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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Hear our voice, O God, and listen to our prayer. You know our inward thoughts even before we think them. As we place our trust in You, enable us to experience Your joy. Breathe upon our Senators the fresh Spirit of Your love that old things will become new and the darkness will turn to dawn. Amid the dangers and destruction in our world, give us the miracle of Your peace. Make us good stewards of the gifts You have given us.

And, Lord, we ask You to comfort the victims and families affected by the explosions in West, TX.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ 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, April 18, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Sen-

ator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will resume consideration of the gun safety legislation. The time until noon will be equally divided and controlled for debate on the Barrasso and Harkin amendments.

At noon there will be two votes in relation to those amendments.

Following the votes the Senate will recess until 2 p.m. to allow for some important caucus meetings.

At 2 p.m. the Senate will proceed to executive session to consider the Torres and Watson nominations.

At about 2:15 p.m., then, there will be a rollcall vote on confirmation of the Torres nomination and an expected voice vote on confirmation of the Watson nomination.

### EXPLOSION IN WEST, TEXAS

Mr. REID. Mr. President, there was a new tragedy during the night, and our thoughts are with the people of West, TX. Our thoughts are with all of Texas in the wake of a terrible explosion of a fertilizer factory in the town, as I have indicated, of West, just outside of Waco. The extent is being estimated at this time—5 to 15 dead, a couple hundred who were injured.

But I am troubled and feel so badly about those who were hurt. They were working. They were sleeping. They were having dinner. I offer my con-

lences to those who lost loved ones and those who have people who were injured.

We will continue to follow the news from Texas as it develops today. I am going to do everything I can with my colleagues to ensure that this terrible tragedy has the resources of the Federal Government available to help the people of that city as they recover from this tragedy.

### GUN VIOLENCE

Mr. REID. Mr. President, this Nation has simply dealt with too much—too much—loss during these last few months. Once again I offer my condolences to the families who joined us here yesterday to honor the loved ones they lost to gun violence and to lobby for stronger background checks. The mothers and fathers of the murdered children from Newtown were here, family and friends of those who were injured and killed in Aurora, CO, were here. We had people here from the tragedy where 32, 33 people were killed in Blacksburg, VA, at Virginia Tech. They were here yesterday.

We knew the effort to keep America's streets safe from gun violence would not be easy. I commend Senator MANCHIN and others for setting aside partisanship to negotiate this compromise. Unfortunately, even though we got a strong, strong majority vote—well over 50—55 Senators voted in favor of this. And FRANK LAUTENBERG came. He had not been here for a while. He has been ill. He voted. We voted with a strong majority to change things here in America so that people who have serious mental illness would have to have a background check before they can buy a gun or that criminals would have to have a background check before they can buy a gun.

Even people who are selling the guns think there should be some background check. The man who sold the gun to the man who walked into the courthouse in Las Vegas and blasted away—

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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that man who sold that gun said he sold guns to lots of people who were bad people, but he did it legally. He thinks the law should be changed. So the vast majority of the Senate agreed that should be the case. But we could not get to 60, the magic number here in the Senate.

Yesterday the families of gun violence victims watched as Republicans defeated a commonsense proposal to expand background checks that has the support of 90 percent of Americans.

But make no mistake, the debate is not over. This is not the end of the fight. Republicans are in an unsustainable position—crosswise with 9 out of 10 Americans.

In an event we did out this backdoor yesterday, Senator SCHUMER said—I think he summed it up about as well as you could when he said: America today on background checks is in about the same place America was a few years ago dealing with immigration, gay marriage, and things related to gender equality.

I believe Senator SCHUMER is right. This is the beginning, and it has to happen. Anytime in America, on those rare occasions when 90 percent of the American people agree something should be done, it should be done. And it will be done. It is only a question of time.

The brand of the Republicans is further tarnished by going against what 90 percent of the American people want. Democrats will continue to stand with the families from Newtown, Aurora, Tucson, Carson City, and I assure the 90 percent of Americans who support meaningful background check legislation that I personally will continue this fight.

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#### IMMIGRATION

Mr. REID. Mr. President, the Senate suffered a notable and stunning defeat of bipartisanship this week during the debate over background checks. They said a week ago we would never get on the bill, but the Senate joined together and we got on the bill. Then yesterday, as I have indicated earlier, we got a significant majority of the Senate voting to move forward on this background check. Ninety percent of the Democrats, which is in keeping with the American people, and four valiant Republicans joined to put us where we are today.

But the week did not bring only bad news from the legislative front. A bipartisan group of eight of my Senate colleagues—it would never have happened a few years ago, but it is going to happen now. As I indicated, quoting Senator SCHUMER, background checks is about where immigration was just a few years ago. A bipartisan group of my Senate colleagues—four Democrats and four Republicans—from all different political persuasions introduced a comprehensive plan to reform our broken immigration system. Senators SCHUMER, MCCAIN, DURBIN, MENENDEZ,

GRAHAM, BENNET, RUBIO, and FLAKE worked very hard on this legislation. All one needs to do is look at the legislative pedigree of these eight Senators. They are all over the book—liberal, conservative, moderate. And that is the way it should be.

I commend each of them for setting partisanship aside—both Democrats and Republicans setting partisanship aside—on an issue that is critical to our great Nation. The four Democrats did not get everything I wanted in that legislation they now have before the American people. They did not give me, they did not give Democrats everything they wanted in these negotiations. But, as I have said on this floor numerous times, that is what legislating is. It is the art of compromise. It is not the art of getting everything you want.

I have been in this body a long time, and I have been very fortunate to put my name on things that have passed here, and I have helped guide things through this Senate in the last many years. I have to on occasion swallow hard and say: Well, we are going to have to compromise here to get this done.

That is what we need to do. People have been in a situation where they have been unwilling to compromise. There are things that have happened in the great history of this body that have come by compromise. I have never ever gotten everything I wanted. Republicans in these negotiations dealing with immigration, I guarantee you, did not get everything they wanted, just as Democrats did not.

But I am satisfied with this legislation. It continues to secure our borders, the northern and southern borders. It improves our dysfunctional legal immigration system. Our immigration system is broken, and has been for quite some time, and needs to be fixed.

Another thing that is important, it requires 11 million people who are undocumented to pass a criminal background check, pay fines, start on a path to citizenship, and, yes, learn English. It does not put them at the head of the line; it puts them at the back of the line. It takes about 12 or 13 years to finally get up there. But at least the program is moving forward. I look forward to hearings on this measure that will be led by Senator LEAHY.

Mr. President, I want to take a minute to commend Chairman LEAHY. He is the most senior Member of the Senate, he is the President pro tempore of the Senate, but he also has an important responsibility as chairman of the Judiciary Committee.

The reason we were able to get the legislation on the floor that we have been working on this past few weeks is because of Senator LEAHY, because he had his committee—even though, as I have just indicated, Senator LEAHY did not agree with everything that came out of that committee of his; he comes from the State of Vermont which is

much different than other places people on that committee come from around the country, but he brought it forward, and everything we voted on as the base bill came out of that committee.

It is the same as is going to happen on immigration. Senators—these eight—a significant number of them want to do hearings. They want to have a markup. Other Senators said: Let's just move to the floor. Well, there are a number of Senators who believe it should come out of the committee first, so that is what is going to happen. So I commend Senator LEAHY for agreeing to do this.

He is going to have a hearing tomorrow and another one on Monday. He has estimated a time for the markup. So I commend him for his leadership with Judiciary.

I repeat, I look forward to hearings on this measure before the committee, and to a thoughtful debate on the Senate floor.

We are going to have ample time to discuss and consider this legislation. I am going to do what I can to get this bill across the finish line, which I think we are going to do. I think we are going to do it pretty soon.

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#### MAIL SAFETY

Mr. REID. Mr. President, we deal with a lot of controversial things. That is the way it has always been here. We deal with controversial issues that elicit passionate responses, including the immigration proposal I just outlined and the antiviolence legislation I talked about earlier. We try to deal with these issues thoughtfully and with respect. Those who serve and work in the Senate do so out of a sense of patriotism and a love of country.

I disagree with a number of my Republican Senators. JEFF SESSIONS and I—I do not think we have ever voted on anything the same way, but I have tremendous respect for him as a person. He does what he believes is right. His colleague from Alabama, RICHARD SHELBY, is one of my dear friends. He and I do not vote much alike, but our relationship is one of respect and admiration for each other. That is what we have to do in this body.

I never question the patriotism or love of country of any Senator because if I did, I would be wrong. So it was deeply disturbing that an anonymous individual would attempt to send deadly poison to Senate offices as well as the White House. It appears that with the swift action of the Capitol Police and Federal law enforcement officials, the suspect in these cowardly, anonymous attacks has been apprehended. I hope he will be brought to justice very soon.

We should all understand that incident does not appear in any way to be related to the tragedy in Boston. Nevertheless, it is a reminder to the Senate community and to all Americans to remain vigilant during these unsettling

times. It is also a reminder that Senate offices should continue to follow the mail policies that are in place for their safety in this investigation.

Fortunately, the system in place to protect the Senate community worked. Maybe people say: Well, it is not good enough. It is good. I remember what happened when we had anthrax with Senator Daschle and Senator LEAHY in previous years. So the system that is in place to protect the Senate community has worked. That is good. These suspicious letters were found and intercepted before they reached the Capitol.

I applaud the postal employees and law enforcement officials who detected and neutralized this threat. I commend the Senate Sergeant at Arms, Chief Gainer, and the Capitol Police for their diligent work to keep the Senate community safe. I rest easier knowing the safety of everyone who works and visits the Capitol is their first priority. I know that to be the case.

I apologize to my friend the Republican leader for talking longer than I usually do.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

#### TEXAS TRAGEDY

Mr. MCCONNELL. Mr. President, I would like to say a brief word about last night's tragedy near Waco. From the media reports we have seen, there have clearly been a great many injuries and a terrible loss of life. We are all thinking of and praying for the victims and their families.

Given the horrendous event at the Boston Marathon on Monday, followed by the event near Waco last night, it has been a very difficult week for all of us. Our hearts are a little bit heavier. I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 649, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 649) to ensure that all individuals who should be prohibited from buying firearms are listed in the national criminal background check system and require a background check for every firearm sale, and for other purposes.

Pending:

Barrasso amendment No. 717, to withhold 5 percent of Community Oriented Policing

Services program Federal funding from States and local governments that release sensitive and confidential information on law-abiding gun owners and victims of domestic violence.

Harkin amendment No. 730, to reauthorize and improve programs related to mental health and substance use disorders.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon will be equally divided and controlled between the two leaders or their designees.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### PRAYERS FOR WEST, TEXAS

Mr. CORNYN. Mr. President, it is perhaps an understatement to say that it has been a difficult week for our country.

As Americans hold the city of Boston in their thoughts and prayers, I come to the floor to ask for another prayer for the small town of West, TX, in McLennan County, which is very close to Waco, TX.

I just got off the phone talking to the county judge, Scott Felton, and he described for me the terrible tragedy that occurred last night and the ongoing efforts to recover from that tragedy.

Apparently a fire started at an ammonia facility that then caught some tanks of anhydrous ammonia on fire and they literally exploded. And for those who aren't aware of the use of anhydrous ammonia, it is actually a source of nitrogen used in the cultivation of crops. You can imagine that at this time of year, springtime, when planting is starting, there is a lot of use for this essential fertilizer.

The fire started at about 7:30 last night, and the volunteer fire department/first responders were called. The problem was they showed up for a fire but ultimately ended up being victims of the explosions that ensued a short time thereafter when tanks of this anhydrous ammonia exploded. They don't yet know the number of fatalities.

I saw in press reports it could be between 5 and 15. Judge Felton tells me he fears it could be on the higher side of that number or even higher; they just don't know. They are continuing to try to find the victims and help those who need help.

We do know more than 100 people were wounded. An unknown number have lost their lives, as I said, but we do know that among the dead are a number of firefighters, volunteer firefighters, and other first responders. As typical, and as we actually saw in Boston, during a time of crisis in tight-knit communities such as West and cities such as Boston, we see some acts of

real heroism that are encouraging at a time when we could use a little encouragement. We are seeing the resilience of a tight-knit, self-sufficient community in the aftermath of this terrible tragedy.

Businesses have reportedly stayed open throughout the night and neighbors have opened their doors to help support the victims. As is so often the case, ordinary citizens ran toward danger as they offered assistance. One resident loaded his car with people and made three successive trips to the hospital. This morning, as I was waking up and watching the news, I saw one gentleman who said he made multiple trips into the nursing home for nursing home residents who were not able to walk out themselves, to bring them to safety.

As one police officer at the scene said, "The people of West will not let a person stand out in the rain."

We, of course, grieve for those who lost their lives and we pray for those who are injured and still missing. I ask all Americans to keep the people of West, TX, in their thoughts and prayers.

#### GUN LEGISLATION

Mr. President, on another note—and I say this more in sadness than in anger—I watched the President of the United States say it was a pretty shameful day for Washington—on the national news. That was yesterday. I agree, but for different reasons than the President himself articulated. When good and honest people have honest differences of opinion about what policies our country should pursue when it comes to the Second Amendment and gun rights and mass gun violence, the President of the United States should not accuse them of having no coherent arguments or caving to the pressure. The President could have taken the high road, could have said, ok, now that we have been unsuccessful in these measures, let's move on to the area where we know there is consensus and that has to do with the mental health element in so many of these mass gun tragedies.

Instead, he chose to take the low road. I agree with him it was a truly shameful day. I and many of my colleagues are not worried, as some of the press like to portray it, about the gun lobby who would spend a lot of money and paint us as anti-Second Amendment. I don't work for them. I don't listen for them. I work for 26 million Texans, and I am proud to represent them. The views I represented on the floor of the Senate are their views. If I do not represent their views, then I am accountable to them and no one else, and, no, those of us who did not agree with the President's proposals are not being intimidated, as he said yesterday. It is false, it is absolutely false to say it comes down to politics, as he said.

For me, it comes down to a meeting I had with the families who lost loved ones at Sandy Hook Elementary

School. I told them I was not interested in symbolism, in things we might be able to do that would have had no impact on the terrible tragedy that day or in Tucson or at Virginia Tech or in Aurora, CO. I am not interested in passing legislation that would have had no impact on those incidents and then patting ourselves on the back and congratulating ourselves, saying, haven't we done a wonderful thing, when in fact it would be to celebrate symbolism over solutions. I am interested in trying to come up with a solution.

I told them that day, the family members who came to visit with me as we grieved with them for their terrible loss, I told them that as I understood what they were telling me, they were not coming to sell a particular political point of view or an agenda or legislative laundry list of things they wanted to see passed. It boiled down to this. These families—who lost children and parents and spouses—want to make sure their loved one did not die in vain. They want to make sure something good comes out of this terrible tragedy. Why wouldn't we want to work together to try to help them achieve their goals?

The President indicated yesterday that the legislation he actually was pursuing, the so-called assault weapons ban, the background check bill, and others—he said none of that legislation would have solved the problem these families were experiencing. I happen to agree with that part of what he said. But instead of calling the President names and taking the low road as he did yesterday and chastising my fellow Senators for their good-faith disagreement on the best policies to pursue in order to make sure these families' loss was not in vain, I am here to ask for his help. I am here to ask for the help of every Member, to try to make sure we actually continue to look for measures we might be able to get behind to actually make things better, that would have offered a solution to some of these problems.

I have heard Senator FEINSTEIN, who so eloquently spoke in favor of her proposed assault weapons ban. She conceded—I think as she had to—that Adam Lanza would not have been stopped by an assault weapons ban because he stole weapons his mother legally possessed, and he murdered his own mother before he then went to Sandy Hook Elementary School and murdered innocent children and other adults. The background check bill would not have had any impact on that. As Senator FEINSTEIN conceded, as she must, neither would the assault weapons ban we voted on yesterday.

What might have an impact on incidents such as occurred at Virginia Tech? What might have had an impact on incidents that occurred in Tucson, where Congresswoman Gabby Giffords was shot and others killed? We know the background check system, the National Instant Criminal Background Check System, the NICS system that

the FBI maintains, depends on the States sending information to the FBI that they could use to screen out gun buyers. As a matter of fact, the shooter at Virginia Tech had been adjudicated mentally ill by the State of Virginia, but that information was never forwarded to the FBI to be used on a background check so he could therefore purchase weapons without a hit occurring on the NICS background check system.

After 2008, we passed legislation encouraging the States, trying to incentivize them to send that information to the FBI so that would not happen again. We know from the Government Accountability Office, the GAO, that the record of compliance with that law is dismal indeed. Many States simply have not done it. I believe there are things we can do to further incentivize the States to send that information so the background check system, maintained by the FBI, actually works to preclude shooters such as the Virginia Tech shooter from legally buying weapons because there would be a hit on the background check system and he would be stopped from that source of these weapons.

We know in Tucson, for example, the shooter there failed a drug test when he tried to volunteer for the military. That is also a disqualifying incident that had it been reported to the background check system, as it could have and should have been, would have prevented him from purchasing weapons legally without being blocked by a hit on the background check system. Why in the world wouldn't we look for ways to improve the current background check regime, to stop people like that from buying weapons and committing these mass atrocities?

I believe there is actually a way forward for us, and I hope Senator REID, the majority leader, who controls the agenda on the Senate floor, will not choose to quit in our effort to try to find solutions, indeed something we need to pursue instead of just symbolic gestures which would have had no impact on these mass gun tragedies.

We do not know what the majority leader is going to choose to do. He may choose to get off the gun bill and get onto other business. It is his prerogative to file the appropriate paperwork to ask the Senate to do that. But it is our prerogative to say, no, we believe we ought to stay on this topic until we pass commonsense solutions that would actually make a difference in terms of these mass tragedies, and so these families could say, no, my loved one—amidst all this terrible tragedy, amidst this terrible grief and heartache they are experiencing that we can all just barely imagine, that they can say something good came out of their loss because Congress moved forward, putting politics aside, setting the talking points aside, and looked for some sort of common ground that would advance the cause of public safety and, hopefully, just hopefully, prevent some of

these tragedies from occurring in the future.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. I ask unanimous consent to speak as in morning business for up to 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE CDH RESOLUTION

Mr. SESSIONS. Mr. President, I rise today to discuss S. Res. 85. I am pleased that the Senate has unanimously declared April as National Congenital Diaphragmatic Hernia Awareness Month. I would like to thank my friend and able colleague, Senator BEN CARDIN of Maryland, for joining me in this legislation. This Resolution is very important to me and my family, as my grandson, Jim Beau, is a CDH survivor.

