. Each beautifully orchestrated event required careful attention to detail and collaboration. The organizing team of Honor Flight South Alabama worked together to create a powerful legacy of volunteerism. Therefore, it is my honor to recognize the people integral to the success of the program.

Margaret Coley, the Director of Volunteer Activities and School Support System, took on the responsibility of the mail call from South Alabama students and the magnificent ticker tape parade at the Mobile Airport. Col. John New, the Security Liaison, coordinated the security arrangements between Mobile and Washington DC through the airports and U.S. Park Service. Cdr. Pete Riehm, Director of Operations, ensured a smooth Honor Flight orientation and flight day. Anne Eubanks, Director of Medical Support, ensured the veterans' medical care needs were met. Tina McGrath, Director of Administration, worked tirelessly to maintain and coordinate documentation and all administrative duties. Col. Pat Downing, Director of Guardian Training, was truly in the crosshairs of responsibility with the Guardian Training Program. And, of course, Dr. Barry L. Booth, Director of the Veteran Guardian Program, coordinated the assignments of all 957 veterans with their Guardians in each of the nine Honor Flights.

Mr. Speaker, I am particularly grateful for the contributions of these men and women, and I rise to pay tribute to all those who have worked tirelessly to serve our area's veterans. May we never forget the valiant deeds and tremendous sacrifices of America's military heroes who have secured our Nation's freedom.

RECOGNIZING ROSE MARY SARGENT

HON. JOHN F. TIERNEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. TIERNEY. Mr. Speaker, I rise today to recognize and thank Rose Mary Sargent for her 16 years working in my district office and serving the people of the Sixth District of Massachusetts.

Rose Mary came to work in my District Office soon after I was elected to the U.S. House of Representatives in 1997. Born in Costa Rica, Rose Mary grew up and attended public schools in San Jose, California. Having received her undergraduate degree at College Luis Dobles Segreda, she completed her secondary education at North Shore Community College in my district.

Rose Mary's intricate knowledge of the immigration system, her Spanish-speaking abilities, and her enthusiasm to assist others made her a perfect candidate for managing immigration and refugee casework. Throughout her tenure with my office, Rose Mary has assisted thousands of people and has not only guided constituents through the complex immigration system, but she has also contributed to public education regarding the benefits of immigration to our communities.

In what spare time she has, Rose Mary volunteers as an active member of the community of Lynn. She founded several organizations and currently serves as an Executive Board member for at least three others. Among the organizations she helped found are VOCES—Guardians Against AIDS, the Lynn Hispanic Festival, and Lynn's Cultural Diversity Task Force.

And she has done all of this while balancing her responsibilities as a mother of two adult daughters and a grandmother to five.

Rose Mary's dedication to the people of the City of Lynn and the entire Sixth District of Massachusetts is well-known. She has dedicated her career to improving her community and building ''ladders of opportunity'' for all.

I congratulate Rose Mary on her remarkable career and wish her all the best in her retirement.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. GRAVES of Missouri. Mr. Speaker, on Tuesday, July 30, 2013, I missed seven roll-call votes. Had I been present, I would have voted ''yea'' on Nos. 419 and 420, and voted ''no'' on Nos. 421, 422, 423, 424, and 425.

HONORING GEORGE WASHINGTON JULIAN

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. MESSER. Mr. Speaker, I rise today to recognize George Washington Julian, honored as the newest addition to the roster of the Indiana Historical Bureau's state historical marker series.

George Washington Julian of Centerville, Indiana was a United States Representative during the Civil War. His legacy lives on through his moral convictions as he advocated for abolition, equal rights, and land reform during an era of discrimination. He demanded rights and freedom for slaves as an attorney in several historic fugitive slave cases and also supported freedom and equal access to public lands for immigrants and women. Julian was an extraordinary Congressman who helped shape our country into what it is today.

I want to thank the Indiana Historical Bureau for its continued leadership in recognizing and commemorating significant individuals, organizations, places, and events in Indiana history. These roadside markers are familiar to all Hoosiers and visitors who pass through the State. With over 500 state historical markers in place, the Indiana Historical Bureau impresses on Hoosiers across the State the importance of our history and the promise of our future.

I ask the 6th Congressional District to join me in thanking the Indiana Historical Bureau for recognizing and publicly marking our shared history and the legacy of George Washington Julian in Centerville, Indiana.

HONORING COLONEL WILLIAM W. MOORE

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. LAMBORN. Mr. Speaker, I rise today in honor of Colonel William W. Moore's posthumous awarding of the Prisoner of War Medal. He was held captive by Chinese forces for 33 months during the Korean War.

Col. Moore began his military career by joining the Army Air Corps in 1942 and graduated flight school in 1944. He was assigned to Wheeler Field in Oahu, Hawaii for deployment, but World War II ended before he got to fly any missions. His next assignment was at Eglin Air Force Base near Ft. Walton, Florida where he served as a test pilot. While stationed there he was able to fly up to five fighters in one day.

He was then assigned to 7th Fighter Squadron in the 49th Fighter Group in South Korea. While on temporary duty as a Forward Air Controller, he was taken captive when his vehicle was ambushed by Chinese forces. Col. Moore liked to make clear that he was ''captured out of his element'' on the ground rather than being shot out of the sky.

While in captivity, he was determined to stay alive and return home to his wife and sons; remaining active and trying to eat everything he could, helped to save his life. The prisoners were marched at night when it was −40° in the snow up North, and they secretly stole as much wood and coal as they could find to keep themselves warm when they rested during the day. When they arrived at the camp, Col. Moore was elected by the other prisoners to be the cook, a position he held the entire time of his captivity.

While in the camp the Chinese tried to reeducate the captured Americans, holding classes to teach them the ''truth'' about America. The Americans resisted everything they could through subtle tactics such as retelling the landing of Pilgrims and other stories of history with humor and distorting facts to maintain a healthy morale for the prisoners. They also tried to attend all of the church services so as to annoy their communist captors.

When the Armistice was signed in 1953, Col. Moore was finally released from captivity and reunited with his family. After the war he was assigned to the 94th Fighter Interceptor Squadron, where he flew the F–86D and F–102. In 1958, he was promoted to the rank of Major and assigned to the Air Defense Tactical Evaluation Team at Air Defense Command Headquarters in Colorado Springs, CO. While with the ADC he wrote the training and flying manual for the F–106. His next assignment took the new Lt. Col. to Australia to join the RAAF Operational Command as the Chief of Fighter Operations.