CDH is a birth defect that occurs when the fetal diaphragm fails to fully develop. The lungs develop at the same time as the diaphragm and the digestive system. When a diaphragmatic hernia occurs, the abdominal organs move into and develop in the chest instead of remaining in the abdomen. With the heart, lungs, and abdominal organs all taking up space in the chest, the lungs do not have space to develop properly. This may cause the lungs to be small and underdeveloped.

A diaphragmatic hernia is a life-threatening condition. When the lungs do not develop properly during pregnancy, it can be difficult for the baby to breathe after birth or the baby is unable to take in enough oxygen to stay healthy.

CDH will normally be diagnosed by prenatal ultrasound, as early as the 16th week of pregnancy. If undiagnosed before birth, the baby may be born in a facility that is not equipped to treat its compromised system because many CDH babies will need to be placed on a heart-lung bypass machine, which is not available in many hospitals. All babies born with CDH will need to be cared for in a Neonatal Intensive Care Unit, NICU.

Babies born with CDH will have difficulty breathing as their lungs are often too small, biochemically and structurally immature. As a result, the babies are intubated as soon as they are born, and parents are often unable to hold their babies for weeks or even months at a time.

Most diaphragmatic hernias are repaired with surgery 1 to 5 days after birth, usually with a GORE-TEX patch. The abdominal organs that have migrated into the chest are put back

where they are supposed to be and the hole in the diaphragm is closed, hopefully allowing the affected lungs to expand. Hospitalization often ranges from 3 to 10 weeks following the procedure, depending on the severity of the condition.

Survivors often have difficulty feeding, some require a second surgery to control reflux, others require a feeding tube, and a few will reherniate and require additional repair.

Awareness, good prenatal care, early diagnosis, and skilled treatment are the keys to a greater survival rate in these babies. That is why this resolution is so important.

Congenital diaphragmatic hernia is a birth defect that occurs in 1 out of every 2,500 live births. Every 10 minutes a baby is born with CDH, adding up to more than 600,000 babies with CDH since just 2000. CDH is a severe, sometimes fatal defect that occurs as often as cystic fibrosis and spina bifida. Yet, most people have never heard of CDH.

The cause of CDH is unknown. Most cases of diaphragmatic hernia are believed to be multi-factorial in origin, meaning both genetic and environmental are involved. It is thought that multiple genes from both parents, as well as a number of environmental factors that scientists do not yet fully understand, contribute to the development of a diaphragmatic hernia.

Up to 20 percent of cases of CDH have a genetic cause due to a chromosome defect or genetic syndrome.

Approximately 40 percent of babies born with CDH will have other birth defects, in addition to CDH. The most common is a congenital heart defect.

In 2009, my grandson Jim Beau was diagnosed with CDH during my daughter Mary Abigail's 34th week of pregnancy. Although she had both a 20-week and a 30-week ultrasound, the nurses and doctors did not catch the disease on the baby's heartbeat monitor.

Thankfully, when Mary Abigail, her husband Paul, and daughter Jane Ritchie moved to southeast Georgia, the baby's irregular heartbeat was heard at her first appointment with her new OB. She was sent to Jacksonville for a fetal echo.

The technician there told her that she wasn't going to do the echo because there was something else wrong with the baby. She asked my daughter if she had ever heard of congenital diaphragmatic hernia. Of course, she had not, and at that time our family did not know the extent of our grandson's birth defect.

My daughter and her family moved to Gainesville, FL, on November 16 and Jim Beau was born 2 weeks later on November 30. They heard their son cry out twice after he was born, right before they intubated him, but they were not allowed to hold him.

The doctors let his little lungs get strong before they did the surgery to correct the hernia when he was 4 days

old. Unfortunately, it turned out that the hernia was worse than they expected. The hole in his diaphragm was very large, and he had almost no posterior diaphragm. His intestines, spleen, and one kidney were up in his chest.

Thankfully, Jim Beau did not have to go on a heart-lung bypass machine, but he was on a ventilator for 12 days and on oxygen for 36 days. In total, he was in the NICU for 43 days before he was able to go home.

Fortunately for my family, and thousands of similar families across the United States, a number of physicians are doing incredible work to combat CDH.

The CDH survival rate at Shands Children's Hospital in Gainesville, FL, where my grandson was treated, is unprecedented. The survival rate of CDH babies born at Shands is between 80 percent and 90 percent, while the nationwide average is significantly lower.

Dr. David Kays, who was the physician for my grandson's surgeries, uses gentle ventilation therapy as opposed to hyperventilation. Gentle ventilation therapy is less aggressive and therefore protects the underdeveloped lungs. My family was very lucky that Jim Beau's defect was caught before he was born, and that they were in the right place to seek excellent care for his CDH.

The resolution Senator CARDIN and I introduced is important because it will bring awareness to this birth defect, and this awareness will save lives. Although hundreds of thousands of babies have been diagnosed with this defect, the causes are unknown and more research is needed. Every year more is learned and there are more successes. I hope my colleagues will join me in supporting this legislation to bring awareness to CDH.

Tomorrow, April 19, is the International Day of Congenital Diaphragmatic Hernia Awareness. In commemoration of this day, a march, the Parade of Cherubs, will take place tomorrow here in Washington, DC. We will be joined in our efforts by multiple cities across the Nation, all of which are hosting their own Parade of Cherubs. Events like these will help increase awareness of this devastating birth defect.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I am here today with sadness and anger after one of the saddest and most troubling days in my career in public service. Yesterday the Senate turned its back on the families of Newtown—some of them sitting in this very gallery, along with victims of other shootings.

The first words I heard when Vice President BIDEN banged the gavel to end the vote on the background check bill yesterday were, "Shame on you." "Shame on you" were the words of a rightfully angry mother of a Virginia Tech student who was shot in the head twice 6 years ago this week. This heartbroken mother had the courage and the fortitude to say the words that all of us who have been fighting for commonsense laws to reduce gun violence felt at that moment.

Shame on us. Shame on the Senate. It was, in fact, a shameful day for this Nation and for our democracy. The hardest part of that day was to explain to the loved ones who lost children, spouses, family members in Newtown that day how 90 percent of the American people—the majority of gun owners and even NRA members—and 54 Members of the Senate could favor a proposal that failed to become law. How could that be in a democracy?

Part of the answer relates to the filibuster, which is a now proven despicable antidemocratic feature of this body. I have voted several times to, in effect, eliminate it, and yesterday's vote was a nail in the coffin of the filibuster because the American people simply will not stand for a result that so typifies an antidemocratic result but, even more, an antidemocratic process.

The filibuster fight is for another day. The fight today is to continue this effort against gun violence. I will pledge to every Member of this body, every person in Connecticut, and anyone who is engaged in this fight, that I will continue with redoubled determination.

When I tried to explain to one of the family members yesterday how this process could be so broken and reach such an intolerable result, I said: We are not done. And she said to me: We are not even close to done.

So resolute and resilient are these families that they should inspire us and uplift us in their determination to continue this work for the sake of the loved ones they lost and to keep faith with the 3,400 innocent people who have perished as a result of gun violence since December 14 and the thousands who perished before.

It is not just our opportunity in the Senate—one of the great institutions in the history of the world—but our obligation, as public officials and as Members of a body that holds a trust for democracy and for safety, to provide better security for our people and our children.

The mother of that Virginia Tech student was sitting in the same gallery with those members of Newtown, CT, who lost 20 precious, beautiful children and six brave, great educators. They were keeping vigil as the Senate turned its back on them.

Despite their profound and harrowing loss, those parents, husbands and wives, sons and daughters, sisters and brothers, grandmothers and grandfathers have kept faith. They have

spent the last 4 months tirelessly and relentlessly advocating for changes and reforms in our gun laws so that the loss they suffered will not have been in vain. Still, the Senate failed in its responsibility in turning its back on them.

I do not want to relive December 14 when I went to Sandy Hook and heard and saw the grief and pain of those parents and loved ones as they emerged from the firehouse. That unspeakable and unimaginable horror I do not want to see again.

Yesterday was demoralizing and discouraging but not defeating because, ultimately, this reform will be delayed but not denied.

The massacre of 20 innocent children and their teachers will bring us, ultimately, to our senses, but so will the violence, carnage, and killing since then. In the words of Mark Barden, whose son Daniel is in this picture: We are not defeated. We are here now. We will always be here because we have no other choice. The "Connecticut effect" is not going away. The Bardens are not going away, nor are any of the Newtown families. The advocates of sensible, commonsense gun reform are not going away. We are here to stay.

For Mark and Jackie Barden and all of the other families from Newtown and every other victim of gun violence in this country, there is no going back. There is no turning back the page. We must simply move on to the next issue. As the bicycle team who came from Newtown to Washington, Team 26, said, we must go on pedaling. The only way to keep a bicycle upright is to move forward. That is a simple lesson of life the families of Newtown learned in their horrific tragedy. I will continue to stand with them and all of the other victims of gun violence to work, to fight another day.

I say to every one of my colleagues, my friends who sided with the proponents of fear, do not underestimate the power of the Newtown families and the other victims of gun violence. They are not going away. They will help to hold accountable and answerable to the people of America the actions that were taken here, the votes that were cast. Votes have consequences, just as elections do. The people of America will remember. Our job now is to raise awareness, spread the rage that we feel, raise that rage, and organize and enable and empower citizens to be heard and heeded by this body, whether in the next election or before then. My hope is that it will be before then because we must act before the next election. That action is an opportunity, a historic moment we must seize.

Not everyone in this body turned their back on the victims of Newtown or on this cause yesterday. There were genuine profiles in courage on this floor, in this body: first and foremost, Senator MANCHIN, who led the fight on background checks and forged a compromise that should have won the day, and Republicans who chose to buck

their own leadership and follow their hearts and consciences—Senators MCCAIN, COLLINS, KIRK, and TOOMEY. The American people will thank you.

There are Democrats who took some tough votes—tough votes particularly for their States. I thank Senators HAGAN, CASEY, LANDRIEU, HEINRICH, MARK and TOM UDALL, JON TESTER, and Senator SHAHEEN. These Senators put saving lives above the politics of the moment. They showed true leadership in the face of lies and fearmongering. They deserve our thanks and praise.

I wish to pay tribute to the Senators who have led this effort over many years: Senators FEINSTEIN, LAUTENBERG, SCHUMER, and DURBIN. I thank my colleague CHRIS MURPHY for his leadership and his courage. Senators FEINSTEIN, LAUTENBERG, SCHUMER, and DURBIN have been a tireless foursome on behalf of this fight. They have been dogged and determined. No amount of NRA deception or dishonesty has deterred them or stopped them.

I thank the majority leader, HARRY REID, for his courage. He has persevered in seeking a path forward on this legislation in the face of some of the most difficult political and procedural obstacles. He has been as passionate and persevering in this cause as any one of the advocates in these last weeks.

If you want to know the definition of "resilient," look up "FRANK LAUTENBERG" in the dictionary because there he was, right here yesterday, after weeks of debilitating illness, with his wife Bonnie in the gallery. She cheered him on, and so did we. Nothing was going to keep him from voting on the gun control bills he had championed for a lifetime.

In moving forward, let's take heart and inspiration from the families of Newtown, who have been resolute and resilient at every turn, from the continued strength of the advocates, from the courage of our colleagues who stood strong yesterday, and from the American people.

I have said, along with others, that at the end of the day the American people would be the ones to make a difference. Their rage and disbelief is palpable. They will be there for Daniel Barden. He is only one among thousands. We have seen their pictures. They have been on display on this floor. Their names have been recited and their memories revived.

Yesterday the Senate said no to America, but the people of America will not take no for an answer. As Martin Luther King said, "The arc of history is long, but it bends towards justice." We are on the right side of history, which will eventually vindicate this cause. I look forward to being here, if not within days, at least in the very near future when we take another vote and we stand 60 or more strong to make sure that Daniel Barden's memory is not in vain and that his brave parents are also vindicated in their trust in us.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MURPHY). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT NO. 717

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 717 offered by the Senator from Wyoming, Mr. BARRASSO.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, this amendment protects the privacy and safety of law-abiding gun owners. When government officials release gun ownership information, it puts many lives at risk. This includes the lives of lawful gun owners, the lives of law enforcement, and the lives of victims of domestic violence.

State or local governments which release private gun owner information will be penalized 5 percent of their Federal program funding. This includes the release of private information on individuals who have licenses to purchase, possess, or carry firearms. The funding which is withheld will then be redistributed to the States which are in compliance. This amendment will ensure gun owners across the Nation do not have their private gun owner information publicly released.

I urge all Senators to support the amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, this is a case of Washington being Big Brother and telling each one of the States—whether it is Wyoming, Vermont, or Connecticut—what they must do. We have no idea how it will affect them. We do know it is going to cut off a lot of money to law enforcement because it is telling States, even though the State legislators have gone out for the year, they need to have a one-size-fits-all. There has not been a hearing on it. It is a feel-good amendment. It will hurt our States but, most importantly, it will hurt law enforcement.

If you wish to have a discussion on this subject, that is fine. Let's have a hearing. Let's find out what it is. To do this feel-good amendment and inform every one of our 50 States there is 2 minutes of debate, inform our 50 States we know better than they do and this is what they should do, makes no sense.

I oppose the amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the Barrasso amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 30, as follows:

[Rollcall Vote No. 104 Leg.]

YEAS—67

Table listing Senators in support of the amendment, including Alexander, Ayotte, Barrasso, Baucus, Begich, Bennet, Blunt, Boozman, Burr, Casey, Chambliss, Coats, Coburn, Cochran, Collins, Coons, Corker, Cornyn, Crapo, Cruz, Donnelly, Enzi, and Fischer.

NAYS—30

Table listing Senators opposing the amendment, including Baldwin, Blumenthal, Boxer, Brown, Cantwell, Cardin, Carper, Durbin, Feinstein, and Franken.

NOT VOTING—3

Table listing Senators who did not vote: Cowan, Lautenberg, and Warren.

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

Mr. BARRASSO. Mr. President, I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 730

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 730 offered by the Senator from Iowa, Mr. HARKIN.

Mr. HARKIN. Mr. President, I rise to speak in support of amendment No. 730, which I have offered along with Senator ALEXANDER and a bipartisan group of colleagues. This amendment would reauthorize and improve programs administered by both the Department of Education and Health and Human Services related to awareness, intervention, prevention of mental health conditions, and the promotion of linkages to appropriate services for children and youth.

Basically, title I focuses on school settings by promoting schoolwide prevention through the development of positive behavioral interventions and supports. Title II focuses on suicide

prevention and also helping children recover from traumatic events.

I wish to make it clear this amendment passed our committee last week unanimously—unanimously. It has a number of Republican and Democratic cosponsors, so I hope, regardless of how we might agree or disagree on all the stuff about guns and the stuff that has come up, we can all agree we need to do a better job of early identification, intervention, and providing support services for the mental health of our children in this country.

With that, I yield to Senator ALEXANDER.

Mr. ALEXANDER. Mr. President, this bill was unanimously accepted in committee. It has the contributions of many Senators on both sides. It improves prevention and intervention in our schools, universities, communities, doctors' offices, and mental health clinics. I urge a 'yes' vote. It is an authorization bill and, therefore, has no score.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. WICKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts ( Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 105 Leg.]

YEAS—95

Table listing Senators in support of the amendment, including Alexander, Ayotte, Baldwin, Barrasso, Baucus, Begich, Bennet, Blumenthal, Blunt, Boozman, Boxer, Brown, Burr, Cantwell, Cardin, Carper, Casey, Chambliss, Coats, Coburn, Cochran, Collins, Coons, Corker, Cornyn, Crapo, Cruz, Donnelly, Durbin, Enzi, Feinstein, and Fischer.

NAYS—2

Table listing Senators opposing the amendment: Lee, Paul, and Warren.

NOT VOTING—3

Table listing Senators who did not vote: Cowan, Lautenberg, and Warren.

The PRESIDING OFFICER. Under previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

Mr. HATCH. Mr. President, earlier this week, as the debate on this legislation began, the distinguished majority whip said that "we are here because of Newtown, Connecticut." I agree. Had that horrific event not occurred last December, this legislation would not have been introduced.

I share with all Americans the sorrow, frustration, and anger that follows a tragedy like what happened in Newtown or earlier in Aurora, Colorado, and Arizona. I share the sense that we must respond in some way, that we must prevent such tragedies in the future. We feel that way even though we know that such a guarantee is impossible, especially in a country that we want to remain free. But when a tragedy like that occurs, our fellow Americans look to Congress as if to say: Don't just stand there, do something.

If we are here because of Newtown, if this legislation is indeed a response to that tragedy to prevent it from happening again, then it seems obvious that there should be some connection between what happened there and what is happening here. Common sense would say that Newtown must have exposed some deficiency in our laws or some gap that needs to be filled. Common sense would say that a legislative response to Newtown would be something that could have prevented this tragedy and, therefore, can prevent a similar tragedy in the future.

That is what common sense would say, but it is just not true. In fact, the same day that the majority whip said that we are here because of Newtown, liberal columnist Richard Cohen wrote in the Washington Post that this legislation would do "absolutely nothing to avoid such a tragedy." Expanding background checks, for example, would not have prevented the Newtown shooting because Adam Lanza did not purchase the weapons that he used, nor would they have prevented the Aurora shooting because James Holmes not only legally purchased the weapons he used, but would have passed a background check even under the bill before us. We may be here because of Newtown, but the bill we are considering simply does not respond to that tragedy.