In 1964, the Air Force sent him to the Pentagon where he was the F–5 plans officer in the Military Assistance Program where he was promoted to full Colonel. He selflessly volunteered to go to Vietnam, but only if he could fly; instead he was given command of the 27th Fighter Interceptor Squadron in Loring, Maine. As commander of a fighter squadron, with over 400 men and 18 aircraft, Col. Moore flourished. His last assignment took him to Murphy Dome, Alaska where he was the base commander for a radar unit.

After 30 years of a full career in the Air Force, Col. Moore retired in 1972 to Colorado Springs, CO. He and his wife, Lila, had four boys they raised as they moved all around the country. Col. Moore and Lila were married for 60 years before she passed away. He then remarried his wife of 10 years, Bonnie. He was a devoted family man who enjoyed fishing, camping and hunting with his sons.

While he was in captivity for 33 months, Col. Moore did not let that define his life or his career. He continued to look at the positives and strive for the best, yet gained a lot of perspective on life while a prisoner. He was a man who selflessly did not call attention to the fact he was accidently not awarded the POW medal when he returned from Korea, instead his loving wife, Bonnie, sought to honor him by correcting that error. I am truly humbled and offer my sincerest thanks to Col. Moore and his family for their selfless service to our nation.

CELEBRATING MILTON AND RENEE KAMEN'S 65TH ANNIVERSARY

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate my constituent Michael Kamen's parents, Milton and Renee Kamen, who celebrated their 65th wedding anniversary on June 27, 2013.

The Kamens have been voting in Presidential elections since 1948, although not always on the same side. In fact, the first time they voted for the same presidential candidate was 2008. Their ability to disagree for so many years while maintaining a harmonious marriage is a testament, both to their love for each other and to their dedication to the American political process.

The Kamens are truly an exceptional family. I know I join with their friends and loved ones in celebrating this magnificent milestone and wishing them good health and continued success in the coming year.

PERSONAL EXPLANATION

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. PAYNE. Mr. Speaker, during an evening series of votes on July 30, 2013 on amendments to the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act 2014, (H.R. 2610), I intended to vote "no" on the McClintock Amendment, but inadvertently voted "yes". This amendment would zero out the appropriation for the Essential Air Service account (a cut of $100 million).

STOPPING GOVERNMENT ABUSES AND HOLDING THE ADMINISTRATION ACCOUNTABLE

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. TURNER. Mr. Speaker, over four years ago, President Obama asserted that his would be "the most transparent Administration in history." Instead, we have seen the Executive Branch act in a manner wholly inconsistent with that statement and take great strides to conceal the truth from public scrutiny. Mr. Speaker, the American people deserve better.

That is why today the House is considering several pieces of legislation aimed at curbing the widespread abuse that we have witnessed in recent years and helping to restore faith in the federal government for hardworking taxpayers across this country. As a senior Member of the House Committee on Oversight and Government Reform, I have been involved with investigating the many scandals that have been reported on throughout the last several months.

As we continue to see in the ongoing investigation of conservatives being targeted for their political beliefs, the Internal Revenue Service, IRS, has failed to act in a fair, nonpartisan, and nondiscriminatory manner. In targeting an individual or group for audits and investigation on the basis of their beliefs—and not a legitimate tax-related purpose—the IRS has weakened its level of trust among both the American public and Congress. That is why I introduced H.R. 1950, the Taxpayer Nondiscrimination and Protection Act of 2013. With over 100 cosponsors and a companion measure in the Senate authored by Senator MARCO RUBIO, this bill is aimed at preventing biased, politically-motivated discrimination and seeks to strengthen taxpayer protections in current law by making such action a crime.

Earlier this year the Committee on Oversight and Government Reform also heard from the Treasury Inspector General for Tax Administration in which details were exposed of a lavish, taxpayer-funded conference for IRS employees in Anaheim, California. The IRS reported an estimated final cost of $4.1 million for the conference—$3.2 million of which were transferred from the funds appropriated by Congress for salaries, expenses, and personnel. In response to the revelation that taxpayers footed nearly 80% of the tab for this wasteful party, I introduced H.R. 2345, the Stop Internal Resource Slush Fund Act. This bill would address the back-door budgeting used by the IRS and put an end to these government slush funds.

In addition to the deeply troubling actions by the IRS, the Administration remains defiant in what may well be the lasting legacy of President Obama's scandals: the plight of Delphi Salaried Retirees. For over three years, I have worked with my colleagues on both sides of the aisle and in both chambers to hold the Administration accountable for unjustly terminating the pensions of an estimated 22,000 retirees in the wake of the General Motors bailout.

Both Congress and these hardworking men and women continue to press the Treasury Department, the President's Auto Task Force, and the Pension Benefit Guaranty Corporation for answers and full and complete disclosure of their actions that have led to tremendous hardship for thousands across the country. Despite bipartisan efforts toward fairness and transparency, the Administration has thus far remained secretive and defiant.

It is my sincere hope that the measures we are considering today, the legislation I have authored, and the ongoing investigations of the Committee on Oversight and Government Reform will put an end to these government abuses and hold bad actors accountable to the American people.

U.S. NAVY COMMISSIONS NEW SUBMARINE: MINNESOTA

HON. ERIK PAULSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2013

Mr. PAULSEN. Mr. Speaker, I rise today to celebrate the commissioning of the newest United States Navy submarine: The USS *Minnesota*. The USS *Minnesota* will be commissioned on September 7th, and is only the third ship to be named after the great state of Minnesota. The last Navy ship to be named the Minnesota was commissioned in 1907 and later joined the active fleet during World War I.

The USS *Minnesota* is the tenth Virginia-class submarine to be constructed for the Navy. The 377-foot long sub is capable of submerged speeds of nearly 30 miles per hour and can stay submerged for up to three months at a time. It has been built for increased firepower, maneuverability, and stealth and will be the most advanced warship of the Navy. The *Minnesota* will be manned by a crew of 134 brave officers and enlisted personnel who will be led by Commander John Fancher.

After more than 100 years, it is a tremendous honor for the state of Minnesota to be the namesake of another mighty ship. As the USS *Minnesota* sets its course around the globe, we must take this opportunity to thank the men and women who have sacrificed and bravely serve to keep us safe here at home.

HONORING JIM DOWNING

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 2012

Mr. LAMBORN. Mr. Speaker, I rise today in honor of Jim Downing who will be celebrating his 100th birthday on August 22, 2013. Throughout his century of life, he loyally served the United States Navy, was a devoted husband and father and faithful to his Creator.

He enlisted in the Navy in 1932, and was assigned to the USS *West Virginia* where he held a variety of roles onboard. On April 8, 1935 Jim gave his life to the Lord and vowed to follow Him wherever he was led. Jim was involved with original founders of The Navigators who discipled him and gave him the tools to evangelize to his whole ship and lead regular Bible studies onboard.

A survivor of the attack on Pearl Harbor, he helped rescue men from his ship and fight fires onboard. He later rose to the rank of Lieutenant, commanding his own ship the USS *Patapsco*. While at sea in 1954 his ship was showered with the radio-active ash from the ''H'' bomb being tested at Bikini Atoll. He served as an advisor to the Brazilian Fleet in Rio de Janeiro and later became an assistant professor of Naval Science at the Merchant Marine Academy.

Jim retired in 1956 with 24 years of service in the Navy and went to work for The Navigators for the next 22 years. During the years he served on The Navigator staff he held many capacities including, Divisional Director for Europe the Middle East and Africa with Headquarters in London, Vice President, Deputy to President Lorne Sarmy, and Chairman of the Board of Directors.

Jim and his wife Morena were married for 68 years before her passing. He has authored two books, Meditation and Living Legacy, both of which have been very well received. He has spent over 78 years working for the Lord and being a disciple maker wherever he is located. While he retired from full-time ministry in 1983, he has not retired from teaching others about the Lord and is on the volunteer staff of The Navigators' Collegiate Ministry.

To this day, Jim is investing in the lives of thousands of young people through personal discipleship and The Navigator's Collegiate and Military Ministry. I am greatly honored to help celebrate 100 years of life for a man who has been influential to so many communities around the world through his service and devotion to the Lord.

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, August 1, 2013 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

AUGUST 2

9:30 a.m.
Joint Economic Committee
To hold hearings to examine the employment situation for July 2013.
SD–G50

SEPTEMBER 10

2:30 p.m.
Committee on the Judiciary
Subcommittee on Bankruptcy and the Courts
To hold hearings to examine an original bill entitled, ''Federal Judgeship Act of 2013''.
SD–226

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

Senate

Chamber Action

Routine Proceedings, pages S6083–S6140

Measures Introduced: Sixteen bills and six resolutions were introduced, as follows: S. 1401–1416, S. Res. 207–211, and S. Con. Res. 21. **Pages S6126–27**

Measures Reported:

S. 415, to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, with an amendment. (S. Rept. No. 113–84)

H.R. 1171, to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property.

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". **Page S6126**

Measures Passed:

NATO Allied Command Transformation 10-year Anniversary: Senate agreed to S. Res. 156, expressing the sense of the Senate on the 10-year anniversary of NATO Allied Command Transformation, after agreeing to the committee amendment in the nature of a substitute. **Pages S6137–38**

National Airborne Day: Senate agreed to S. Res. 207, designating August 16, 2013, as "National Airborne Day". **Page S6138**

National Direct Support Professionals Recognition Week: Senate agreed to S. Res. 208, designating the week beginning September 8, 2013, as "National Direct Support Professionals Recognition Week". **Page S6138**

Sikh Temple of Wisconsin Shooting Anniversary: Senate agreed to S. Res. 209, remembering the anniversary of the tragic shooting on August 5, 2012, at the Sikh Temple of Wisconsin in Oak Creek, Wisconsin. **Page S6138**

Recognizing and Honoring Robert S. Mueller, III: Senate agreed to S. Res. 210, recognizing and honoring Robert S. Mueller, III, Director of the Federal Bureau of Investigation. **Page S6138**

National Spinal Cord Injury Awareness Month: Senate agreed to S. Res. 211, designating September 2013 as "National Spinal Cord Injury Awareness Month". **Page S6138**

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 S6085–95**

Rejected:

Paul Amendment No. 1739, to redirect certain foreign assistance to the Government of Egypt as a result of the July 3, 2013, military coup d'etat. (By 86 yeas to 13 nays (Vote No. 195), Senate tabled the amendment.) **Pages S6085–95**

Pending:

Murray (for Cardin) Modified 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. **Page S6085**

Coburn Amendment No. 1750, to prohibit funds from being directed to federal employees with unpaid Federal tax liability. **Page S6085**

Coburn Amendment No. 1751, to prohibit Federal funding of union activities by Federal employees. **Page S6085**

Coburn Amendment No. 1754, to prohibit Federal funds from being used to meet the matching requirements of other Federal Programs. **Page S6085**

Murphy Amendment No. 1783, to require the Secretary of Transportation to assess the impact on domestic employment of a waiver of the Buy American requirement for Federal-aid highway projects prior to issuing the waiver. **Page S6085**

A unanimous-consent agreement was reached providing that on Thursday, August 1, 2013, upon disposition of the nomination of Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit, Senate vote on the motion to invoke cloture on the bill; and that following the cloture vote, Senate recess until 2 p.m. for the bipartisan caucus meeting. **Page S6140**

A unanimous-consent agreement was reached providing that the second-degree filing deadline for amendments to the bill be 11 a.m., on Thursday, August 1, 2013. **Pages S6139–40**

Chen Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 11 a.m., on Thursday, August 1, 2013, Senate begin consideration of the nomination of Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit; that there be 60 minutes for debate equally divided in the usual form; that following the use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nomination; that no further motions be in order; and Senate then resume legislative session. **Page S6100**

Power Nomination—Agreement: A unanimous-consent agreement was reached providing that at 2 p.m., on Thursday, August 1, 2013, Senate resume consideration of the nomination of Samantha Power, of Massachusetts, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations, under the order of Tuesday, July 30, 2013. **Page S6100**

Nomination Confirmed: Senate confirmed the following nomination:

By 53 yeas to 42 nays (Vote No. EX. 197), Byron Todd Jones, of Minnesota, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Pages S6095–S6100, S6140

During consideration of this nomination today, Senate also took the following action:

By 60 yeas to 40 nays (Vote No. 196), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination.

Pages S6099–S6100

Nominations Received: Senate received the following nominations:

Kenneth L. Mossman, of Arizona, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2016.