As I said, I share the feeling after a tragic event that we must take action. We must, however, resist the temptation to believe that more legislation is always the answer. The truth is that the Newtown and Aurora shooters, as well as the Columbine shooters before them, broke dozens of Federal, State, and local laws already on the books. Federal law has already created more

than 60 different firearms offenses. The Bureau of Alcohol, Tobacco, and Firearms posts on its Web site a reference guide to Federal firearms regulations. It is 243 pages long. But during the first decade of the 21st century, according to the Census Bureau, the percentage of intentional homicides from handguns, rifles, or shotguns all declined rather than rose.

Even more important than these legislative considerations is the fact that public policy in this area impacts fundamental constitutional rights. When other tragedies occur, even terrorist attacks, we often hear that such circumstances must not weaken our commitment to the Bill of Rights, and I do not believe we should do so now.

One of the disturbing arguments I have heard so often during this debate is that Americans do not “need” certain guns for certain activities or do not “need” to exercise their Second Amendment rights in certain ways. This dangerous view gets it exactly backwards. The place to start is with the individual right that the Constitution guarantees and the burden should be on the government to justify infringing or limiting that right. Imagine if the government told us how much speech or the exercise of religion we “need” under the First Amendment or if the government told us how much privacy we “need” under the Fourth Amendment. My liberal friends would howl in protest if we treated other provisions of the Bill of Rights in the way they want to treat the Second Amendment.

The Second Amendment guarantees a fundamental right of individuals to keep and bear arms. In fact, the Second Amendment merely codifies a right that already existed, a right that predates the Constitution itself. In 1982, when I chaired the Judiciary Subcommittee on the Constitution, we published a landmark report on the history of this fundamental right. More than 25 years before the Supreme Court officially said so, our report established that the Second Amendment “was intended as an individual right of the American citizen to keep and carry arms in a peaceful manner, for protection of himself, his family, and his freedoms.”

The President yesterday called it “shameful” that the Senate defeated gun control proposals that he favors. I disagree. There was nothing shameful about opposing legislation that failed to respond to the Newtown tragedy, that cannot prevent such tragedies from ever happening again, and that undermines the Bill of Rights.

Two things will always be true as we continue grappling with violence in our society: people, not guns, kill and harm other people and criminals will not obey the law. It does no good to pretend otherwise or legislate for a society in which those things are not true, in other words, for a society that does not exist. We have to address the society we have, a society we want to re-

main free, a society in which we are protected by the Constitution. I could not support the legislation before us because it failed to meet this standard.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 12:44 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Ms. HEITKAMP).

#### EXECUTIVE SESSION

NOMINATION OF ANALISA TORRES TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

NOMINATION OF DERRICK KAHALA WATSON TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII

The PRESIDING OFFICER. Under the previous order the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Analisa Torres, of New York, to be United States District Judge for the Southern District of New York and the nomination of Derrick Kahala Watson, of Hawaii, to be United States District Judge for the District of Hawaii.

The PRESIDING OFFICER. Under the previous order, there will now be 15 minutes for debate equally divided in the usual form prior to votes on the nominations.

The Senator from Vermont is recognized.

Mr. LEAHY. Madam President, Monday’s confirmation of Judge Beverly O’Connell marked the 150th confirmation of a Federal trial court nomination by President Obama. Thanks to Senate Republicans’ concerted effort to filibuster, obstruct and delay his moderate judicial nominees, it took almost 1 year longer to reach this milestone than it did when his Republican predecessor was serving as President, 10 months in fact. I have repeatedly asked Senate Republicans to abandon their destructive tactics. Their unwillingness to do so shows that Senate Republicans are still focused on obstructing this President, rather than helping meet the needs of the American people and our judiciary.

The ability of hardworking Americans to get their day in court and have their rights protected should not be subject to this kind of wrongheaded, partisan obstructionism. Today, the Senate is being allowed to vote on just 2 of the 15 judicial nominees ready for confirmation. Ten of the judicial nominees confirmed this year could and should have been confirmed last year.

There are still four judicial nominees in that category, who are part of the backlog on which Senate Republicans insist on maintaining. And like so many of President Obama’s district court nominees, Analisa Torres and Derrick Watson have had to wait more than 60 days after being voted on by the Judiciary Committee to be considered by the Senate. These systematic delays help explain why we remain more than 20 confirmations behind the pace we set with President Bush’s nominees. We can make up much of that ground if Senate Republicans would just agree to a vote on all 15 nominees currently pending on the Executive Calendar. All of them received bipartisan support in committee, and all but one were unanimously approved by the committee. There is no good reason for further delay, especially at a time when judicial vacancies remain at 85.

Let us clear the backlog of judicial nominees ready for confirmation. Republicans have recently started pointing to 2004. In 1 month in 2004, a presidential election year, we were able to clear a backlog of consensus nominees by confirming 20. This insistence on delay and holding over consensus nominees from 1 year to the next has been constant. Seventeen of the confirmations for which Senate Republicans now seek credit over the past 2 years should have been confirmed more than 2 years ago in the preceding Congress. That is when they allowed only 60 judicial confirmations to take place during President Obama’s first 2 years in office, the lowest total for a President in over 30 years. Indeed, during President Obama’s first year in office, Senate Republicans stalled all but 12 of his circuit and district nominees. That was the lowest 1-year confirmation total since the Eisenhower administration, when the Federal bench was barely  $\frac{1}{2}$  the size it is today.

The fact is that we have these 15 nominees waiting for a vote. We have 15 judgeships that can be filled so that hardworking Americans in New York, Hawaii, Louisiana, California, Florida, Oregon, Pennsylvania, North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Missouri, Arkansas, New Mexico, Colorado, Kansas, Oklahoma, Utah, and Wyoming can have better access to justice. All Senate Democrats are prepared to vote on all of these nominees today.

Judge Analisa Torres is nominated to serve on the US District Court for the Southern District of New York. She currently serves as a New York State Supreme Court Justice. Previously, she served as an acting New York State Supreme Court Justice, a judge for the Civil Court of the City of New York, and as a judge for the Criminal Court of the City of New York. She received her A.B., magna cum laude, from Harvard University and her J.D. from Columbia Law School. Judge Torres has the strong support of her home State Senators, Senator SCHUMER and Senator GILLIBRAND.

Derrick Kahala Watson is nominated to the US District Court for the District of Hawaii. He currently serves as the chief of the Civil Division in the US attorney's office in the District of Hawaii. Prior to that, he was an assistant United States attorney in the same office. From 1995 to 2000, he served as an assistant United States attorney in the Northern District of California and served as deputy chief of the Civil Division from 1999 to 2000. In addition to his service at the US attorney's office, he was in private practice for more than a decade. Derrick Watson received his J.D. from Harvard Law School and his A.B., cum laude, from Harvard College. He has the support of his home State Senators, Senator HIRONO and Senator SCHATZ.

Both nominees were unanimously approved by the Senate Judiciary Committee by voice vote 2 months ago.

Like almost all of the other nominees pending on the Executive Calendar, these are the kind of mainstream and consensus nominees who should be confirmed quickly. For nearly 4 years vacancies have been at or above 80, putting an unnecessary strain on our Federal courts. Sequestration cuts have added to the pressure on our justice system. Let us vote on the remaining nominees so that they can get to work for the American people.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I rise to speak in support of the nomination of Derrick Kahala Watson to be a district judge for the U.S. District Court of Hawaii. But before I discuss this nomination, I would like to join with the rest of my colleagues in acknowledging the week we have had and how trying it has been for all Americans. The horrific bombing at the Boston Marathon, the targeting of Senate offices and the President with mail containing poison, other actions at the Capitol, and now this tragic explosion in Texas have captured our attention and given us all perspective on what is important in life. Our hearts go out to all the victims and their families.

Turning now to Mr. Watson's nomination, I thank Chairman LEAHY and Ranking Member GRASSLEY of the Judiciary Committee for their quick consideration, referring this nomination to the full Senate for a vote. Mr. Watson was born in Hawaii. He attended Harvard college and Harvard Law School and started a successful career in law in San Francisco, CA, before returning to Hawaii to serve as an assistant U.S. attorney.

Mr. Watson testified before the Judiciary Committee in January at my first hearing as a Senator. He demonstrated that he had the qualifications, ability, and temperament to be an outstanding judge for Hawaii.

Once he is confirmed by the Senate, Mr. Watson will be the only person of Native Hawaiian descent serving as an article III judge, and only the fourth to serve in the history of the United States.

In addition, once he joins the Federal bench in Hawaii, that court will be the first majority Asian American Pacific Islander article III court in American history.

I am proud to support Judge Watson, and I am happy that the Senate will vote to confirm him today. I certainly urge all my colleagues to cast a unanimous vote for his nomination.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I am deeply honored to stand here today in support of Analisa Torres's nomination to the United States District Court for the Southern District of New York. I also want to thank President Obama for acting on my recommendation and nominating another superbly qualified female jurist to the Federal bench.

I know Judge Torres as a fair-minded woman of great integrity. Her lifetime of public service and legal experience, serving as a jurist, an attorney, and serving her community has earned her the respect of her colleagues. Her body of work demonstrates her qualifications to serve on the Federal bench.

Since 2000, she has served as a judge in various courts, including the Criminal Court of the City of New York, and in 2012 she was elected to a 14-year term as a New York State Supreme Court Justice. Judge Torres has previously worked in private practice, as a law clerk, and as a teacher. In her current role, she has exemplified pragmatism and has demonstrated a consistent commitment to thoughtful, sound and fair reasoning.

In addition to her professional work, she has shown an enduring commitment to her community.

There is no question that Judge Torres is extremely well qualified and well suited to serve as a Federal court judge. I strongly believe this country needs more women like her serving in the Federal judiciary—an institution I believe needs more exceptional women.

Today, women make up only 30 percent of the Federal bench.

According to the National Women's Law Center, only 66 women of color currently serve as active Federal judges—that is less than 10 percent of the Nation's active Federal bench.

We have to do better.

Judge Torres's nomination has been pending before this body for over 150 days. I urge my colleagues to put aside partisan differences and help us move forward on the 14 judicial nominees who have been forced to deal with this unprecedented delay.

I remind my colleagues that greater diversity, of gender, ethnicity and professional backgrounds, are not just ideals that we should aspire to, but steps we must take to have a judiciary that is more diverse, and more reflective of the great country we live in. I have no doubt that having Judge Torres serving in the Federal judiciary will bring us closer to that goal.

I was proud to recommend her for this position. I urge all my colleagues

to join me and vote in support of her nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I will be voting for both of these nominees for judges, but I would like to make some comments because I hear rumblings of how Senate Republicans are obstructing judicial nominees. I would just like to remind my colleagues of how well we are proceeding.

Today the Senate will consider two more judicial nominations. These nominations are people, as I just said, I am going to approve. This is the third of this week, and with today's expected action we will have confirmed 4 circuit and 9 district nominees during this Congress, for a total of 13. At this point in 2005, during President Bush's second term, the Senate had confirmed not 13 like now, with us, not 9, not 4, but only 1 judicial nominee. So that would be a record of 13 for this administration and 1 for a counter time during the second Bush administration.

As I stated last week, the quick pace of this year comes on top of a very productive 112th conditioning, in which 111 judges were confirmed. That was more judges confirmed than any other Congress going all the way back 20 years. Overall, with today's actions, we will have confirmed 184 judicial nominees. Divide it this way, 34 circuit judges and now 150 district judges. The Senate has defeated only 2 nominees. That is a record of our passing 184 to 2 that have not been approved. That is a .989 batting average. So I do not know who is shedding tears around here, but they ought to look at the record.

Other nominees are still being considered by the Senate and a few remain in committee. I note we have a hearing scheduled next week for another circuit and district judge, so we are continuing to move forward. But even counting those pending nominations, the President has a confirmation rate that is comparable to that of President George W. Bush, President Clinton, and exceeds that of President George H.W. Bush.

Again, there is no credible basis to say this President is being treated differently from previous Presidents. What is different, though, in the case of this President is the manner in which he has allowed vacancies to accumulate before submitting nominations. It is about time that down at the White House they get down to work, decide who they are going to nominate, and get the nominations up here. His failure to make judicial nominations a priority in his first year when Democrats had a filibuster-proof majority in the Senate resulted in an increase of vacancies. That was not the fault of Senate Republicans.

Throughout his administration it has been the case that a majority of vacancies have had no nominees. Presently, do you know that three of four vacancies have no nominees up here?

For the 36 vacancies categorized as “judicial emergencies,” there are only 8 nominees. So I just want to set the record straight before the vote for these nominees because I get tired of these crocodile tears being shed. Particularly, I am sick of hearing about us not moving on judges when three-fourths of them we don’t even have the nominees here yet. So quit crying.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I share the perplexed attitude of the Senator from Iowa about our friends’ concern about nominations. The President has even talked about it. I have gone back and looked at the record. There was a Washington Post article 3 weeks ago. I gave a copy of it to the President. This is what it said: On Cabinet nominations, this Senate has considered President Obama’s Cabinet nominations more rapidly than they did the last three Presidents. That is Cabinet nominations. Never in the history of the Senate has the Senate denied a Cabinet nomination by filibuster, with the exception of the Democrats blocking John Bolton in the George W. Bush administration. So the President is treated better on Cabinet nominations.

Evidence from the Congressional Research Service says President Obama’s circuit judges in his first term were considered more rapidly than President George W. Bush’s circuit judges. Senator GRASSLEY just pointed out that in the second term of President Bush he had 1 judge confirmed by this time; President Obama has 13.

On district judges, according to the Congressional Research Service, during the first term of President Obama his district judges were considered a little more slowly than President George W. Bush’s, but the Senate changed the rules earlier this year to cut down the postcloture debate time to make it easier to bring judges to the floor and get them through more rapidly. Perhaps that is why the score is 13 to 1, with Obama getting 13 judges and Bush getting 1 in the same period of time in the second term.

I do not know where this is coming from. In addition, we have never blocked a district judge by filibuster—neither party in the history of the Senate. In the circuit judges we never blocked a circuit judge until George W. Bush made some nominations about the time I came to the Senate 10 years ago, and the Democrats started it. They caused Miguel Estrada to be blocked and a number of others, and they brought up cloture motions time after time and we had a gang of 6, 8, 10 or 14 who slowed it all down. But still the score is 5 to 2; 5 Republican judges blocked for confirmation by the Democrats under President Bush, and 2 by Republicans with President Obama.

We worked pretty hard for the President to confirm his nominations. We had two sets of rules changes, and we

have a number of expedited nominations which come now to the desk. We had about 170 nominations that have been completely removed from Senate confirmation. I would think the Obama administration would be thanking the Senate for its work to make it easier for any President to get confirmations. In any event, when we are talking about Cabinet Members, President Obama is being better treated than the last three Presidents. When we are talking about circuit judges he is better treated than George W. Bush. When we are talking about district judges he is treated a little worse in his first term than George W. Bush, but we changed the rules to speed up district judges. The score in the second term, as I have said twice now, is Obama 13, Bush 1—Obama way ahead.

I like to see confirmations move ahead. I hope I do not hear this much more, when the record shows that in fact it is a manufactured crisis.

I yield the floor.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent all time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Analisa Torres, of New York, to be United States District Judge for the Southern District of New York?

The nomination was confirmed.

The PRESIDING OFFICER. The question is on agreeing to the Watson nomination.

Mr. ALEXANDER. Madam 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 question is, Will the Senate advise and consent to the nomination of Derrick Kahala Watson, of Hawaii, to be United States District Judge for the District of Hawaii?

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Massachusetts (Mr. COWAN), the Senator from New Jersey (Mr. LAUTENBERG), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 106 Ex.]

YEAS—94

Alexander	Barrasso	Bennet
Ayotte	Baucus	Blumenthal
Baldwin	Beigich	Blunt

Boozman	Heinrich	Paul
Brown	Heitkamp	Portman
Cantwell	Heller	Pryor
Cardin	Hirono	Reed
Carper	Hoeben	Reid
Casey	Inhofe	Risch
Chambliss	Isakson	Roberts
Coats	Johanns	Rockefeller
Coburn	Johnson (SD)	Rubio
Cochran	Johnson (WI)	Sanders
Collins	Kaine	Schatz
Coons	King	Schumer
Corker	Kirk	Scott
Cornyn	Klobuchar	Sessions
Crapo	Landrieu	Shaheen
Cruz	Leahy	Shelby
Donnelly	Lee	Stabenow
Durbin	Levin	Tester
Enzi	Manchin	Thune
Feinstein	McCain	Toomey
Fischer	McCaskill	Udall (CO)
Flake	McConnell	Udall (NM)
Franken	Menendez	Vitter
Gillibrand	Merkley	Warner
Graham	Mikulski	Whitehouse
Grassley	Murkowski	Wicker
Hagan	Murphy	Wyden
Harkin	Murray	
Hatch	Nelson	

NOT VOTING—8

Boxer	Cowan	Moran
Burr	Lautenberg	Warren

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate’s action.

VOTE EXPLANATION

● Mr. COWAN. Madam President, I was necessarily absent from votes during today’s session. Had I been present for the votes on amendments relating to S. 649, the Safe Communities, Safe Schools Act of 2013 I would have opposed the Barrasso amendment, S. Amdt. 717, and I would have supported the Harkin-Alexander amendment, S. Amdt. 730. Also, I would have supported the nomination of Analisa Torres to be United States District Judge for the Southern District of New York.●

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The majority leader is recognized.

GUN SAFETY

Mr. REID. Madam President, this bears repeating: We knew all along that efforts to pass stronger background checks and keep guns out of the hands of criminals wouldn’t be easy, and it hasn’t been. But keeping America’s streets safe from gun violence is worth the effort.

Yesterday the families of gun violence victims watched as Republicans defeated a commonsense proposal to expand background checks. It is supported by 90 percent of the American people. It is not some hocus-pocus. What it says is that if a person is a criminal, that person shouldn’t be able to buy a gun. It says that if a person has severe mental issues, that person shouldn’t be able to buy a gun. That is all it said.

Yesterday the families of gun violence victims watched, but despite the

fact that a strong majority of the American people feel this way, we weren't able to get this done. Despite the fact that a strong majority of the Senate voted in favor of stronger background checks—a strong majority—Republicans once again filibustered a commonsense proposal. We were able to get 4 Republicans—4 out of 45.