Sylvia I. Garcia, of Michigan, to be Chief Financial Officer, Department of Transportation.

Jo Emily Handelsman, of Connecticut, to be an Associate Director of the Office of Science and Technology Policy.

Michael L. Connor, of New Mexico, to be Deputy Secretary of the Interior.

Sarah Bloom Raskin, of Maryland, to be Deputy Secretary of the Treasury.

L. Paige Marvel, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years.

John L. Estrada, of Florida, to be Ambassador to the Republic of Trinidad and Tobago.

Noah Bryson Mamet, of California, to be Ambassador to the Argentine Republic.

Robert O. Blake, Jr., of Maryland, to be Ambassador to the Republic of Indonesia.

Thomas Frederick Daughton, of Arizona, to be Ambassador to the Republic of Namibia.

Philip S. Goldberg, of the District of Columbia, to be Ambassador to the Republic of the Philippines.

Michael Stephen Hoza, of Washington, to be Ambassador to the Republic of Cameroon.

Eunice S. Reddick, of the District of Columbia, to be Ambassador to the Republic of Niger.

Karen Clark Stanton, of Michigan, to be Ambassador to the Democratic Republic of Timor-Leste.

Gregory B. Starr, of Virginia, to be an Assistant Secretary of State (Diplomatic Security).

Kenneth R. Weinstein, of the District of Columbia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2014.

Amy Jane Hyatt, of California, to be Ambassador to the Republic of Palau.

France A. Cordova, of New Mexico, to be Director of the National Science Foundation for a term of six years. **Page S6140**

Messages from the House: **Page S6112**

Measures Referred: **Page S6112**

Measures Placed on the Calendar: **Pages S6083, S6112**

Petitions and Memorials: **Pages S6112–26**

Executive Reports of Committees: **Page S6126**

Additional Cosponsors: **Pages S6127–29**

Statements on Introduced Bills/Resolutions: Pages S6129–35

Additional Statements: Pages S6110–12

Amendments Submitted: Pages S6135–37

Authorities for Committees to Meet: Page S6137

Privileges of the Floor: Page S6137

Record Votes: Three record votes were taken today. (Total—197) Pages S6094, S6100

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:17 p.m., until 9:30 a.m. on Thursday, August 1, 2013. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S6139–40.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported S. 1376, to improve the Federal Housing Administration and to ensure the solvency of the Mutual Mortgage Insurance Fund, with amendments.

ENERGY DRINKS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine energy drinks, focusing on exploring concerns about marketing to youth, after receiving testimony from Senator Durbin; Marcie Beth Schneider, American Academy of Pediatrics, Elk Grove Village, Illinois; Jennifer L. Harris, Yale University Rudd Center for Food Policy and Obesity, New Haven, Connecticut; William R. Spencer, Suffolk County Legislator, Centerport, New York; Amy Taylor, Red Bull North America, Inc., Santa Monica, California; Rodney Sacks, Monster Beverage Corporation, Corona, California; Janet Weiner, Rockstar, Inc., Las Vegas, Nevada; and James R. Coughlin, Aliso Viejo, California.

NATIONAL PARKS BILLS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing 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. 1186, to reauthorize the Essex National Heritage Area, 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, S. 1328, to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the State of Illinois, S. 1339, to reauthorize the Ohio & Erie Canal National Heritage Canalway, 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, after receiving testimony from Stephanie Toothman, Associate Director, Cultural Resources, Partnerships, and Science, National Park Service, Department of the Interior.

STRENGTHENING PUBLIC HEALTH PROTECTIONS BY ADDRESSING TOXIC CHEMICAL THREATS

Committee on Environment and Public Works: Committee concluded a hearing to examine strengthening public health protections by addressing toxic chemical threats, including S. 1009, to reauthorize and modernize the Toxic Substances Control Act, after receiving testimony from Michael A. Troncoso, Senior Counsel to the Attorney General of California, Nancy Buermeyer, Breast Cancer Fund, and Susan Vickers, Dignity Health, all of San Francisco, California; H. Michael Dorsey, West Virginia Department of Environmental Protection Homeland Security and Emergency Response Chief, Charleston; Ken Zarker, Washington State Department of Ecology Pollution Prevention and Regulatory Assistance Section Manager, Lacy; Daniel Rosenberg, Natural Resources Defense Council, Linda J. Fisher, DuPont, Mark N. Duvall, Beveridge and Diamond, PC, Kenneth A. Cook, Environmental Working Group, and Andrew R. Hackman, Toy Industry Association, all of Washington, DC; Thomas O. McGarity, University of Texas School of Law, Austin; Stephen A. Owens, Squire Sanders (US) LLP, Phoenix, Arizona; Linda Reinstein, Asbestos Disease Awareness Organization, Redondo Beach, California; Robin L. Greenwald, Weitz and Luxenberg, Cecil D. Corbin-Mark, WE ACT for Environmental Justice, and Ansje Miller, Center for Environmental Health, all of New York, New York; Maureen F. Gorsen, Alston and Bird, LLP, Sacramento, California; Jonathan Borak, Yale School of Medicine, New Haven, Connecticut, on behalf of the American College of Occupational and Environmental Medicine; and Dorothy Felix, Mossville Environmental Action Now, Westlake, Louisiana.

PRINCIPLES FOR ENERGY TAX REFORM

Committee on Finance: Subcommittee on Energy, Natural Resources, and Infrastructure concluded a hearing to examine principles for energy tax reform, after receiving testimony from Senators Coons and Moran; Phyllis Cuttino, The Pew Charitable Trusts, and Margo Thorning, American Council for Capital Formation, both of Washington, DC; Dan W. Reicher, Stanford University Steyer-Taylor Center for Energy Policy and Finance, Stanford, California; and Will Coleman, OnRamp Capital, San Francisco, California.

TURKEY

Committee on Foreign Relations: Subcommittee on European Affairs concluded a hearing to examine where Turkey is headed, focusing on Gezi Park, Taksim Square, and the future of the Turkish model, after receiving testimony from former Representative Robert Wexler, S. Daniel Abraham Center for Middle East Peace, Kurt Volker, Arizona State University McCain Institute for International Leadership, and James F. Jeffrey, The Washington Institute for Near East Policy, all of Washington, DC; and Jenny White, Boston University, Boston, Massachusetts.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 1398, to require the Federal Government to expedite the sale of underutilized Federal real property;

S. 1360, 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;

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, with an amendment in the nature of a substitute;

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;

H.R. 1171, to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property;

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.

NATIONAL CAPITAL REGION EMERGENCY PREPAREDNESS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia concluded a hearing to examine how prepared the National Capital Region is for the next disaster, after receiving testimony from Representative Norton; Christopher T. Geldart, District of Columbia Homeland Security and Emergency Management Agency Director, Washington, DC; Kenneth J. Mallette, Maryland Department of the Military Emergency Management Agency Executive Director, Reisterstown; and Barbara Donnellan, Arlington County Manager, on behalf of the Metropolitan Washington Council of Governments Chief Administrative Officers Committee Homeland Security Executive Committee, and James H. Schwartz, Arlington County Fire Department Chief, both of Arlington County, Virginia.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 1356, 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, with an amendment in the nature of a substitute; and

The nominations of Robert F. Cohen, Jr., of West Virginia, and William Ira Althen, of Virginia, both to be a Member of the Federal Mine Safety and Health Review Commission, and Catherine Elizabeth Lhamon, of California, to be Assistant Secretary of Education for Civil Rights.

INDIAN AFFAIRS LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing 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, after receiving testimony from Robert McSwain, Deputy Director for Management Operations, Indian Health Service, Department of Health and Human Services; Sarah Harris, Chief of Staff, Assistant Secretary—Indian Affairs, Department of the Interior; Sandra B. Henriquez, Public and Indian Housing, Department of Housing and Urban Development; Andy Teuber, Alaska Native Tribal Health Consortium, Anchorage; and Jefferson Keel, National Congress of American Indians, Washington, DC.

STRENGTHENING PRIVACY RIGHTS AND NATIONAL SECURITY

Committee on the Judiciary: Committee concluded a hearing to examine strengthening privacy rights and national security, focusing on oversight of the Foreign Intelligence Surveillance Act (FISA) surveillance programs, after receiving testimony from James M. Cole, Deputy Attorney General, and Sean M. Joyce, Deputy Director, Federal Bureau of Investigation, both of the Department of Justice; John C. Inglis, Deputy Director, National Security Agency; Robert S. Litt, General Counsel, Office of the Director of National Intelligence; James G. Carr, Senior United States District Judge for the Northern District of Ohio; Jameel Jaffer, American Civil Liberties Union Foundation, New York, New York; and Stewart A. Baker, Steptoe and Johnson LLP, Washington, DC.

PRESERVING RIGHTS IN THE FINANCIAL MARKETPLACE

Committee on Veterans' Affairs: Committee concluded a hearing to examine preserving the rights of servicemembers, veterans, and their families in the financial marketplace, after receiving testimony from Hollister K. Petraeus, Assistant Director, Office of Servicemember Affairs, Consumer Financial Protection Bureau; Colonel Paul Kantwill, Director, Office of Legal Policy, Office of the Under Secretary of Defense for Personnel and Readiness; Eric Halperin, Acting Deputy Assistant Attorney General, Civil Rights Division, Department of Justice; and Paul M. Leonard, Financial Services Roundtable Housing Policy Council, Washington, DC.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 31 public bills, H.R. 2869–2899; were introduced.

Pages H5259–61

Additional Cosponsors: Pages H5262–63

Reports Filed: Reports were filed today as follows:

H.R. 2579, to amend title 5, United States Code, to provide for investigative leave requirements with respect to Senior Executive Service employees, and for other purposes, with an amendment (H. Rept. 113–186) and

H. Res. 322, providing for consideration of the bill (H.R. 367) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; providing for consideration of the bill (H.R. 2009) 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; providing for proceedings during the period from August 3, 2013, through September 6, 2013; and providing for consideration of the bill (H.R. 2879) to provide limitations on bonuses for Federal employees during sequestration, to provide for investigative leave requirements for members of the Senior Executive Service, to establish certain procedures for conducting in-person or telephonic interactions by Executive branch employees with individuals, and for other purposes (H. Rept. 113–187).

Page H5259

Speaker: Read a letter from the Speaker wherein he appointed Representative Heck (NV) to act as Speaker pro tempore for today. Page H5179

Recess: The House recessed at 10:29 a.m. and reconvened at 12 noon. Page H5182

Chaplain: The prayer was offered by the guest chaplain, Imam Talib Shareef, Masjid Muhammad, Washington, DC. Page H5182

Suspensions: The House agreed to suspend the rules and pass the following measures:

Government Spending Accountability Act of 2013: H.R. 313, amended, to amend title 5, United States Code, to institute spending limits and transparency requirements for Federal conference and travel expenditures; Pages H5193–96

Government Customer Service Improvement Act of 2013: H.R. 1660, amended, to require the establishment of Federal customer service standards and to improve the service provided by Federal agencies;

Pages H5207–09

Stop Playing on Citizen's Cash Act: H.R. 2769, amended, to impose moratorium on conferences held by the Internal Revenue Service; Pages H5209–11

Taxpayer Bill of Rights Act of 2013: H.R. 2768, amended, to amend the Internal Revenue Code of 1986 to clarify that a duty of the Commissioner of Internal Revenue is to ensure that Internal Revenue Service employees are familiar with and act in accord with certain taxpayer rights; Pages H5211–12

STOP IRS Act: H.R. 2565, to provide for the termination of employment of employees of the Internal Revenue Service who take certain official actions for political purposes; Pages H5212–14

Smarter Solutions for Students Act: Concurred in the Senate amendment to 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 and 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 a ⅔ yea-and-nay vote of 392 yeas to 31 nays, Roll No. 426;

Pages H5214–21, H5240–41

Nuclear Iran Prevention Act of 2013: H.R. 850, amended, to impose additional human rights and economic and financial sanctions with respect to Iran, by a ⅔ yea-and-nay vote of 400 yeas to 20 nays with 1 answering "present", Roll No. 427; and

Pages H5221–40, H5241–42

Encouraging peace and reunification on the Korean Peninsula: H. Con. Res. 41, amended, to encourage peace and reunification on the Korean Peninsula. Pages H5254–56

Announcement by the Chair: The Speaker addressed the Members on matters of decorum in the House. Page H5241

Energy Consumers Relief Act of 2013: The House began consideration of 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. Consideration is expected to resume tomorrow, August 1st.