Yesterday President Obama said it was a shameful day for the Senate, and it probably was, I agree. But we should make no mistake; this debate is not over. In fact, this fight is just beginning.

I have spoken with the President. He and I agree that the best way to keep working toward passing a background check bill is to hit "pause" and freeze the background check bill where it is. In the meantime, we will keep moving forward with the people from Aurora, CO, Blacksburg, VA, Newtown, CT, and other places to make sure we are able to get something done. This will allow Senators to keep negotiating.

We had nine amendments yesterday. They were not easy to vote on—not for us or for the Republicans—and I understand that. But it was a good process by which to move forward and get some of these contentious amendments on both sides out of the way—or voted on, rather, is a better way to phrase it.

So we are going to come back to this bill. I feel obligated to Senator STABENOW. She should have an opportunity to offer her amendment on mental health. I feel an obligation to Senator COBURN. He should be able to offer his amendment on background checks. I feel an obligation to a number of Senators who believe we have to do a better job dealing with the issue of veterans.

So we are going to have time to work on what people want to do before we come back to this. It will give opponents an opportunity to decide what they want to do when we get back on this, and it will give gun violence advocates time to make their voices heard by Republican Senators. This option will preserve the progress we have made on the bill. We passed a couple of amendments today—we passed a Republican amendment and a Democratic amendment. I suggest to the Senate that this option will prevent us from having to return to square one procedurally, and I think that is good.

I am committed to ensuring that any bill we pass includes an expansion of background checks, closing the gun show loophole, as well as covering private sales.

This afternoon I am going to file cloture on the motion to proceed to the Marketplace Fairness Act, which would give brick-and-mortar stores parity with Internet-only retailers. It is only a matter of time before we bring this anti-gun violence measure back to the floor for a vote.

The stand of the Republicans is not sustainable. It is a question of how long they are going to stand firm, but it is not sustainable.

I assure the 90 percent of Americans who support meaningful background checks that I am going to continue this fight. I assure the families of Newtown and Aurora and Tucson and Blacksburg that we are going to continue to stand by their side.

To those Senators who have indicated they want to offer amendments, we will be back and try to do another tranche of amendments, and when we get there, I hope we can proceed the way we did this week to line up amendments.

#### MARKETPLACE FAIRNESS ACT— MOTION TO PROCEED

Mr. REID. Madam President, I move to proceed to Calendar No. 41, S. 743.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to the consideration of Calendar No. 41, S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

#### CLOTURE MOTION

Mr. REID. Madam President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill 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 motion to proceed to Calendar No. 41, S. 743. To restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

Harry Reid, Richard J. Durbin, Sherrod Brown, Sheldon Whitehouse, Amy Klobuchar, Joe Manchin III, Richard Blumenthal, Patrick J. Leahy, Martin Heinrich, Angus S. King, Jr., Al Franken, Tom Harkin, Carl Levin, Mark Begich, Brian Schatz, Robert Menendez, Tammy Baldwin.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Madam President, as I understand it, Leader REID moved to proceed to the Marketplace Fairness Act a bit ago. I have deep reservations about this legislation, so I am not able to support the motion to proceed. The leader has filed cloture on his motion, and I just want it understood at this point that if cloture is invoked, I will not be able to support a reduction in the amount of time available for Members to debate this.

The Presiding Officer and I have talked about this a number of times, but just for purposes of this discussion,

I think it is extremely important that the Senate and the country think through the implications of what this bill is all about.

What this bill is all about is that the advocates essentially want to take a function that is now vested in government—State tax collection—and, in effect, outsource that function of government to small businesses, particularly these small online retailers.

This has been a big source of employment, good wages, innovative approaches, new apps. It has been a big boost for our country. I think it is important for the Senate to think through what this means and try to see if we can come up with something that is sensible.

For example, the proponents of the legislation are going to argue with considerable passion that this is not going to be a hard task for these small businesses on which they have imposed this new assignment—as they call it, outsourcing the function of State tax collection, which is done by government, to these small businesses.

The proponents say it is not going to be hard for small businesses to handle this. They are going to say there is a lot of new technology available—computer software and the like—and that the Marketplace Fairness Act will not be difficult to administer as a result of these new technologies.

Having been involved in this debate now for years and years—having been the original author of what is a different subject but has some of the same connections, the Internet tax fairness legislation—I have heard the proponents of this legislation say, year after year after year, this is not going to be a hard assignment, the process of these small businesses collecting these taxes, that new technologies are available, and that the law ought to be passed because it can be done.

But year after year we have seen that the idea that this is so simple and it can be done is not borne out. If it were so simple, it would have been done already. The reason this bill comes to the floor of the Senate is because it is, in fact, not so simple. It is not going to be a piece of cake for these small businesses.

There are more than 5,000 taxing jurisdictions in our country. Some of them give very different treatment for products and services that are almost identical. So this is a big lift to say we are going to have software and computers and technology and it is just going to be a piece of cake for these small businesses to be able to handle this.

I think that is part of what needs to be discussed in a debate on the floor of the Senate because, fundamentally, the idea of taking a function of government—tax collection—and handing it over to small businesses—and small businesses being a big part of our country's economic engine—is something I think ought to give every Senator pause.

In addition to that, I want us to think through the aspects of this that relate to America's ability to compete in tough global markets.

I know when we talked about this in a brief way during the Senate budget debate, several Senators said that, oh, back in the days when we were just debating the Internet, they could see the need for some of these policies in the digital age, but now the Internet is all grown up. We do not need any of these kinds of approaches such as technological neutrality and nondiscrimination with respect to taxes and regulation.

My response to this is, yes, it is a different day. There is no question about it. I chair the Senate Finance Subcommittee on International Trade. As part of my obligations there to look at trade and competitiveness, I have come to the conclusion that the Internet is the shipping lane of the 21st century.

I think about what the Finance Committee looked like 30, 40 years ago—people moving goods physically from North Dakota, Oregon, and the like. It is very different today. With a lot of economic activity, in a sense, being conducted online on the Internet, to a great extent it is now the shipping lane.

This bill, I want the Senate to know and the country to know, will be a big leg up for foreign retailers and foreign businesses. The reason I say that is the Marketplace Fairness Act, in effect, tries to take local law and apply it to the global economy. It is unprecedented.

What it will mean—if passed in its present form—is that if you are on the northern border—say you are in North Dakota or Washington State or other places that are on the northern border—if you are an online retailer, you are going to say to yourself: Why in the world would you want to stay on the U.S. side of the border and try to comply with the rules of thousands of taxing jurisdictions when you can move, in effect, half an hour away outside the borders of the United States and not be subjected to this?

So maybe the sponsors of the bill want to rename their bill—now called the Marketplace Fairness Act—the shop Canada and the shop Mexico bill because that is truly what it would mean.

I have heard some in favor of the bill say that is not the case, that there are long-arm statutes and the like. Good luck with that. Good luck with the idea we have not been able to figure out a way to do this in the United States, now we are going to write a bill that says it does not apply to the foreign retailer or the foreign business, and we are going to say we are going to be able to hook those people somehow with a long-arm statute. I do not see it.

That is what the point of this debate is all about. So we had the discussion in the context of the budget. I think then it was sort of seen as kind of a general proposition. But now we are

getting ready to write a real law. My own preference would be to have this go back to the Senate Finance Committee chaired by Chairman BAUCUS—we work very closely in a bipartisan way, Chairman BAUCUS and Senator HATCH—and that we have a chance to think through the implications here.

I can think of some commonsense ideas where the Presiding Officer and I would agree on some kind of uniformity. I mean, if we were talking about uniformity rather than 5,000-plus taxing jurisdictions, that would be one thing. We saw the jobs numbers last month. They were not where they ought to be. The idea that now we are going to take steps here in the Senate which would hinder the growth of the innovative engine of the American economy strikes me as something we should not be doing.

Personally I would very much like to be part of an effort to work this out. I have always said the American economy is now about bricks and clicks. We now have most of our businesses looking to try to have storefronts and online operations. I want both of them to prosper. Some of Oregon's most illustrious companies look at just that principle, bricks and clicks.

But let's not hammer the innovation sector, that online aspect of the American economy, especially given what we have seen of late. I mean, think about the Friday after Thanksgiving. Were the malls and the stores empty the Friday after Thanksgiving? They certainly were not. The traditional part of the American economy, stores and malls—people could not find a parking place. Those stores were offering hours earlier and earlier in order to meet consumer demand.

So, yes, let's promote bricks and clicks, but let's not precipitously take steps that will harm so much of the American economy. When I got involved in these issues years ago—I think I told the Presiding Officer about this. When I came to the Senate, I had just become Oregon's first new Senator in 30 years. I made it clear I was going to spend a lot of time on timber and natural resources issues. I chair the Energy Committee. I am going to continue to do that, because that is a bedrock part of the American economy and a bedrock part of Oregon's future and small communities and what our State is all about.

I said in addition to that focus on timber and natural resources, when I came to the Senate, I am going to spend a lot of time looking at technology and innovation and new areas for our State to get into. That led me into some of those initial kinds of efforts, passage of the section of the Communications Decency Act which encouraged investment in social media, Facebook and Twitter and social media, because had we not gotten that passed, we were told a lot of people who might think about investing in the social media would see that someone who ran a Website would get held liable for

someone who posted on that site and the owner of the site would not know anything about it and could not figure out how to get rid of that. So with that, and with the Internet tax freedom bill and others, we said with respect to technology and innovation, let's do two things: First, let's do no harm. Let's not take steps actively where we damage our economy and our future. Second, let's not discriminate. Let's not single out this sector which has shown so much promise.

At a minimum, the marketplace fairness legislation, as written today, will violate that first principle. It will do harm. It will force those small online retailers to, in effect, take on a government function, tax collection. I do not know of any civics book that talks about outsourcing a function of government—tax collection—to small businesses. That is what the marketplace fairness legislation does.

Second, in a tough global economy—I know the Presiding Officer cares a great deal about global commerce and global trade coming from her State—this bill will favor foreign businesses that will not be subjected to it. That is something that cannot be corrected in this bill in its present form. There may be other ways to correct it; there may be other ways to correct a number of aspects of the bill. That cannot. It will favor foreign retailers.

As I chair the Finance Subcommittee on Global Commerce and Global Trade, I do not see how that makes sense. That is why I have made it clear today that given the state of where the Senate discussion is now with the leader having filed cloture on his motion—I want to make it clear that if cloture is invoked, I will not support a reduction in time for this discussion.

I yield the floor and I would suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RUBIO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IMMIGRATION REFORM

Mr. RUBIO. Madam President, this week I joined my colleagues in introducing immigration reform legislation that seeks to end de facto amnesty by achieving the strongest border security enforcement measures in U.S. history but also by modernizing our legal immigration system so it can unleash the strong economic growth and job creation potential that immigration has.

Let me begin by stating the obvious, and that is that America is a nation of immigrants. We know that because every single one of us can track our lineage back to someone who came here from somewhere else. The truth is it is one of the things that make us different and special from the rest of the world.

If we think about the history of the world, it is basically people being told

they can only do what their parents did for a living. How far you are going to go in life depends on what your parents used to do and who you are and to whom you are connected. What made America truly unique and what made the idea of America truly revolutionary was the idea that every single human being, no matter where they were born, how they were born, into what kind of family they were born, and into what circumstances they were born, had the God-given right to go as far as their talent and their hard work would take them. We may take that for granted—those of us, like me, who were born and raised here our entire life—but this is the exception rather than the rule throughout human history, and it is one of the things that have made America so special because the belief and commitment to that ideal unleashed here the revolutionary power of the human spirit and transformed this country into the single most powerful and greatest and freest Nation in all of human history.

This is the story of immigration in America, and it is why we as Americans understand that legal immigration is critically important for our future and a critical part of our heritage. The problem is that for too long both Republicans and Democrats have failed to enforce our immigration laws, and the result is that today we have millions of people living in the United States in violation of our immigration laws. The other problem is that our legal immigration system is broken. It is just broken. It doesn't reflect the 21st century. It doesn't take into account special skills and talents. It doesn't allow us to attract the world's best and brightest. In fact, it doesn't allow us to keep the world's best and brightest, many of whom are students in our universities who learn from our best schools—that our taxpayers are paying for—and when they are done learning, we ask them to leave and take what they have learned here and use it somewhere else to compete against us. It makes absolutely no sense.

Let me start by saying that if there wasn't a single illegal immigrant in the United States, we would still have to do immigration reform because the immigration system is broken. I am pleased this bill we have offered as a starting point reforms our legal immigration system in a very serious and profound way. It turns it into a merit-based system that takes into account skills, talents, and job opportunities. It creates a system where agriculture can get the workers into this country legally—by the way, workers who feed not just our families but the world. It allows our business community, in times of labor shortages where there is very low unemployment, to be able to provide for themselves the kind of guest and seasonal labor some industries depend upon but to do so in a legal way. These reforms are significant.

By the way, in the high-tech industry, where we are not graduating nearly enough people in the high-tech fields—science, engineering, technology, and math—shame on us as a country that more of our children are not graduating with the skills they need to do those jobs. We have to change that.

In the meantime there are thousands of jobs that are going overseas because we can't fill them here. These companies in the high-tech industry are creating these jobs, but then they are taking them somewhere else because that is where the workers are. It is pretty simple: They go to a university, they interview the students, they find someone they like, and if they can't hire them in the United States they will hire the same person in some other country. And that is terrible for America.

So this bill modernizes our illegal immigration system—something we would have to do even if there wasn't a single illegal immigrant in the United States.

Next, the bill actually enforces our laws. It begins by creating a universal entry-exit tracking system.

You may not know this, but 40 percent of the people who are illegally in the United States didn't come illegally. They came on a visa, on a permit, and then the permit expired and they stayed—40 percent. We have no idea who they are because we don't track people when they leave. We only track them when they come in. This bill will change that.

We all understand the magnet for illegal immigration. It is jobs. It is pretty simple: There is a supply of people willing to work, there is a supply of jobs on this side of the border we can't fill domestically, and those two are meeting. They are just not meeting legally.

This bill will require every employer in America to comply with E-Verify, to basically check the documents their workers are providing against the national data base that provides employment eligibility information. The next thing it does on enforcement is the border region—let me say this about the border. The border is not just about immigration. It is about national security. It is a national security risk. The border must be secured.

This bill requires the Department of Homeland Security to come up with not one but two plans—a border plan and a fencing plan—to achieve 100 percent ability to be aware of the entire border and 90 percent apprehension, that we apprehend 9 out of 10 people who are illegally crossing. We give the Department of Homeland Security 5 years to reach that goal.

If they do not reach the goal in 5 years, then the issue is turned over to a commission made up of State officials, local officials on the border to take care of the job themselves—and they will. If the Federal Government refuses to secure the border, the States

of New Mexico and Texas and Arizona and California, through their Governors and their leaders, will finish the job.

The next thing this bill does is deal with the millions of people who are in this country in violation of our immigration laws. Let me begin by saying this: No one has a right to illegally immigrate to the United States. There is no legal right to be here illegally. As a sovereign country we have a right to enforce our immigration laws.

If we do something to accommodate those who are here illegally, we don't do it because we legally have to. We do it for two reasons: First, because it is in the best interest of our country. When we debate this immigration issue, we need to understand that when we talk about millions of illegal immigrants, this is not a theory, this is a reality; they are here now. We are not talking about bringing these people in; they are already here and they will be here for the rest of their lives. So we have to deal with that reality. It is in our national interest to deal with that reality.

The second reason we are dealing with it is because that is who we are. We are a compassionate people. We are not going to deport 11 million people, so we have to deal with this. We believe we handled this in a very professional and effective way.

If there are people in this country illegally who entered here before December 2011, they have to present themselves. They will undergo a background check. If they have committed serious crimes in the U.S., they will be deported. If they have not, they will have to pay an application fee, a fine. They will have to start paying taxes, and they will receive a permit that will allow them to work in the United States and pay their taxes.

They will not qualify for any Federal benefits—no welfare, no ObamaCare, no food stamps—but they will have a chance to work and will no longer have to hide. They are going to have to remain in that system for 6 years, and then they have to go back and get their permit renewed. It is not a permanent grant of a temporary status; it is a temporary grant of a temporary status.

In 6 years they have to go back and apply again for this permit. When they reapply, not only do they have to pay another fine and another application fee, but they are going to have to prove they have been paying taxes the last 6 years and that they are gainfully employed in a way that means they are not going to wind up on public assistance.

If the border plans have been completed, if E-Verify is in place, if the entry-exist system is in place, assuming their permit is renewed, after 10 years has gone by, then the only thing that happens is they are given a chance to apply for a green card just like everybody else does, not a special process. They are at the back of the line. Everyone who applied before them legally goes first.

The only thing that happens after 10 years goes by and the border is secured, E-Verify is in place and the entry-exit system is in place, we don't give them anything. All they have now is the opportunity to apply for a green card.

By the way, during the first 5 years of a green card under existing law, people don't qualify for Federal benefits either. The point is, this is a reasonable way to deal with a real problem that faces our country.

The alternative is to do nothing, which leads me to one of the points that people are using, and we will be talking a lot about this issue. One of the arguments against this is how much money it is going to cost.

First of all, over the first 10 or 15 years, all these things about the fence and the things we are doing are paid for in the bill. Beyond that, as far as the economy of the United States—a couple points.

First of all, we can't compare this bill to nothing. We have to compare it to what we have now, and what we have now is worse. What we have now is costing our economy. We have people in this country illegally. They get sick, they go to the emergency room, and the taxpayer pays for it.

We have people in this country who are having children who are U.S. citizens and they go to our schools; they are driving on our streets without a driver's license, which means they have no car insurance, which means all of us have to pay more in car insurance as a result. This is obviously not good for them, but it is not good for us.

What we have today is devastating and horrible for our economy. We can't continue to have this. We have to fix this problem, and we have to fix it in a way that is fair to the people who have done it the right way and fix it in a way that makes sure this never ever happens again. I believe the bill we are working on does that, and I look forward to the input that my colleagues have.