Page H5242

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–19 shall be considered as an original bill for the purpose of 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. **Page H5247**

Proceedings Postponed:

Waxman amendment (No. 1 printed in part B of H. Rept. 113–174) that seeks to strike section 2 of the bill, which allows DOE to effectively veto EPA rules and **Pages H5247–48**

Connolly amendment (No. 3 printed in part B of H. Rept. 113–174) that seeks to prevent section 2 of the bill from applying to rules related to protecting air and water quality. **Pages H5248–49**

H. Res. 315, the rule providing for consideration of the bills (H.R. 2218) and (H.R. 1582) was agreed to on Wednesday, July 24th.

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Citizen Empowerment Act: H.R. 2711, amended, to amend title 5, United States Code, to establish certain procedures for conducting in-person or telephonic interactions by Executive branch employees with individuals; **Pages H5188–93**

Government Employee Accountability Act: H.R. 2579, amended, to amend title 5, United States Code, to provide for investigative leave requirements with respect to Senior Executive Service employees; **Pages H5196–H5202**

Common Sense in Compensation Act: H.R. 1541, amended, to establish limitations, for fiscal years 2013, 2014, and 2015 on the total amount in awards or other discretionary monetary payments which may be paid to any Federal employee; and **Pages H5202–07**

Vietnam Human Rights Act of 2013: H.R. 1897, amended, to promote freedom and democracy in Vietnam. **Pages H5249–54**

Dwight D. Eisenhower Memorial Commission—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the Dwight D. Eisenhower Memorial Commission: Representatives Bishop (GA) and Thompson (CA). **Page H5256**

Recess: The House recessed at 8:37 p.m. and reconvened at 9:38 p.m. **Page H5257**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H5188.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H5241, H5241–42. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:40 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Appropriations: Full Committee began a markup on Interior and Environment and Related Agencies Appropriations Bill, FY 2014.

WAR ON POVERTY: A PROGRESS REPORT

Committee on the Budget: Full Committee held a hearing entitled ''The War on Poverty: A Progress Report''. Testimony was heard from Eloise Anderson, Secretary, Wisconsin Department of Children and Families; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Full Committee held a markup on H.R. 2810, the ''Medicare Patient Access and Quality Improvement Act of 2013''; and H.R. 2844, the ''Federal Communications Commission Consolidated Reporting Act of 2013''. The following bills were ordered reported, as amended: H.R. 2810; and H.R. 2844.

OVERSIGHT OF DOE'S STRATEGY FOR THE MANAGEMENT AND DISPOSAL OF USED NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE

Committee on Energy and Commerce: Subcommittee on Environment and the Economy held a hearing entitled ''Oversight of DOE's Strategy for the Management and Disposal of Used Nuclear Fuel and High-Level Radioactive Waste''. Testimony was heard from Ernest Moniz, Secretary, Department of Energy.

IRAN-SYRIA NEXUS AND ITS IMPLICATIONS FOR THE REGION

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled ''The Iran-Syria Nexus and Its Implications for the Region''. Testimony was heard from public witnesses.

TSA INTEGRITY CHALLENGES: EXAMINING MISCONDUCT BY AIRPORT SECURITY PERSONNEL

Committee on Homeland Security: Subcommittee on Oversight and Management Efficiency and Subcommittee on Transportation Security held a joint hearing entitled ''TSA Integrity Challenges: Examining Misconduct by Airport Security Personnel''.

Testimony was heard from John Halinski, Deputy Administrator, Transportation Security Administration, Department of Homeland Security; Stephen M. Lord, Director, Forensic Audits and Investigative Services, Government Accountability Office; and Deborah Outten-Mills, Acting Assistant Inspector General for Inspections, Office of the Inspector General, Department of Homeland Security.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on H.R. 1123, the ''Unlocking Consumer Choice and Wireless Competition Act''; H.R. 2542, the ''Regulatory Flexibility Improvements Act of 2013''; H.R. 2641, the ''Responsibly and Professionally Invigorating Development Act of 2013''; and H.R. 2655, the ''Lawsuit Abuse Reduction Act of 2013''. The following bill was ordered reported, as amended: H.R. 1123. The following bill was ordered reported, without amendment: H.R. 2542.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Full Committee held a markup on H.R. 255, to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, and for other purposes; H.R. 553, to designate the exclusive economic zone of the United States as the ''Ronald Wilson Reagan Exclusive Economic Zone of the United States''; H.R. 623, the ''Alaska Native Tribal Health Consortium Land Transfer Act''; H.R. 908, the ''Green Mountain Lookout Heritage Protection Act''; H.R. 930, the ''New Philadelphia, Illinois, Study Act''; H.R. 1168, to direct the Secretary of the Interior, acting through the Bureau of Land Management, to convey to the City of Carlin, Nevada, in exchange for consideration, all right, title, and interest of the United States, to any Federal land within that city that is under the jurisdiction of that agency, and for other purposes; H.R. 1170, to direct the Secretary of the Interior, acting through the Bureau of Land Management and the Bureau of Reclamation, to convey, by quitclaim deed, to the City of Fernley, Nevada, all right, title, and interest of the United States, to any Federal land within that city that is under the jurisdiction of either of those agencies; H.R. 1526, the ''Restoring Healthy Forests for Healthy Communities Act''; H.R. 1684, the ''Ranch A Consolidation and Management Improvement Act''; H.R. 1818, the ''Polar Bear Conservation and Fairness Act of 2013''; H.R. 1963, the ''Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act''; H.R. 2388, to authorize the Secretary of the Interior to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes; H.R. 2463, the ''Target Practice and Marksmanship Training Support Act'': H.R. 2650, the ''Fond du Lac Band of Lake Superior Chippewa Non-Intercourse Act of 2013''; H.R. 2728, the ''Protecting States' Rights to Promote American Energy Security Act''. The following bills were ordered reported as amended: H.R. 623; H.R. 930; H.R. 1168; H.R. 1170; H.R. 1526; H.R. 1963; H.R. 2388; and H.R. 2728. The following bills were ordered reported without amendment: H.R. 255; H.R. 553; H.R. 908; H.R. 1684; H.R. 1818; H.R. 2463; and H.R. 2650.

OVERSIGHT OF THE IRS'S LEGAL BASIS FOR EXPANDING OBAMACARE'S TAXES AND SUBSIDIES

Committee on Oversight and Government Reform: Subcommittee on Energy Policy, Health Care and Entitlements held a hearing entitled ''Oversight of the IRS's Legal Basis for Expanding ObamaCare's Taxes and Subsidies''. Testimony was heard from Scott Pruitt, Attorney General, State of Oklahoma; Emily S. McMahon, Deputy Assistant Secretary for Tax Policy, Department of the Treasury; and public witnesses.

REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2013; KEEP THE IRS OFF YOUR HEALTH CARE ACT OF 2013; AND STOP GOVERNMENT ABUSE ACT

Committee on Rules: Full Committee held a hearing on H.R. 367, the ''Regulations From the Executive in Need of Scrutiny Act of 2013''; H.R. 2009, the ''Keep the IRS Off Your Health Care Act of 2013''; and H.R. 2879, the ''Stop Government Abuse Act''. The Committee granted by record vote of 9–3, a structured rule for H.R. 367. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill modified by the amendment printed in part A of the Rules Committee report and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in Part B of the report. 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. The rule waives all points of order against the amendments printed in Part B of the report. The rule provides one motion to recommit with or without instructions. In section 2, the rule provides a closed rule for H.R. 2009. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill and provides that it shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. In section 3, the rule provides that H. Res. 292 is laid on the table. In section 4, the rule provides that on any legislative day during the period from August 3, 2013, through September 6, 2013: the Journal of the proceedings of the previous day shall be considered as approved; the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment; and bills and resolutions introduced shall be numbered, listed in the Congressional Record, and when printed shall bear the date of introduction, but may be referred at a later time. In section 5, the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of the resolution. In section 6, the rule provides that each day during the period addressed by section 4 of the resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546). In section 7, the rule provides that each day during the period addressed by section 4 of the resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII resolutions of inquiry), In section 8, the rule provides a closed rule for H.R. 2879. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. The rule waives all points of order against consideration of the bill and provides that it shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. In section 9, the rule provides that upon passage of H.R. 2879, the following bills are laid on the table: H.R. 1541, H.R. 2579, and H.R. 2711. Testimony was heard from Chairman Goodlatte, Chairman lssa and Representatives Smith of Missouri, Scalise, Price of Georgia, Conyers, Jackson Lee, Johnson of Georgia and McDermott.

FRONTIERS OF HUMAN BRAIN RESEARCH

Committee on Science, Space, and Technology: Subcommittee on Research and Technology held a hearing entitled ''The Frontiers of Human Brain Research''. Testimony was heard from Dr. Story Landis, Director of National Institute of Neurological Disorders and Stroke, National Institutes of Health; Master Sergeant Joseph Deslauriers Jr., U.S. Air Force; and a public witness.

HOW TO IMPROVE THE EFFICIENCY, SAFETY, AND SECURITY OF MARITIME TRANSPORTATION: BETTER USE AND INTEGRATION OF MARITIME DOMAIN AWARENESS DATA

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime held a hearing entitled ''How to Improve the Efficiency, Safety, and Security of Maritime Transportation: Better Use and Integration of Maritime Domain Awareness Data''. Testimony was heard from Rear Admiral Mark E. Butt, Assistant Commandant for Capability, United States Coast Guard; Stephen Caldwell, Director, Homeland Security and Justice, Government Accountability Office; and public witnesses.

IMPROVING THE SAFETY NET: BETTER COORDINATING TODAY'S MAZE OF PROGRAMS TO ENSURE FAMILIES RECEIVE REAL HELP

Committee on Ways and Means: Subcommittee on Human Resources held a hearing entitled ''Improving the Safety Net: Better Coordinating Today's Maze of Programs to Ensure Families Receive Real Help''. Testimony was heard from Eloise Anderson, Secretary, Wisconsin Department of Children and Families; Clarence Carter, Director, Arizona Department of Economic Security; Michelle Saddler, Secretary, Illinois Department of Human Services; and Larry Woods, Chief Executive Officer, House Authority of Winston-Salem.

Joint Meetings

TAX REFORM

Joint Economic Committee: Committee concluded a hearing to examine how tax reform can boost economic growth, focusing on lessons from Reagan, after receiving testimony from Jane G. Gravelle, Senior Specialist in Economic Policy, Congressional Research Service, Library of Congress; former Virginia Governor James S. Gilmore III, Free Congress Foundation, Alexandria, Virginia; Laura D'Andrea Tyson, University of California Haas School of Business, Berkeley; and Kevin A. Hassett, American Enterprise Institute for Public Policy Research, Washington, DC.

ECONOMIC DEVELOPMENT IN CENTRAL ASIA

Commission on Security and Cooperation in Europe: Commission concluded a hearing 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, after receiving testimony from Danica Starks, Senior Desk Officer for Russia, Caucasus and Central Asia, Department of Commerce; and Craig Steffenson, Asian Development Bank, Eric Stewart, U.S.-Turkmen Business Council, and Joshua Kucera, all of Washington, DC.

COMMITTEE MEETINGS FOR THURSDAY, AUGUST 1, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to mark up proposed legislation making appropriations for fiscal year 2014 for the Department of Defense, 10:30 a.m., SD–106.

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, 9:30 a.m., SD–366.

Committee on Foreign Relations: business meeting to consider S. 1386, to provide for enhanced embassy security, and 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, David Hale, of New Jersey, to be Ambassador to the Republic of Lebanon, Liliana Ayalde, of Maryland, to be Ambassador to the Federative Republic of Brazil, Evan Ryan, of Virginia, to be Assistant Secretary for Educational and Cultural Affairs, Kirk W.B. Wagar, of Florida, to be Ambassador to the Republic of Singapore, 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, Terence Patrick McCulley, of Washington, to be Ambassador to the Republic of Cote d'Ivoire, James C. Swan, of California, to be Ambassador to the Democratic Republic of the Congo, John R. Phillips, of the District of Columbia, to be Ambassador to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador to the Republic of San Marino, Kenneth Francis Hackett, of Maryland, to be Ambassador to the Holy See, and Alexa Lange Wesner, of Texas, to be Ambassador to the Republic of Austria, all of the Department of State, 10:15 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Financial and Contracting Oversight, to hold hearings to examine Prisoner of War (POW) and Missing in Action (MIA) accounting, 10:30 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, S. 933, to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2018, 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.

Subcommittee on Oversight, Federal Rights and Agency Action, to hold hearings to examine the human cost of regulatory paralysis, 2 p.m., SD–226.