One more criticism I hear is that it is being rushed through. That is just not true. Just yesterday we voted on a series of amendments that I had less than 12 hours to review, and these amendments dealt with a fundamental right to Second Amendment constitutional rights. This bill has been online for 48 hours. The Committee on Judiciary would not even begin to consider amendments to this bill until next month. People are going to have 3 to 4 weeks to review it. It is posted on my Web site. People can go on there now and see it. It will be available all these weeks. Then it is going to go through an extensive committee process. Then it will be brought here, hopefully, to the floor of the Senate where we can debate it openly as well.

I am not claiming the bill is perfect. I am sure it can be improved, and I hope my 99 other colleagues will work hard to improve it because we have an opportunity to do something important.

My last point, and I address many of my fellow Americans who share my deep commitment to upholding the Constitution of the United States, to limiting the size and scope of government, to encouraging the free enterprise system as the best way to create economic opportunity. America is a nation of immigrants, but both Republicans and Democrats have failed to enforce our immigration laws and, as a result, we have millions of people here illegally. We are not going to deport them. So let's secure the border and let's identify these people. Let's have them undergo a background check, get in the back of the line, pay a fine, and pay taxes. No Federal benefits.

We all wish we didn't have this problem, but leaving it the way it is is amnesty. We have to solve this problem, and I hope we will.

Madam President, I yield the floor and 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. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FLOODING IN ILLINOIS

Mr. DURBIN. Madam President, I want to draw attention to the major flooding going on in Illinois at this moment, particularly in Chicago and its suburbs but not exclusively. It is affecting downstate as well.

Hundreds of families have been evacuated from their homes, and more than 30,000 people are without power and we are experiencing a major storm. The Rock, Fox, DuPage, Illinois, and Mississippi Rivers have overtopped their banks, damaging hundreds, if not thousands, of homes and businesses. Several levees are near the breaking point.

In many areas, the flooding is so bad it exceeds what we saw during the major floods in 2008 and in 1987. The ground is so saturated that a sinkhole in Chicago swallowed three cars this morning, and Libertyville High School has sunk a foot into the muddy soil.

More than 300 flights have been cancelled out of O'Hare and Midway Airports, and hundreds of schools in and around Chicago were closed today because of dangerously high water.

People along the Des Plains and Fox Rivers in Grundy, Kane, and LaSalle Counties have been evacuated—and the evacuations are ongoing.

More than 30 major roads in northeastern Illinois are closed due to flooding. Heavy rain has completely filled the large underground flood control system known as the Deep Tunnel in Chicago. This project was designed to handle sewer backup problems and water pollution in Cook County. The Chicago River has swelled by 6 feet, triggering locks to open and for the flow to be reversed back to Lake Michigan.

For the first time in recent memory, the DuPage County government is shut

down because of flooding. All county government buildings, including the health department, are closed. Governor Patrick Quinn has issued a state of emergency for the entire State of Illinois. National Guardsmen are on hand helping to evacuate people and monitor water levels and road closures. First responders are supplying sandbags, pumps, life vests, generators, and other supplies along the threatened riverbanks. Sandbagging operations are ongoing in Boone, DeKalb, Grundy, Kane, McHenry, and Will Counties.

My office is in close contact with Mayor Nicholas Helmer of Prospect Heights—where many people have been evacuated. We are also working with Mayor-elect Matthew Bogusz and the interim mayor, Mark Walsten of the city of Des Plaines. They are working hard to make sure the communities are safe.

Communities all along the Mississippi River and the western part of the State could be next in the flooding. Water is already rising in Quincy and the Quad Cities, and communities downstate—such as East St. Louis and Cairo—could see major flooding this weekend as storm runoff from up north works its way south.

My colleague Senator MARK KIRK and I are ready to help the affected communities in any way. We have cosigned a letter to the Governor to put in writing what we have said orally: We stand prepared to work with all of the Federal agencies available to help our State during this flooding challenge.

We understand they are doing everything possible at the local level. If the situation continues to worsen, there may be need for Federal assistance. Senator KIRK and I will work together on a bipartisan basis to make sure it is there. My thoughts are with the people and families affected by floodwaters in Illinois, especially those who had to leave their homes. I am particularly grateful for the people who are working around the clock to control these rivers. I have spoken to John Monken, Director of the Illinois Emergency Management Agency, and am monitoring the efforts on a minute-by-minute basis. I will continue to work with Federal, State, and local officials to make sure vital resources are made available for the flood control effort.

Madam President, a short time ago there was a press conference that was historic in nature. Eight Senators, four Democrats and four Republicans, came together to announce the introduction of an immigration bill. It is a bill we have worked on for months. The four Senators on the Democratic side are Senator SCHUMER, Senator MENENDEZ, Senator BENNET of Colorado, and myself; on the Republican side, Senator MCCAIN, Senator LINDSEY GRAHAM, Senator JEFF FLAKE of Arizona, Senator MARCO RUBIO of Florida.

When you put the eight of us in a room you have the full political spectrum in the Senate. But we decided as a group to try to do our best to write

a law to deal with the immigration challenge in America. It is a substantial challenge. America's immigration system is badly, badly broken. I say that because we estimate there are 11 million people living in this country who are undocumented. They are people who get up and go to work every day. They may have picked the fruits you put on your cereal this morning. They could be cleaning your room in the hotel you stopped in in Chicago. They could be taking care of your mother in the nursing home this evening. They are spread across the economy. They are hard-working people. Most immigrants are. But they are undocumented. They have no country. About half of them are here because they came judicially as visitors or college students and they stayed. They are here illegally, there is no question about it. They are undocumented. The question we asked ourselves over and over for the last many years is, What are we going to do?

In the last Presidential campaign, Governor Romney said they should self-deport themselves, they should leave. That is not going to happen. It may be good campaign rhetoric but it doesn't reflect reality. What you find when you get to know the undocumented is they do not live in houses filled with undocumented people. It is not uncommon to find that dad is a citizen, the children were born here and they are citizens, it is mom who is undocumented. These stories are repeated over and over.

So the eight of us sat down and said: What are we going to do to deal with this and what are we going to do to deal with the problem this creates in the economy? Here is what it is. It is not a matter of 11 million people working in the economy undocumented. It is the fact that they end up taking jobs and being paid the lowest possible wages, so their work depresses wages.

In addition, in most cases—many cases, I should say—they are being paid in cash. Their employers are not paying into unemployment, workers compensation, Social Security, Medicare. They are off the books. That doesn't help our country if they are not paying taxes and if their wages are so cheap and so low it hurts the jobs of American workers.

In addition, many of these workers are mistreated. It is not unusual for me to hear that in Chicago a group of workers worked a whole week and then their boss said: Oh, the money didn't come through. We are not going to pay you. What are they supposed to do, call the police? Go to court? They are undocumented. There are abuses that take place when it comes to these workers and it does not help the overall economy.

There are other issues as well. About 12 years ago I got a phone call in my office from the Merit Music Program in Chicago, which offers to kids, low-income-family kids, musical instruments and instruction. And 100 percent of

these kids end up going to college. One of them, Tereza Lee, was Korean and very good playing the concert piano. She was accepted at Julliard and the Manhattan Conservatory of Music, which was amazing. She came from such a poor family that many times she would go to school and go through the trash basket to find uneaten food to try to get through the day. But, boy, was she good at a piano, and it was recognized. When she went to fill out the application to go to school there was a box that said nationality, citizenship. She said to mom, What do I put here? Her mom said, I don't know. We brought you in on a visitors visa at the age of 2 and we never did anything. So she said we better call DURBIN's office. They called my office and we checked into it. The law is very clear. She is not documented, she is not a citizen, and she needs to leave America for 10 years and see if she can get back in, get a green card to come back—10 years. This girl was 18 years old. She had never done anything wrong. She came here at the age of 2.

I put in this bill called the DREAM Act and it said if you, like Tereza Lee, came here, no fault of your own, no criminal record, finished high school, we will give you a chance. Go to college, enlist in the military, and we will let you become a citizen someday soon.

The DREAM Act has been out there for 12 years and didn't pass but we still have hundreds of thousands of these young people. Half a million of them have signed up under the President's Executive order not to be deported if they are eligible for the DREAM Act. There are many more out there. That is one of the unresolved issues in our immigration system. I could go on and give you volumes of problems with the current immigration system in America.

We decided to sit down and do something about it. In the first meeting we had, the Republican Senators, Senator MCCAIN, Senator FLAKE from Arizona, as well as Senator GRAHAM and Senator RUBIO, said the first item on the agenda: Fix the border. It does us no good to deal with immigration problems within the country if we do not deal with the flow of people into the country.

The border is strong today, stronger than it has ever been in 40 years. But there are weaker parts. There are about nine different sections of our southern border and about three of them are problematic. Six are pretty strong. So we agreed, let's make sure the nine sections of the border have the investment they need to be as strong as possible. Then let's do more. Let's create a computer system, expand the one we have called E-Verify so if you go to apply for a job in America and you are asked to show a picture ID, such as your driver's license, the employer can enter the information into a computer right at work and up pops a picture which should match your picture on the license. If it matches, you

can be employed; you are here legally. If it does not match, there is a question, you may not be employed. So E-Verify will make sure that in the workplace you have to be part of the system. You have to be registered in America.

The third element involves visitors visas. We give a lot of people an opportunity to visit this great country from all over the world. Some of them never go home and we don't know it. We know they came in; we check that. But we don't know if they ever left. We are finally going to finish that system so we know, we have information collected not only when they enter, when they leave, and if they overstay, we can go after them. So those things which we debated and included in our immigration bill deal with the draw of people into America, the border, employment, visitors visas.

Then we asked, what to do with the 11 million people? What to do realistically and honestly. Here is what we suggested in the bipartisan bill we have introduced. We said first you have to step forward and register with the government. You have lived in the shadows. You have always feared a knock on the door and deportation. Now come forward. If you come forward and register, we will put you through a criminal background check. If you have a serious crime in your background, you are finished, we don't want you, goodbye. If you do not, we will go forward. We will give you a chance to register with the government, pay your taxes, pay a fine, make it clear you are learning English and working in America. If you do that, you can stay here legally and you can work here legally. You can even travel outside the country legally and come back. It is a provisional recognition of an opportunity for legalization. At the end of 10 years, after you paid the fines, after you have been reviewed on a regular basis, you will have a chance to get a green card and move toward citizenship over a 3-year period of time.

This is basically the system, a system that strengthens the border and creates a pathway to citizenship for 11 million people. And, as far as the DREAM Act I mentioned earlier, this is the strongest version of the DREAM Act of any I have introduced, any I have proposed on the floor of the Senate in the last 12 years. It is going to give these young people a chance.

There was a young woman here at the press conference named Tolu Olubumai. She was born in Nigeria. She came here at an early age and went through high school and then went through college. She received a chemical engineering degree from a prestigious Virginia university. That was 10 years ago. She has never been able to work 1 day as an engineer, despite her talent, because she can't get licensed. She is undocumented. She deserved a chance. She will get a chance under this bill, under the DREAM Act, as she should.

I can go through stories—I have told about 54 different ones on the floor of the Senate—of young people in her circumstances, came here as kids, knew no other country. As BOB MENENDEZ often says, pledged allegiance to the flag every day in the classroom, only knows our national anthem. They have no country. They will have a chance because of this bill.

There are other parts of this bill that are important too. When it comes to employment, the first rule I insisted on, we all insisted on, was that any job opening had to be offered to an American worker first. That is in every part of this bill, because we still have people unemployed and they should have first priority on any job opening. But if the job can't be filled—and let's be honest, some of these jobs Americans are not standing in line for, particularly agricultural workers, backbreaking work of picking fruits and vegetables. There are many of these jobs that will go unfilled unless migrant workers, for example, agricultural workers, come to fill them. So what we say is basically offer the job to an American first at a wage that is the prevailing wage, average wage in the industry. If it goes unfilled, then a foreign worker has an opportunity—only if the unemployment rate in this country or in the region where the person works is below 8.5 percent. So we want to make sure American workers have the first chance.

Then what to do about the extraordinarily educated and talented people who can make a difference in the American economy? It was 6 or 8 years ago when I spoke to the Illinois Institute of Technology commencement. It was at the Chicago Theater on State Street in the city of Chicago. It was a happy day. All of these graduates from the prestigious Institute of Technology were getting their chance. They went through the baccalaureate degrees and they were pretty diverse. But then, when they got into the advanced degrees, the master's degrees and Ph.D.s, it took a little longer because it was tough to pronounce all of the names from the South Asian continent, India and places nearby. These are graduates, foreign students, admitted in the United States, trained in the United States, receiving their degrees from this prestigious institution, and the next thing we did after handing them their diploma is, figuratively, gave them a roadmap to show them how to leave America, to take their talents and everything they learned to go someplace else to compete with American business.

We are going to change that. If foreign students come here and are educated here and have skills we need in our economy and can help create jobs and grow our businesses, we are going to give them that chance with a green card. That makes sense. They can expand the economy. Some of the major high-tech corporations in America today were actually created by immi-

grants to this country who came here because they loved the freedom, the opportunity no other country can offer. We have to give more just like them a chance to build tomorrow's Intel, tomorrow's Google, and they will do it and create American jobs in the process.

We want the United States to be a magnet for this kind of job creation. We also want the United States to have more homegrown engineers ourselves. MARIA CANTWELL brought this up at our Senate luncheon this afternoon and I told her it was an issue I felt strongly about, not only making sure we have the talent we need but that we grow the talent we need—improve our schools, focus on the STEM subjects—science, technology, engineering, mathematics—and bring more American students to the point where they can make a good living using those skills. That is part of our responsibility as well.

There are many aspects to this bill, immigration reform, that will come tomorrow before the Senate Judiciary Committee. I will be there. We will be having a hearing to discuss it on Friday, then again on Monday. Then soon after, after we come back from our break in the first part of May, we will have an actual markup of the bill in the Senate Judiciary Committee.

The bill has been filed now. It is available for everyone to read. We are not trying to push anything through in a hurry. It will be discussed, debated, and amendments will be offered in the committee and on the floor, as they should be. At the end of the day, it gives us a chance to make sure we fix this broken immigration system in this country.

I come to this debate with some personal history. It was in 1911 when my mother was carried off a ship in the Baltimore Harbor. My grandmother, whom I never met, brought my mother and her brother and sister over from Lithuania. They were immigrants to America in 1911. Somehow or another—although they could not speak English—they found the right train, the Baltimore and Ohio Railroad, and took that train to St. Louis.

They got off the train when they came to a town called East St. Louis, IL, where my grandfather was waiting. That immigrant family made a home there, and that is where I was born and grew up.

My mother was an immigrant to this country, a naturalized citizen, and I am first-generation American. I am blessed to be standing on the floor of the Senate. That is my story, that is my family, but that is also the American story. Every single one of us has a version of that story. It may not be your parents or grandparents, but go back far enough and you will find a story just like that in your background.

I said many times on the floor of the Senate that I had the good fortune to go back to my mother's village in Lith-

uania, Jurbaricas, which is near Kaunas. My mother never made it back to her village.

When I got there, I asked the people in that village what was left from the time my mother was there in 1911. They said the Catholic Church where she was baptized was still there as well as an old well in the center of town that everybody used for water. They said, your family must have used it.

I took a look at the old well, and I could not even pick it out now because of all the traffic circles around it and everything. I thought about that moment when my grandparents said to their relatives and friends: We have an announcement. We are leaving. We are picking up everybody and going to America. We are going to a place called East St. Louis, IL, because there are some Lithuanians there from this area who found work.

Stanley Yochiss, who was the pharmacist and druggist in that area, was kind of like the Godfather. People who didn't trust the local banks would leave their money with Stanley. The Lithuanian community, similar to many communities, worked the toughest jobs in the packing houses, steel mills, and jobs such as that.

I often thought about that meeting my grandparents had when they called in their relatives and friends and what might have happened afterward when they left. As they were walking away from my grandparents' home, I bet one of them said to the other: Can you believe this? The Kuticaite family is leaving. They are going to America. They don't even speak English. They are leaving their home, their church, all their relatives and friends, the dog, the cat, and chickens. They are all leaving. They will be back. This will not work. They never looked back.

Repeat that story millions of times and we have the story of America. We have the story of people who came to this country and have somewhere deep in their DNA this appetite and thirst for a better life. They were willing to risk everything for it to get to this country, and it still happens.

We hear about people walking across the desert on their way to America and dying in Arizona and Texas. We hear of all the dangerous things they do to get to this country. That is what is great about America and that is what is great about Americans and what is in our DNA as a people. We should never forget how important immigration is to us. Those who criticize immigrants have forgotten where they came from. Those who criticize immigrants don't realize the diversity of America, the talent of America, the drive of America is all about immigration. We have to control it. We have to make sure it is done legally and done in a systematic way. We cannot absorb everybody who wants to come here. But by bringing in new blood to America, we revitalize the American dream every single generation.

This bill is an important one. We have not done anything to immigration

in 25 years, and it shows. We have a mess in this country, and it is time to straighten it out.

Eight Senators produced a bill—four Democrats, four Republicans. I think the bill is balanced and should be debated and considered. I hope it passes. I hope the day comes soon when it is signed into law by the President, who fully supports comprehensive immigration reform.

I said today at the press conference that I want to be at at least one of the naturalization ceremonies when my DREAMers get a chance to become part of the only country they have ever called home. They are going to make this a better and stronger nation, and they are part of our citizenry.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CELEBRATING U.S. AIR FORCE RESERVE 65TH  
BIRTHDAY

Mr. CHAMBLISS. Mr. President, this year marks the 65th anniversary of the Air Force Reserve, created by President Harry S. Truman on April 14, 1948.

Since the founding of the United States, citizens have answered the call to arms, accomplished their mission with professionalism and honor, and returned to their civilian lives to await the next call to serve.

Truman envisioned a new Reserve component to continue this tradition of service—being ready when called upon—that was founded by the Army Air Service reservists of the First World War who flew wood and canvas bi-planes.

The forerunner of our modern Air Force Reserve was authorized by the National Defense Act of 1916. Today, Air Force reservists, known as citizen airmen, perform leading roles in military operations, humanitarian crises, and disaster relief around the globe. The Air Force Reserve consists of officers, enlisted, and civil servants who are tasked by law to fill the needs of the Armed Forces wherever necessary. More than 860,000 people make up the Ready, Standby, Retired, and Active-Duty Retired Reserve. This includes 70,000 selected reservists who are ready now and serve on the frontlines of daily military operations around the globe.

The creation of the Air Force Reserve followed the birth of the Air Force itself by about 7 months earlier on September 18, 1947. The newly created Air Force had gained its independ-

ence from the Army, tracing its roots back to the Aeronautical Division of the U.S. Army's Office of the Chief Signal Officer, which took charge of military balloons and air machines in 1907.

Ten years later the first two Air Reserve units were mobilized, and one of them, the first Aero Reserve Squadron from Mineola, NY, deployed to France as the United States entered World War I in 1917. The new Air Service Reserve program provided the war effort with about 10,000 pilots who had graduated from civilian and military flying schools.

Later, reservists played a critical role in World War II when 1,500 Reserve pilots, along with 1,300 nonrated officers and 400 enlisted airmen, augmented the Army Air Corps in the war's early days. This included the legendary Jimmy Doolittle, who was ordered to Active Duty to work in Detroit to convert automobile manufacturing plants into aircraft factories and later went on to lead Doolittle's Raiders, the first American bombing attack on the Japanese mainland.

After World War II ended, the young Air Force Reserve was barely 2 years old when it mobilized nearly 147,000 reservists for the Korean War.

In the 1960s five Air Force Reserve C-124 aircraft units, along with 5,613 reservists, were mobilized for a year to support the Berlin crisis. By 1962 an additional mobilization of 14,220 reservists and 422 aircraft were supporting operations during the Cuban missile crisis.

During the Vietnam War, the Air Force Reserve provided strategic airlift as well as counterinsurgency, close air support, tactical mobility, interdiction, rescue and recovery, intelligence, medical, maintenance, aerial port and air superiority until U.S. involvement ended in 1973.

As our Nation entered a period of peace for the next few years, the Air Force Reserve periodically engaged in emergency response missions. This included the rescue of American students from Grenada in 1983, aerial refueling of strike aircraft conducting the raid on Libya in 1986, and operations to oust Panamanian dictator Manuel Noriega in 1989 through 1990. Air Force reservists also supported humanitarian and disaster relief efforts, including resupply and evacuation missions in the aftermath of Hurricane Hugo in 1989. All the while, they stood ready to answer the call to arms as our Nation entered the final days of the Cold War.

More than 23 years of continuous combat operations began with Operation Desert Shield in response to Saddam Hussein's invasion of Kuwait in 1990. In the aftermath of coalition victory, Air Force reservists continued to enforce no-fly zones over northern and southern Iraq while also performing humanitarian relief missions to assist displaced Iraqi Kurds.

In 1993 Air Force Reserve tanker, mobility, and fighter units began operations in Bosnia, and in 1999 they were

also supporting Operation Allied Force over Serbia and Kosovo.

When terrorists attacked the United States on September 11, 2001, Air Force reservists responded in full force. Air Force Reserve F-16 fighter airplanes flew combat air patrols to protect American cities, while KC-135 tankers and AWACS aircraft supported security efforts.

In October 2001 Operation Enduring Freedom began as U.S. military forces entered Afghanistan to combat the Taliban and terrorist sanctuaries. In March 2003 Operation Iraqi Freedom began in order to end Saddam Hussein's regime. Air Force Reserve units and reservists played key roles in all combat operations as Air Force Reserve MC-130 Combat Talon aircraft became the first fixed-wing aircraft to penetrate Afghan airspace while Air Force Reserve F-16 crews performed the first combat missions.

In recent years citizen airmen have supported every Air Force core function and every combatant commander around the world. Air Force reservists were engaged in surge operations in Iraq and Afghanistan. They supported combat and humanitarian missions in Haiti, Libya, Japan, Mali, and the Horn of Africa. Also, they provided national disaster relief at home in the United States after Hurricanes Katrina and Sandy, the gulf oil spill, and the wildfires in the Western States.

Throughout their history, citizen airmen have volunteered unconditionally, demonstrating without fail that they were ready when needed. Since inception in 1948, the Air Force Reserve has evolved from a unit-mobilization-only force into an operational reserve that participates in missions around the globe. From its headquarters at Robins Air Force Base in my home State of Georgia, the Air Force Reserve serves with distinction to provide for our national security on a daily basis. Spanning 6½ decades—with the last 2 decades of continuous combat—the Air Force Reserve has fulfilled the promise of early air pioneers and exceeded the potential foretold by the visionaries who created it.

Congratulations to all citizen airmen, past, present, and future, on the 65th anniversary of the U.S. Air Force Reserve.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TESTER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN). Without objection, it is so ordered.

BIG SKY HONOR FLIGHT

Mr. TESTER. Mr. President, on April 21, 88 World War II veterans from Montana will be visiting our Nation's Capital.

With a great deal of honor and respect, I extend a hearty Montana welcome to each and every one of them. Together they will visit the World War II Memorial and share stories about their service. This journey will no doubt bring about a lot of memories, and I hope it will give them a deep sense of pride as well.

What they achieved together seven decades ago was remarkable. The memorial is a testament to the fact a grateful nation will never forget what they did or what they sacrificed. To us, they are the "greatest generation." They left the comforts of their family and their communities to confront evil from Iwo Jima to Bastogne.

Together they won the war in the Pacific by defeating an empire and liberating the continent by destroying Hitler and the Nazis. To them, they were simply doing their jobs. They enlisted in unprecedented numbers to defend our freedoms and our values. They represented the very best of us and made us proud. From a young age, I remember playing the bugle at the memorial services of veterans of the first two World Wars. It instilled in me a profound sense of respect which will be with me forever.

Honoring the service of every generation of American veterans is a Montana value. I deeply appreciate the work of the Big Sky Honor Flight, the nonprofit organization which made this trip possible.

To the World War II veterans making the trip, I salute you and welcome you to our Nation's Capital. We will always be grateful, and we will never forget your service or your sacrifice.

I yield the floor, and 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. BROWN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask to speak as in morning business for up to 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FAIR MINIMUM WAGE ACT

Mr. BROWN. Seventy-five years ago, President Roosevelt signed the Fair Labor Standards Act. This legislation, proposed by Senator Hugo Black in 1932, ultimately ensured American workers would receive a minimum wage, reasonable work hours, and an end to child labor.

President Roosevelt led our country out of the worst economic climate we have ever faced. He led us to decades of prosperity by ensuring hard work in our Nation is met with two fundamental American rights—fair wages and decent working conditions.

In the 20th century, the minimum wage lifted millions of Americans from

poverty and allowed them to begin the step toward joining the middle class. In the 21st century a fair livable minimum wage can continue moving our country forward.

Even as corporate executives and Wall Street banks are earning record profits, too many families are struggling. Americans who work hard and play by the rules should be able to take care of their families. Too many people in my home State, in places such as Youngstown, Lorain, Portsmouth, and Norwood are working harder than ever and barely getting by.

Nearly 1.3 million Ohioans in places such as Chillicothe and Mansfield work in a minimum wage job. Working full time in a minimum wage job in Ohio pays about \$16,000 per year because our minimum wage is a bit higher. The Federal minimum wage today pays only \$15,000 per year, \$3,000 below the poverty level for a family of three.

It is not much to live on for families trying to put food on the table, fill a gas tank, send their children to school or provide a safe place for them to live. The minimum wage in this country should be a livable wage.

This is why I am fighting to pass the Fair Minimum Wage Act. It would raise the minimum wage to \$10.10 an hour in three 95-cent increments, then provide for automatic annual increases linked to changes in the cost of living.

The bill would also gradually raise the minimum wage for tipped workers for the first time in 20 years. The tip minimum wage now stands at \$2.13 an hour. This bill would increase it to 70 percent of the regular minimum wage.

More than 1.2 million people in Ohio would receive a raise because of our bill. Millions of people around the country in places such as Helena, Butte, and Billings would have an increase in their standard of living.

The vast majority of minimum wage earners, despite what some in this body say—some 88 percent—are adult workers. They are not 16- and 17-year-old high school students. They are 18 and above, with many of them supporting families. More than half are women.

Eighteen million children, nearly one-quarter of all American children, have parents who would receive a raise. Over the past 2 weeks, I have met with people in my home State who earn low wages, and I listened to their stories.

Ms. Walter, a server from Youngstown in northeast Ohio, struggled to raise three boys as a single mother.

Ms. Day, a cake decorator from Bowling Green, works two jobs because the salary of one isn't enough to provide for her two children. She says she doesn't need a lot but just a little more.

This bill matters. It matters for the grandmother who works an evening shift at a restaurant to enable her to care for her grandchildren during the day. It matters for the elder care worker who takes two buses to work, and it matters for all of the working-class families who work hard and play by the

rules. It is not only about the families who will be directly affected.

Increasing the minimum wage to \$10.10 per hour will also help the economy. It will increase GDP by more than \$30 billion over the course of 3 years as workers spend their raises in local businesses and communities. Opponents to the increase in minimum wage say people will not hire; it will cost jobs.

It is actually the opposite. This economic activity created by more spending in communities as a result of more money in minimum wage earners' pockets would generate 140,000 new jobs over these 3 years. This is why business owners support raising the minimum wage.

The owners of Brothers Printing and Synergistic Systems in the Cleveland area both pay their workers more than the minimum wage. It means they have less turnover. It means their workers have a better standard of living, and it helps their community. They do this because it is the right thing to do. It helps them keep their best employees and strengthens their businesses and their commitment. Plain and simple, ensuring a fair wage is good for America's families. It is good for America's economy.

I note the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I ask unanimous consent the mandatory quorum under rule XXII be waived with respect to the cloture motion on the motion to proceed to calendar No. 41, S. 743, and that the vote on the motion to invoke cloture on the motion to proceed occur at 5:30 p.m., Monday, April 22, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONGRATULATING MAYOR BOB BUTLER

Mr. DURBIN. Mr. President, fifty years ago, when Bob Butler was sworn in as mayor of Marion, IL, the town was literally on fire.

Just outside city hall, one of the largest fires in the city's history was raging.

It may not have been, as Mayor Butler has described it, an "auspicious"

start I will go a little farther and call it what it was: a baptism by fire. But through his five decades of thoughtful leadership, he has always been devoted to the city he loves and has never stopped working to improve the lives of its residents.

During his time as mayor, the local population has increased, area businesses have grown, and the economy has expanded.

And along the way, some have reported, Bob Butler became the longest-serving currently active mayor in America.

After first being elected, a fire wasn't the only problem he had to deal with he also had to dig the city out of financial trouble.

Under Mayor Butler's guidance, Marion got itself back in the black and began building a platform to allow for future growth.

And then, a few years later, another disaster hit. A tornado tore through the city, killing 10 and injuring hundreds including the Mayor and leaving tens of millions of dollars of damage.

After crawling out of his car, which had been thrown 300 feet and turned upside down, Mayor Butler showed the sort of resilience we don't see much anymore and dove headfirst into recovery efforts.

His efforts, along with those of many others, helped lead to a boom in economic and residential development that we still see effects of today.

Without Mayor Butler's leadership, Marion would look very different than it does now. His touch can be seen on everything from the civic center to the city's businesses to the local minor league team, the Miners.

His leadership helped guide Marion through many trying experiences, and the city's voters kept their faith in Bob Butler. He has served them well each and every year.

Despite all of his hard work and his clear record of results, Mayor Butler has always remained humble.

He may be mayor, but he always gives credit to the people of Marion for their city's success.

This week, the people of Marion are gave some credit back to Mayor Butler.

They honored his five decades of good work with a life-size bronze statue at the site where that fire once raged so many years ago—in Tower Square, just across from city hall.

I extend my heartfelt congratulations to Mayor Butler and his family for this impressive achievement and wish him the best when he enters retirement at the end of this term.

#### TRIBUTE TO PASTOR JOSEPH R. JORDAN

Mr. LEVIN. Mr. President, in my hometown and in cities and towns across this country, houses of worship and the men and women who lead them care for the spiritual needs of our people. But they do more. They are pillars of neighborhoods. They minister to the

sick in body or spirit. They feed the hungry. They help resolve the lamentable but all-too-human divisions in our communities.

This has been the role of Corinthian Baptist Church in Hamtramck, MI, and its pastor, the Rev. Dr. Joseph R. Jordan, who will in a few days be honored for leadership and community spirit. Under Pastor Jordan's leadership, Corinthian Baptist has been a rock for its community. Pastor Jordan is a thoughtful and respected shepherd of his flock. He and the church are actively engaged in community service, helping to fight hunger and sickness in Hamtramck and Detroit. His service and leadership include serving on the board of trustees of Henry Ford Health System, one of the Nation's largest medical service providers.

Pastor Jordan has been a tireless seeker of justice. Nothing exemplifies this better than his long years of work and advocacy to help resolve a housing discrimination case that dates back to the 1960s, the resolution of which has taken decades. Pastor Jordan and others never gave up on their community or on the idea of justice, and thanks to the hard work of many, and despite significant challenges, the case has been resolved.

I should note that I am among the many who have benefitted from Pastor Jordan's wisdom and leadership. Over the years, I have valued his friendship and his counsel. And so I am pleased that the city of Hamtramck will, on April 28, rename a section of Caniff Street, including the block on which Corinthian Baptist sits. It will be known as Rev. Dr. Joseph R. Jordan Street. I join Pastor Jordan's many friends in congratulating him for this honor, and I personally thank him for his decades of service to his church and his community.

#### WORLD WAR II VETERANS VISIT

Mr. BAUCUS. Mr. President, I rise to recognize a very important event that will be occurring this Sunday and Monday. About 90 World War II veterans from Montana will take part in the "Big Sky Honor Flight," and come to Washington, D.C. to visit their monument—the WWII Memorial.

Their trip is hosted by the Big Sky Honor Flight program. The mission is to recognize American Veterans for their sacrifices and achievements by flying them to Washington, D.C., to see their memorials at no cost. The program, which has already sent 184 Montana veterans to visit the memorials, is generously funded by businesses, student groups, and folks all across Montana.

These veterans come from all parts of our great State, and while they are in Washington, they will see the WWII Memorial and other monuments, enjoy a banquet honoring their service to the country, and fly home the next day.

This is a special two days for this group of heroes, but it is also a time to

give thanks for the courage and sacrifice of all our veterans and service-members. It is a time to reflect on the sacrifices made by those who fought on the front in Europe, on the battlefields of Korea, in the jungles of Vietnam, the deserts of Iraq, and those who are currently fighting in the mountains of Afghanistan. We must not forget their sacrifices.

I am so pleased I will be able to meet with these courageous Montanans. I ask the Senate to join me in welcoming these heroes to our Nation's capital this weekend. They are:

Robert E Anderson, George P Ardelean, William Bakker, Lorraine F Blank, Roy Boettger, Charles E Brickman, Richard A Caruso, Edward B Campen, Roy F Cattrell, Robert W Cook, Donald P Culliton, Louis J Day, Roy S Dimond, Raymond V Drake, Marvin Duncan, Theodore E Eklund, Joseph Fahn, Everitt D Foust, Leo C Fowler, Robert M Frankforter, Colin Glasgow, Maurice Graham, Joseph Hartman, John Hepler, Rudolph Hergenrider, Russell S Hodge, Vance Holbrook, William C Howard, Amy Johnson, Robert C Johnston, Bruce D Jones, Jack Jurgens, Gertrude Kalan, Lester L Kath, Joseph C King III, Robert Kinyon, Gordon Kirkwood, Donald B Koeppen, Henry J Kornegay, Howard Largent, Raymond Leone, Robert L Lubbers, Pierre Mangen, Donald J Marshall, William Clayton, George R McMurray, Paul Milam, Irvin J Miller, William Mills, Richard Miner, Ruben F Oberlander, John M Richards, Ivory L Robinson, Gerald C Schlichenmayer, Kenneth Schneider, Ernest D Sells, Donald C Siers, George E Sexton, John St Germain, Paul Stengel, Harry K Stine, Myron J Stratton, Myron R Stutterheim, Kent T Swift, Margaret J Talmage, Everett V Tande, Agatha F Twist, James A Vick, Robert L Wagnitz, Robert E Willems, Andrew R Winter, William D Worth, Kenneth Baeth, Raymond A Bergstrom, James Kenaley, James J Bertrand, George A Moore, William Bug, Edgar E St John, Gordon P Slovarp, Donald Shay, Edmund M Bouchard, George L Schuyler, Elizabeth Riley, Raymond J Rae, Ralph Stone.

#### DOOLITTLE TOKYO RAIDERS

Mr. BAUCUS. Mr. President, I rise today to recognize David J. Thatcher, a remarkable Montanan and American. On April 18, 1942, Thatcher was one of 80 Doolittle Raiders who carried out the first air raid on Japan during World War II. The unit was named for their commander, Lt. Col. Jimmy Doolittle, who planned and led the mission that dealt a devastating psychological blow to the Japanese Empire in the wake of the Pearl Harbor attacks.

I ask my colleagues in the Senate to join me in honoring Mr. Thatcher and his comrades for their heroic deeds, carried out 71 years ago today.

Staff Sergeant Thatcher was born on July 31, 1921 in Bridger, MT and entered the Army in December 1940. He volunteered for the secret mission that later became known as the Doolittle Raid and was assigned as an engineer/gunner to Crew 7 of the "Ruptured Duck."

On April 18, 1942, the Doolittle Raiders launched their B-25 bombers off the USS *Hornet* aircraft carrier, 250 miles

further out than planned because they had been discovered by a Japanese fishing boat. During their approach to Tokyo, the crew of the "Ruptured Duck" spotted a formation of enemy planes, but because of their special training and unique flying tactics, the Japanese formation never detected the "Ruptured Duck." Crew 7 successfully bombed the Nippon Steel Factory in Tokyo.

Following their airstrikes, all 16 aircraft either ditched at sea or crash landed because they did not have enough fuel to make it to their intended landing sites on the Chinese mainland. The commander of Crew 7, LT T.W. Lawson, attempted to land the "Ruptured Duck" on a beach, but instead struck the water a quarter mile off the Chinese coastline. The crew was forced to swim to shore.