House

Committee on Armed Services, Subcommittee on Military Personnel, hearing entitled ''Department of Defense's Challenges in Accounting for Missing Persons from Past Conflicts'', 8 a.m., 2212 Rayburn.

Full Committee, hearing entitled ''Initial Conclusions Formed by the Defense Strategic Choices and Management Review'', 10 a.m., 2118 Rayburn.

Subcommittee on Readiness; and Subcommittee on Seapower and Projection Forces, joint subcommittee hearing entitled ''Ensuring Navy surface force effectiveness with limited maintenance resources'', 3:30 p.m., 2118 Rayburn.

Committee on Energy and Commerce, Full Committee, hearing entitled ''PPACA Pulse Check'', 10 a.m., 2123 Rayburn.

Committee on Foreign Affairs, Full Committee, markup on H.R. 2848, the ''Department of State Operations and Embassy Security Authorization Act, Fiscal Year 2014''; and H.R. 419, to strengthen and clarify the commercial, cultural, and other relations between the people of the United States and the people of Taiwan, as codified in the Taiwan Relations Act, and for other purposes, 10 a.m., 2172 Rayburn.

Subcommittee on Terrorism, Nonproliferation, and Trade, hearing entitled ''The Trans-Pacific Partnership: Outlook and Opportunities'', 1:30 p.m., 2200 Rayburn.

Subcommittee on the Middle East and North Africa; and Subcommittee on the Western Hemisphere, joint hearing entitled ''Examining the State Department's Report on Iranian Presence in the Western Hemisphere 19 Years After AMIA Attack'', 2 p.m., 2172 Rayburn.

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''The Impact of U.S. Water Programs on Global Health'', 2 p.m., 2255 Rayburn.

Committee on Homeland Security, Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technology, hearing entitled ''West Fertilizer, Off the Grid:

The Problem of Unidentified Chemical Facilities'', 10 a.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on Courts, Intellectual Property and the Internet, hearing entitled ''Innovation in America: The Role of Technology'', 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing entitled ''Transparency and Sound Science Gone Extinct?: The Impacts of the Obama Administration's Closed-Door Settlements on Endangered Species and People'', 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Department of Energy's Bonneville Power Administration: Discriminating Against Veterans and Retaliating Against Whistleblowers'', 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, markup on H.R. 2850, the ''EPA Hydraulic Fracturing Study Improvement Act''; and authorize the issuance of subpoenas, 10 a.m., 2318 Rayburn.

Subcommittee on Oversight, hearing entitled ''EPA's Bristol Bay Watershed Assessment—A Factual Review of a Hypothetical Scenario'', 1 p.m., 2318 Rayburn.

Committee on Veterans' Affairs, Full Committee, markup on the following legislation H.R. 813, the ''Putting Veterans Funding First Act of 2013''; H.R. 1804, the ''Foreign Travel Accountability Act''; H.R. 2072, the ''Demanding Accountability for Veterans Act of 2013''; H.R. 2189, to establish a commission or task force to evaluate the backlog of disability claims of the Department of Veterans Affairs; H.R. 2481, the ''Veterans G.I. Bill Enrollment Clarification Act of 2013''; H.R. 1443, the ''Tinnitus Research and Treatment Act of 2013''; and H.R. 2011, the ''Veterans' Advisory Committee on Education Improvement Act of 2013'', 10 a.m., 334 Cannon.

Committee on Ways and Means, Full Committee, hearing entitled ''Status of the Affordable Care Act Implementation'', 10 a.m., 1100 Longworth.

Next Meeting of the **SENATE**

9:30 a.m., Thursday, August 1

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will begin consideration of the nomination of Raymond T. Chen, of Maryland, to be United States Circuit Judge for the Federal Circuit, and vote on confirmation of the nomination at approximately 12 p.m.

Following disposition of the nomination of Raymond T. Chen, Senate will vote on the motion to invoke cloture on S. 1243, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act. The filing deadline for second-degree amendments to the bill is at 11 a.m.

At 2 p.m., Senate will resume consideration of the nomination of Samantha Power, of Massachusetts, to be the Representative to the United Nations, with the rank and status of Ambassador, and the Representative in the Security Council of the United Nations, with up to two hours of debate. Senate will vote on confirmation of the nomination, upon the use or yielding back of that time.

(Senate will recess following the vote on the motion to invoke cloture on S. 1243, Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, until 2 p.m. for the bipartisan caucus meeting.)

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Thursday, August 1

House Chamber

Program for Thursday: Complete consideration of H.R. 1582—Energy Consumers Relief Act of 2013. Consideration of H.R. 2879—Stop Government Abuse Act (Subject to a Rule). Begin consideration of H.R. 367—Regulations From the Executive in Need of Scrutiny Act of 2013 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Bonner, Jo, Ala., E1176
Coffman, Mike, Colo., E1171, E1175
Cole, Tom, Okla., E1171
Connolly, Gerald E., Va., E1176
Courtney, Joe, Conn., E1172
Enyart, William L., Ill., E1171
Fincher, Stephen Lee, Tenn., E1168
Frankel, Lois, Fla., E1178
Garamendi, John, Calif., E1176
Graves, Sam, Mo., E1169, E1171, E1177
Guthrie, Brett, Ky., E1167
Gutiérrez, Luis V., Ill., E1172
Huizenga, Bill, Mich., E1167
Kinzinger, Adam, Ill., E1168
Lamborn, Doug, Colo., E1177, E1178
McClintock, Tom, Calif., E1167
McCollum, Betty, Minn., E1174
McNerney, Jerry, Calif., E1175
Maloney, Carolyn B., N.Y., E1175
Matsui, Doris O., Calif., E1171
Meadows, Markk, N.C., E1173
Messer, Luke, Ind., E1170, E1174, E1177
Miller, Jeff, Fla., E1169, E1174
Norton, Eleanor Holmes, D.C., E1173
Paulsen, Erik, Minn., E1178
Payne, Donald M., Jr., N.J. , E1178
Perry, Scott, Pa., E1174
Price, David E., N.C., E1175
Schakowsky, Janice D., Ill., E1172, E1176
Schiff, Adam B., Calif., E1167, E1168
Tierney, John F., Mass., E1177
Turner, Michael R., Ohio, E1178
Van Hollen, Chris, Md., E1169
Webster, Daniel, Fla., E1168

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