Staff Sergeant Thatcher, the only member of Crew 7 who was unharmed, cared for the injured until the Chinese arrived to help. Sadly, 11 Doolittle Raiders were killed or captured by the Japanese during the raid but, remarkably, 69 of them were eventually rescued.

Staff Sergeant Thatcher went on to serve in England and became an engineer/gunner on a B-26 for the invasion of North Africa. He was discharged from the service on July 11, 1945.

For his gallantry in action during the raid on Japan, he received the Silver Star. He was also awarded the Distinguished Flying Cross and the Air Medal with four Oak Leaf Clusters, along with the Chinese Army, Navy, and Air Corps Medal, Class A, 1st Grade.

Today, I would like to honor the four courageous Doolittle Raiders who remain with us: Richard E. Cole, Robert L. Hite, Edward J. Saylor and David J. Thatcher.

Let us also take a moment to honor the 76 others who have passed.

The success of the Doolittle Raid marked a turning point in the war. It provided a morale boost for the United States and it proved to the Japanese people that they were no longer invulnerable.

The Doolittle Raiders have earned a hallowed place in our American history, and today I commend Mr. Thatcher and his comrades for their courage and sacrifice.

#### TRIBUTE TO REAR ADMIRAL ROY A. NASH

Ms. LANDRIEU. Mr. President, today I ask my colleagues to join me in recognizing RADM Roy A. Nash, who will retire on May 2, 2013, as the Commander of the Eighth Coast Guard District of New Orleans.

Since graduating from the Coast Guard Academy in 1979, Rear Admiral Nash has served in a variety of operational and staff assignments during his 34 years of service. A few of his assignments during his years with the Coast Guard include serving as the

Special Assistant to the Deputy Commandant for Operations, Deputy Director of the National Maritime Intelligence Center, Commander of the Coast Guard Sector Southeastern New England, Commanding Officer of the Coast Guard Marine Safety Center, and Commanding Officer of Marine Safety in Portland, ME.

Rear Admiral Nash will retire as the Commander of the Eighth Coast Guard District in New Orleans, where he was responsible for Coast Guard operations that span 26 States, including over 1,200 miles of coastline and 10,300 miles of inland waterways. Prior to this assignment, Rear Admiral Nash served as the Deputy Federal On-Scene Coordinator for the Deepwater Horizon oilspill response. In this capacity, Rear Admiral Nash joined more than 40,000 responders to provide needed relief for citizens, wildlife, and the environment. His outstanding leadership in these operations played an integral role in resolving the unparalleled problems posed by the ongoing spill.

Rear Admiral Nash's illustrious career includes many military decorations. Among them are the Legion of Merit, Coast Guard Meritorious Service Medal, Coast Guard Commendation Medal, and Coast Guard Achievement Medal. Rear Admiral Nash has been and continues to be an inspiration to all those who have been impacted by his tireless service.

It is with my greatest sincerity that I ask my colleagues to join me, along with Rear Admiral Nash's family, in recognizing the hard work, dedication, and many accomplishments of this incredible leader.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO GERALDINE MITCHELL

• Mr. BROWN. Madam President, I rise to commemorate Geraldine Mitchell of Toledo, OH.

Ms. Mitchell saved a woman's life during her work day as a bus driver in Ohio's fourth most populous city. Every day, hundreds of Toledoans take public transit to work, to the doctor's office, to school.

As a driver for the Toledo Area Regional Transit Authority with some 16 years of experience, Ms. Mitchell keeps a watchful eye—for children chasing balls into the street, for passersby crossing busy roads in front of on-coming traffic. So, on an afternoon in March, Ms. Mitchell did not hesitate to act as she witnessed a woman attempting to commit suicide along the bus route. Ms. Mitchell immediately stopped her bus and ran to the woman's aid.

Bus passengers and Corey Bush, an off-duty police officer from a neighboring jurisdiction, also ran to help as Ms. Mitchell performed CPR to keep the woman alive before emergency responders arrived. According to the To-

ledo Police Department, the victim would have died if not for Ms. Mitchell's quick actions.

A police officer responding to the incident entered the woman's home and found a man unconscious. Both individuals were taken to Mercy St. Vincent Medical Center—and they are alive today.

Ms. Mitchell and her fellow citizens are heroes whose actions saved a life, potentially two. They didn't give any thought to their own safety. They did what many of us hope we would do by acting swiftly when a fellow citizen was in danger. Together, they exhibited the courage worthy of recognition here today. In addition to receiving the Toledo Police Department's Meritorious Public Service Award, it is my honor to commend Ms. Mitchell on the Senate Floor.●

#### RECOGNIZING NELA PARK

• Mr. BROWN. Mr. President, I rise in recognition of General Electric's famed Nela Park, which is celebrating its 100th Anniversary this year.

Nela Park was built in 1913, but its roots go back even further.

In 1879, American hero and one of Ohio's great luminaries, Thomas Edison, invented the carbon filament lamp. This invention led to the founding of Edison Electric, which in 1892 would merge with a competitor to become General Electric.

GE had many competitors by the turn of the century. When the National Electric Lamp Company, NELA, was acquired by GE, it prompted the development of Nela Park in East Cleveland. The 92 acre campus was completed 2 years later and was the world's first industrial park, another example of Ohio's leadership and trailblazing spirit.

Nela Park is famous for its Georgian Revival architecture and every year features a world-renowned Christmas lighting display, modeled after the lighting display in Washington, DC. By 1975, the park earned the recognition it deserved and was listed as a Historic Place in the U.S. Department of the Interior's National Register.

Today, Nela Park is the national headquarters of GE's Lighting & Electrical Institute and serves as a source of innovation and a testament to Ohio's manufacturing strength. In an age of environmental and efficiency conscientiousness, GE lighting still illuminates the world, advancing new technologies such as fluorescents and light-emitting diodes.

For more than a century GE has employed Ohioans—at all levels of the company—and has been a significant part of our State and our Nation's economy. I commend GE for its positive impact on Ohio, the United States, and the world.

I am proud that GE Lighting calls Ohio its home, and I look forward to its continued production and innovation in the Buckeye state.●

## 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 11:45 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to section 4(b) of the World War I Centennial Commission Act (Public Law 112-272), and the order of the House of January 3, 2013, the Speaker appoints the following individual on the part of the House of Representatives to the World War I Centennial Commission: Colonel Thomas N. Moe, Retired, of Lancaster, Ohio.

The message also announced that pursuant to 14 U.S.C. 194, 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 Board of Visitors to the United States Coast Guard Academy: Mr. COBLE of North Carolina, and Mr. COURTNEY of Connecticut.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1173. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's 51st Annual Report of the activities of the Federal Maritime Commission for fiscal year 2012; to the Committee on Commerce, Science, and Transportation.

EC-1174. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to recommendations of the Advisory Committee on Aviation Consumer Protection; to the Committee on Commerce, Science, and Transportation.

EC-1175. A communication from the Vice President of Government Affairs and Corporate Communications, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, a report relative to Amtrak's Executive Level 1 salary for 2012; to the Committee on Commerce, Science, and Transportation.

EC-1176. A communication from the Acting Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report entitled "Assistance Provided to Foreign Aviation Authorities for Fiscal Year 2012"; to the Committee on Commerce, Science, and Transportation.

EC-1177. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 50 Feet (15.2 Meters) Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XC584) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1178. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than 50 Feet (15.2 Meters) Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XC585) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1179. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Accountability Measures for Species in the U.S. Caribbean" (RIN0648-XC574) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1180. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XC590) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1181. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 feet (18.3 meters) Length Overall Using Jig or Hook-and-Line Gear in the Bogoslof Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XC596) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1182. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Commercial Accountability Measure and Closure for Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic" (RIN0648-XC570) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1183. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program" (RIN0648-XC569) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1184. A communication from the Director, Office of Sustainable Fisheries, Depart-

ment of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Sector Exemptions; Final Rule Implementing a Targeted Acadian Redfish Fishery for Sector Vessels" (RIN0648-XC164) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1185. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Framework Adjustment 7" (RIN0648-BC72) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1186. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Catch Sharing Plan" (RIN0648-BC75) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1187. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications" (RIN0648-XC263) received in the Office of the President of the Senate on April 10, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1188. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Adjustment to 2013 Annual Catch Limits" (RIN0648-XC318) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1189. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Management Area; Groundfish Retention Standard" (RIN0648-BA93) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1190. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; 2013 and 2014 Harvest Specifications for Groundfish" (RIN0648-XC311) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1191. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2013 and 2014 Harvest Specifications for Groundfish" (RIN0648-XC254) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1192. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Western Pacific Fisheries; 2013 Annual Catch Limits and Accountability Measures” (RIN0648-XC351) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1193. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; General Category Fishery” (RIN0648-XC506) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1194. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands” (RIN0648-XC543) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1195. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Gulf of Mexico Reef Fish Fishery; 2013 Accountability Measure for Gulf of Mexico Commercial Gray Triggerfish” (RIN0648-XC510) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1196. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XC552) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1197. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska” (RIN0648-XC550) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1198. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska” (RIN0648-XC536) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1199. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota

Transfer” (RIN0648-XC499) received during adjournment of the Senate in the Office of the President of the Senate on March 27, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1200. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska” (RIN0648-XC522) received during adjournment of the Senate in the Office of the President of the Senate on March 28, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1201. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2013 Accountability Measures for the Gulf of Mexico Commercial Greater Amberjack” (RIN0648-XC467) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1202. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Group Resources of the South Atlantic; Golden Tilefish Trip Limit Adjustments” (RIN0648-XC529) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1203. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska” (RIN0648-XC505) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1204. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Western Regulatory Area of the Gulf of Alaska” (RIN0648-XC502) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1205. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction” (RIN0648-XC553) received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1206. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Transportation of Agricultural Commodities” (RIN2126-AB58) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1207. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters” ((RIN2120-AA64) (Docket No. FAA-2012-0085)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1208. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Rolls-Royce plc Turbofan Engines” ((RIN2120-AA64) (Docket No. FAA-2012-0004)) received in the Office of the President of the Senate on April 9, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1209. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; SFPD Training Safety Zone; San Francisco Bay, San Francisco, CA” ((RIN1625-AA00) (Docket No. USCG-2013-0148)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1210. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulations; Stuart Sailfish Regatta, Indian River; Stuart, FL” ((RIN1625-AA08) (Docket No. USCG-2012-0150)) received in the Office of the President of the Senate on April 15, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1211. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters” ((RIN2120-AA64) (Docket No. FAA-2013-0239)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1212. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Eurocopter France Helicopters” ((RIN2120-AA64) (Docket No. FAA-2013-0240)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1213. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2013-0210)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1214. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Eurocopter France Helicopters” ((RIN2120-AA64) (Docket No. FAA-2012-0795)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1215. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-0641)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1216. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Airplanes" ((RIN2120-AA64) (Docket No. FAA-2012-1160)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1217. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2012-1031)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1218. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Diamond Aircraft Industries GmbH Airplanes" ((RIN2120-AA64) (Docket No. FAA-2013-0247)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1219. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Type Certification Procedures for Changed Products" ((RIN2120-AK19) (Docket No. FAA-2001-8994)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1220. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Activation of Ice Protection" ((RIN2120-AJ43) (Docket No. FAA-2009-0675)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1221. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (105); Amdt. No. 3525" ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1222. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (57); Amdt. No. 3524" ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1223. A communication from the Paralegal Specialist, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Multiple Restricted Areas; Eglin AFB, FL" ((RIN2120-AA66) (FAA-2013-0178)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1224. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Unalakleet, AK" ((RIN2120-AA66) (FAA-2012-0322)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1225. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class B Airspace; Atlanta, GA" ((RIN2120-AA66) (FAA-2011-1237)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1226. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Wilbur, WA" ((RIN2120-AA66) (FAA-2012-0768)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1227. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Morrisville, VT" ((RIN2120-AA66) (FAA-2012-0835)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

EC-1228. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Scammon Bay, AK" ((RIN2120-AA66) (FAA-2012-0121)) received during adjournment of the Senate in the Office of the President of the Senate on March 26, 2013; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. WYDEN for the Committee on Energy and Natural Resources.

\*Ernest J. Moniz, of Massachusetts, to be Secretary of Energy.

By Mr. LEAHY for the Committee on the Judiciary.

Karol Virginia Mason, of Georgia, to be an Assistant Attorney General.

Gregory Alan Phillips, of Wyoming, to be United States Circuit Judge for the Tenth Circuit.

\*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.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### 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 Mrs. MURRAY (for herself, Mr. FRANKEN, Mr. REED, and Mr. SANDERS):

S. 758. A bill to establish a comprehensive literacy program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. MORAN, Mr. TESTER, Mr. BEGICH, Ms. MIKULSKI, Mr. SANDERS, Mr. BLUMENTHAL, Mr. SCHATZ, Mrs. BOXER, Mr. BLUNT, Ms. COLLINS, Mr. LAUTENBERG, Mr. COONS, and Mr. ROBERTS):

S. 759. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. JOHNSON of Wisconsin):

S. 760. A bill to require the establishment of Federal customer service standards and to improve the service provided by Federal agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself and Mr. PORTMAN):

S. 761. A bill to promote energy savings in residential and commercial buildings and industry, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE:

S. 762. A bill to amend the Food and Nutrition Act of 2008 to improve the supplemental nutrition assistance program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROBERTS (for himself and Mr. MORAN):

S. 763. A bill to authorize States to enforce pipeline safety requirements related to wellbores at interstate storage facilities; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN:

S. 764. A bill to amend title XXVII of the Public Health Service Act to require the disclosure of information regarding how certain taxes and fees impact the amount of premiums, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. UDALL of Colorado, and Mr. HEINRICH):

S. 765. A bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON of South Dakota (for himself, Mr. ROBERTS, Mr. TESTER, Mr. CRAPO, Mr. JOHANNIS, and Mr. MORAN):

S. 766. A bill to amend section 520 of the Housing Act of 1949 to revise the census data and population requirements for areas to be considered as rural areas for purposes of such Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BARRASSO (for himself, Mr. ENZI, Mr. INHOFE, and Mr. ROBERTS):

S. 767. A bill to amend title II of the Social Security Act to provide for Congressional oversight and approval of totalization agreements; to the Committee on Finance.

By Mr. LEE (for himself, Mr. CRUZ, and Mr. PAUL):

S. 768. A bill to treat gold and silver coins used as legal tender in the same manner as United States currency for taxation purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Ms. STABENOW, Mr. UDALL of Colorado, Mr. WARREN, Mr. BENNET, Mr. REED, Mr. WHITEHOUSE, Mr. SANDERS, Mr. HARKIN, Mrs. BOXER, Mrs. MURRAY, and Mr. CARDIN):

S. 769. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 770. A bill to authorize the Secretary of the Interior to conduct a special resource study of President Station in Baltimore, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 771. A bill to provide to the Secretary of the Interior a mechanism to cancel contracts for the sale of materials CA-20139 and CA-22901, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON (for himself, Mr. RUBIO, Ms. LANDRIEU, Mr. TESTER, Mr. CASEY, and Mr. VITTER):

S. 772. A bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico (for himself, Mr. CRAPO, Mr. HEINRICH, Mr. BENNET, Mr. UDALL of Colorado, and Mr. RISCH):

S. 773. A bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BLUNT, Mr. BURR, Mrs. FEINSTEIN, Mr. CHAMBLISS, Mr. UDALL of Colorado, Mr. RISCH, Mr. ROBERTS, Ms. HIRONO, Mr. ROCKEFELLER, Mr. NELSON, Ms. COLLINS, Mr. KING, Mr. RUBIO, Mr. COBURN, Mr. COATS, Mr. WYDEN, Mr. HEINRICH, Mr. COCHRAN, Mr. DURBIN, Mr. MANCHIN, Mr. CARDIN, Mr. KAINE, and Mr. SCHATZ):

S.J. Res. 13. A joint resolution amending title 36, United States Code, to designate July 26 as United States Intelligence Professionals Day; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. Res. 102. A resolution expressing support for the designation of Saint Louis, Missouri, as the "National Chess Capital" of the United States to enhance awareness of the educational benefits of chess and to encourage schools and community centers to engage in chess programs to promote problem-solving, critical thinking, spatial awareness, and goal setting; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID:

S. Res. 103. A resolution to authorize representation by the Senate Legal Counsel in the case of *Steve Schonberg v. Senator Mitch McConnell, et al*; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 200

At the request of Ms. MURKOWSKI, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 200, a bill to amend title 38, United States Code, to authorize the interment in national cemeteries under the control of the National Cemetery Administration of individuals who served in combat support of the Armed Forces in the Kingdom of Laos between February 28, 1961, and May 15, 1975, and for other purposes.

S. 226

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 294

At the request of Mr. TESTER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 345

At the request of Mrs. SHAHEEN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 345, a bill to reform the Federal sugar program, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 468

At the request of Mr. ROCKEFELLER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 468, a bill to protect the health care and pension benefits of our nation's miners.

S. 475

At the request of Mr. HARKIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 475, a bill to reauthorize the Special Olympics Sport and Empowerment Act

of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 603

At the request of Mr. BARRASSO, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 621

At the request of Mr. MANCHIN, the names of the Senator from Florida (Mr. NELSON) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 621, a bill to amend the Controlled Substances Act to make any substance containing hydrocodone a schedule II drug.

S. 632

At the request of Mr. MCCAIN, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 632, a bill to amend the Food, Conservation, and Energy Act of 2008 to repeal a duplicative program relating to inspection and grading of catfish.

S. 679

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 679, a bill to promote local and regional farm and food systems, and for other purposes.

S. 687

At the request of Mr. MORAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 687, a bill to prohibit the closing of air traffic control towers, and for other purposes.

S. 707

At the request of Mr. REED, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 707, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans.

S. 709

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. LAUTENBERG) 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. 720

At the request of Mr. THUNE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 720, a bill to amend the Internal Revenue Code of 1986 to provide for taxpayers making donations with their returns of income tax to the Federal Government to pay down the public debt.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Mississippi

(Mr. COCHRAN) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 733

At the request of Mr. ALEXANDER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 733, a bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes.

S. 734

At the request of Mr. NELSON, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 741

At the request of Mr. VITTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 741, a bill to extend the authorization of appropriations to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2017.

S. 743

At the request of Mr. ENZI, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from South Dakota (Mr. JOHNSON), the Senator from Missouri (Mr. BLUNT), the Senator from Rhode Island (Mr. REED), the Senator from Tennessee (Mr. CORKER), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Maine (Ms. COLLINS), the Senator from Arkansas (Mr. PRYOR), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Minnesota (Mr. FRANKEN), the Senator from Maryland (Mr. CARDIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from West Virginia (Mr. MANCHIN), the Senator from Michigan (Mr. LEVIN), the Senator from Iowa (Mr. HARKIN), the Senator from Hawaii (Ms. HIRONO), the Senator from Maine (Mr. KING), the Senator from Colorado (Mr. UDALL), the Senator from Massachusetts (Mr. COWAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Delaware (Mr. CARPER), the Senator from Virginia (Mr. WARNER) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 743, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. RES. 60

At the request of Mrs. BOXER, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Michigan (Mr. LEVIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 60, a resolution supporting women's reproductive health.

S. RES. 65

At the request of Mr. GRAHAM, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Nevada (Mr. HELLER) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 90

At the request of Mr. COONS, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 90, a resolution standing with the people of Kenya following their national and local elections on March 4, 2013, and urging a peaceful and credible resolution of electoral disputes in the courts.

AMENDMENT NO. 72

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mrs. FISCHER) was withdrawn as a cosponsor of amendment No. 72 proposed to H.R. 933, "An Act making consolidated appropriations and further continuing appropriations for the fiscal year ending September 30, 2013."

AMENDMENT NO. 733

At the request of Ms. STABENOW, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of amendment No. 733 intended to be proposed to S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 764. A bill to amend title XXVII of the Public Health Service Act to require the disclosure of information regarding how certain taxes and fees impact the amount of premiums, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

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

S. 764

*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 "Patients' Right to Know Act of 2013".

SEC. 2. DISCLOSURE OF HEALTH INSURANCE INFORMATION TO CONSUMERS.

(a) IN GENERAL.—Section 2715 of the Public Health Service Act (42 U.S.C. 300gg-15) is amended by adding at the end the following new subsection:

“(h) DISCLOSURE OF HEALTH INSURANCE INFORMATION TO CONSUMERS.—

“(1) IN GENERAL.—A health insurance issuer or sponsor of a group health plan, through its annual summary of benefits and coverage explanation provided under subsection (d), through an Internet website, or through some other written means of communication with the consumer such as a printed mailing—

“(A) shall include the disclosure (effective for plan years beginning on or after January 1, 2016, and in addition to the information required to be disclosed under this section) of—

“(i) the applicable additional information relating to fees described in paragraph (2); and

“(ii) the applicable additional information included under paragraph (3)(D); and

“(B) shall not be subject to any administrative action by the Secretary or by a State authority with respect to any disclosure made on or after the date of the enactment of this subsection of such applicable additional information if the disclosure is made based upon a good faith estimates of such information and is in accordance with such standards as the Secretary may establish to carry out this subsection.

“(2) FEE INFORMATION.—The additional information described in this paragraph, with respect to a health insurance issuer issuing health insurance coverage in the individual, small, or large group market and with respect to the sponsor of a group health plan, is as follows:

“(A) FEE ON HEALTH INSURANCE PROVIDERS.—The annual fee on health insurance providers under section 9010 of the Patient Protection and Affordable Care Act (26 U.S.C. 4001 note).

“(B) PCORI TAX.—Fees imposed under subchapter B of chapter 34 of the Internal Revenue Code of 1986 (relating to funding the Patient-Centered Outcome Research Institute).

“(C) REINSURANCE CONTRIBUTIONS.—Reinsurance contributions required under section 1341(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 18061(b)).

“(D) PROPOSED HEALTH INSURANCE EXCHANGE USER FEE.—Fees imposed on health plans relating to participation in an Exchange under subtitle D of title I of the Patient Protection and Affordable Care Act (42 U.S.C. 18021 et seq.).

“(E) RISK CORRIDOR PAYMENTS.—Risk corridor payments required under section 1342(b)(2) of the Patient Protection and Affordable Care Act (42 U.S.C. 18062(b)(2)).

“(F) RISK ADJUSTMENT CHARGES.—Risk adjustment charges imposed under section 1343(a)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18063(a)(1)).

In the case of health insurance coverage, such costs may be calculated separately for such coverage in the individual market, in the small group market, and in the large group market for the health insurance issuer involved.

“(3) OTHER INFORMATION.—

“(A) STUDY.—The Comptroller General of the United States shall conduct a study of methods of calculating the impact on average premium costs associated with each of the following:

“(i) MARKET IMPACT OF GUARANTEED ISSUE AND COMMUNITY RATING.—The requirement for guaranteed issuance of coverage under section 2702 and community rated premiums under section 2701.

“(ii) AGE RATING IMPACT.—The requirement of section 2701(a)(1)(A)(iii) (relating to limitations on age rating).

“(iii) PREVENTIVE SERVICES.—The requirement for coverage of preventive services under section 2713.

“(iv) MINIMUM ESSENTIAL HEALTH BENEFITS COVERAGE.—The requirement that coverage provide for at least 60 percent of the actuarial value of essential health benefits under section 1302(d) of the Patient Protection and Affordable Care Act. (42 U.S.C. 18022(d)).

“(B) CONSULTATION.—In conducting such study, the Comptroller General shall consult with health insurance issuers and State health insurance commissioners.

“(C) REPORT.—Not later than October 1, 2014, the Comptroller General shall submit to each House of Congress and the Secretary a report on the study conducted under subparagraph (A).

“(D) INCLUSION OF ADDITIONAL INFORMATION.—After submission of such report, the Secretary may also include in the information required to be disclosed under paragraph (1)(A)(ii) information on the impact on premiums of each of the requirements described in subparagraph (A).

“(4) RETENTION OF STATE RATE SETTING AUTHORITY.—Nothing in this subsection shall be construed to preempt State authority to regulate, reject, alter, or require additional information in support of rates for health insurance coverage or oversight authority of the Secretary.

“(5) DISCLOSURE TO THE GENERAL PUBLIC.—The Secretary shall make the information provided by a health insurance issuer or sponsor of a group health plan as specified in paragraph (2) and additional information included under paragraph (3)(D) available to the general public through an Internet website. In addition, such website shall include information provided in the report submitted under paragraph (3)(A).”.

By Mr. DURBIN (for himself, Ms. STABENOW, Mr. UDALL of Colorado, Ms. WARREN, Mr. BENNET, Mr. REED, Mr. WHITEHOUSE, Mr. SANDERS, Mr. HARKIN, Mrs. BOXER, Mrs. MURRAY, and Mr. CARDIN):

S. 769. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, I rise today to introduce America's Red Rock Wilderness Act of 2013. This legislation continues our commitment to preserve natural resources in this country.

America's Red Rock Wilderness Act will designate as wilderness some of our Nation's most remarkable, but currently unprotected public lands. Bureau of Land Management, BLM, lands in Utah harbor some of the largest and most remarkable roadless desert areas anywhere in the world. Included in the

9.2 million acres I seek to protect are well known landscapes, such as the Grand Staircase-Escalante National Monument, and lesser known areas just outside Zion National Park, Canyonlands National Park, and Arches National Park. Together this wild landscape offers spectacular vistas of rare rock formations, canyons and desert lands, important archaeological sites, and habitat for rare plant and animal species.

I have visited many of the areas this act would designate as wilderness. I can tell you that the natural beauty of these landscapes is a compelling reason for Congress to grant these lands wilderness protection. I have the honor of introducing legislation first introduced by my friend and former colleague in the House of Representatives, Wayne Owens. As a member of the Utah delegation, Congressman Owens pioneered the Congressional effort to protect Utah's red rock wilderness. He did this with broad public support, which still exists not only in Utah, but in all corners of the Nation.

The wilderness designated in this bill was chosen based on more than 20 years of meticulous research and surveying. Volunteers have taken inventories of thousands of square miles of BLM land in Utah to help determine which lands should be protected. These volunteers provided extensive documentation to ensure that these areas meet Federal wilderness criteria. The BLM also completed an inventory of approximately 7.5 million acres of the land that would be protected by America's Red Rock Wilderness Act and agreed that the vast majority qualify for wilderness designation.

For more than 20 years, Utah conservationists have been working to add the last great blocks of undeveloped BLM-administered land in Utah to the National Wilderness Preservation System. The more than 9 million acres of lands that would be protected by this legislation surround eleven of Utah's national park, monument and recreation areas. These proposed BLM wilderness areas easily equal their neighboring national parklands in scenic beauty, opportunities for recreation, and ecological importance. Yet, unlike the parks, most of these scenic treasures lack any form of long-term protection from commercial development, damaging off-road vehicle use, or oil and gas exploration.

Americans understand the need for wise stewardship of these wild landscapes. This legislation represents a realistic balance between the need to protect our natural heritage and demand for energy. While wilderness designation has been portrayed as a barrier to energy independence, it is important to note that within the entire 9.2 million acres of America's Red Rock Wilderness Act the amount of “technically recoverable” undiscovered natural gas and oil resources amounts to roughly 6 days of oil and a little more than three weeks of natural gas at cur-

rent consumption levels. In fact, protecting these lands benefits local economies because of the recreational opportunities they provide. In fact, for many Utah cities and counties, outdoor recreation is the largest sector of the local economy providing up to 44 percent of non-government jobs in the region.

Unfortunately, scientists have already begun to see the impacts of global warming on public lands throughout the West. Hotter and drier conditions, larger wildfires, shrinking water resources, the spread of invasive species, soil erosion, and dust storms are all expected to increase over the next century. These threats make the need to protect the remaining undisturbed landscapes and wildlife habitats in Utah's red rock wilderness even more urgent.

America's Red Rock Wilderness Act is a lasting gift to the American public. By protecting this serene yet wild land we are giving future generations the opportunity to enjoy the same untrammelled landscape that so many now cherish.

I would like to thank my colleagues who are original cosponsors of this measure. Original cosponsors are DEBBIE STABENOW, MARK UDALL, ELIZABETH WARREN, MICHAEL BENNET, JACK REED, SHELDON WHITEHOUSE, BERNARD SANDERS, TOM HARKIN, BARBARA BOXER, PATTY MURRAY, and BENJAMIN CARDIN. Additionally, I would like to thank the Utah Wilderness Coalition, which includes The Wilderness Society, the Sierra Club, the Natural Resources Defense Council, Earthjustice, and the Wasatch Mountain Club, the Southern Utah Wilderness Alliance, the Outdoor Industry Association and all of the other national, regional and local, hard-working groups who, for years, have championed this legislation.

Theodore Roosevelt once stated:

The Nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased and not impaired in value.

Enactment of this legislation will help us realize Roosevelt's vision. To protect these precious resources in Utah for future generations, I urge my colleagues to support America's Red Rock Wilderness Act.

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. 769

*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 “America's Red Rock Wilderness Act of 2013”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

**TITLE I—DESIGNATION OF WILDERNESS AREAS**

Sec. 101. Great Basin Wilderness Areas.

- Sec. 102. Grand Staircase-Escalante Wilderness Areas.
- Sec. 103. Moab-La Sal Canyons Wilderness Areas.
- Sec. 104. Henry Mountains Wilderness Areas.
- Sec. 105. Glen Canyon Wilderness Areas.
- Sec. 106. San Juan-Anasazi Wilderness Areas.
- Sec. 107. Canyonlands Basin Wilderness Areas.
- Sec. 108. San Rafael Swell Wilderness Areas.
- Sec. 109. Book Cliffs and Uinta Basin Wilderness Areas.

**TITLE II—ADMINISTRATIVE PROVISIONS**

- Sec. 201. General provisions.
- Sec. 202. Administration.
- Sec. 203. State school trust land within wilderness areas.
- Sec. 204. Water.
- Sec. 205. Roads.
- Sec. 206. Livestock.
- Sec. 207. Fish and wildlife.
- Sec. 208. Management of newly acquired land.
- Sec. 209. Withdrawal.

**SEC. 2. DEFINITIONS.**

In this Act:

- (1) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Land Management.
- (2) STATE.—The term “State” means the State of Utah.

**TITLE I—DESIGNATION OF WILDERNESS AREAS**

**SEC. 101. GREAT BASIN WILDERNESS AREAS.**

- (a) FINDINGS.—Congress finds that—
  - (1) the Great Basin region of western Utah is comprised of starkly beautiful mountain ranges that rise as islands from the desert floor;
  - (2) the Wah Wah Mountains in the Great Basin region are arid and austere, with massive cliff faces and leathery slopes speckled with piñon and juniper;
  - (3) the Pilot Range and Stansbury Mountains in the Great Basin region are high enough to draw moisture from passing clouds and support ecosystems found nowhere else on earth;
  - (4) from bristlecone pine, the world’s oldest living organism, to newly flowered mountain meadows, mountains of the Great Basin region are islands of nature that—
    - (A) support remarkable biological diversity; and
    - (B) provide opportunities to experience the colossal silence of the Great Basin; and
  - (5) the Great Basin region of western Utah should be protected and managed to ensure the preservation of the natural conditions of the region.
- (b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
  - (1) Antelope Range (approximately 17,000 acres).
  - (2) Barn Hills (approximately 20,000 acres).
  - (3) Black Hills (approximately 9,000 acres).
  - (4) Bullgrass Knoll (approximately 15,000 acres).
  - (5) Burbank Hills/Tunnel Spring (approximately 92,000 acres).
  - (6) Conger Mountains (approximately 21,000 acres).
  - (7) Crater Bench (approximately 35,000 acres).
  - (8) Crater and Silver Island Mountains (approximately 121,000 acres).
  - (9) Cricket Mountains Cluster (approximately 62,000 acres).
  - (10) Deep Creek Mountains (approximately 126,000 acres).
  - (11) Drum Mountains (approximately 39,000 acres).

- (12) Dugway Mountains (approximately 24,000 acres).
- (13) Essex Canyon (approximately 1,300 acres).
- (14) Fish Springs Range (approximately 64,000 acres).
- (15) Granite Peak (approximately 19,000 acres).
- (16) Grassy Mountains (approximately 23,000 acres).
- (17) Grouse Creek Mountains (approximately 15,000 acres).
- (18) House Range (approximately 201,000 acres).
- (19) Keg Mountains (approximately 38,000 acres).
- (20) Kern Mountains (approximately 15,000 acres).
- (21) King Top (approximately 110,000 acres).
- (22) Ledger Canyon (approximately 9,000 acres).
- (23) Little Goose Creek (approximately 1,200 acres).
- (24) Middle/Granite Mountains (approximately 80,000 acres).
- (25) Mount Escalante (approximately 18,000 acres).
- (26) Mountain Home Range (approximately 90,000 acres).
- (27) Newfoundland Mountains (approximately 22,000 acres).
- (28) Ochre Mountain (approximately 13,000 acres).
- (29) Oquirrh Mountains (approximately 9,000 acres).
- (30) Painted Rock Mountain (approximately 26,000 acres).
- (31) Paradise/Steamboat Mountains (approximately 144,000 acres).
- (32) Pilot Range (approximately 45,000 acres).
- (33) Red Tops (approximately 28,000 acres).
- (34) Rockwell-Little Sahara (approximately 21,000 acres).
- (35) San Francisco Mountains (approximately 39,000 acres).
- (36) Sand Ridge (approximately 73,000 acres).
- (37) Simpson Mountains (approximately 42,000 acres).
- (38) Snake Valley (approximately 100,000 acres).
- (39) Spring Creek Canyon (approximately 4,000 acres).
- (40) Stansbury Island (approximately 10,000 acres).
- (41) Stansbury Mountains (approximately 24,000 acres).
- (42) Thomas Range (approximately 36,000 acres).
- (43) Tule Valley (approximately 159,000 acres).
- (44) Wah Wah Mountains (approximately 167,000 acres).
- (45) Wasatch/Sevier Plateaus (approximately 29,000 acres).
- (46) White Rock Range (approximately 5,200 acres).

**SEC. 102. GRAND STAIRCASE-ESCALANTE WILDERNESS AREAS.**

- (a) GRAND STAIRCASE AREA.—
  - (1) FINDINGS.—Congress finds that—
    - (A) the area known as the Grand Staircase rises more than 6,000 feet in a series of great cliffs and plateaus from the depths of the Grand Canyon to the forested rim of Bryce Canyon;
    - (B) the Grand Staircase—
      - (i) spans 6 major life zones, from the lower Sonoran Desert to the alpine forest; and
      - (ii) encompasses geologic formations that display 3,000,000,000 years of Earth’s history;
    - (C) land managed by the Secretary lines the intricate canyon system of the Paria River and forms a vital natural corridor connection to the deserts and forests of those national parks;

- (D) land described in paragraph (2) (other than East of Bryce, Upper Kanab Creek, Moquith Mountain, Bunting Point, and Vermillion Cliffs) is located within the Grand Staircase-Escalante National Monument; and
- (E) the Grand Staircase in Utah should be protected and managed as a wilderness area.
- (2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
  - (A) Bryce View (approximately 4,500 acres).
  - (B) Bunting Point (approximately 11,000 acres).
  - (C) Canaan Mountain (approximately 16,000 acres in Kane County).
  - (D) Canaan Peak Slopes (approximately 2,300 acres).
  - (E) East of Bryce (approximately 750 acres).
  - (F) Glass Eye Canyon (approximately 24,000 acres).
  - (G) Ladder Canyon (approximately 14,000 acres).
  - (H) Moquith Mountain (approximately 16,000 acres).
  - (I) Nephi Point (approximately 14,000 acres).
  - (J) Orderville Canyon (approximately 9,200 acres).
  - (K) Paria-Hackberry (approximately 188,000 acres).
  - (L) Paria Wilderness Expansion (approximately 3,300 acres).
  - (M) Parunuweap Canyon (approximately 43,000 acres).
  - (N) Pine Hollow (approximately 11,000 acres).
  - (O) Slopes of Bryce (approximately 2,600 acres).
  - (P) Timber Mountain (approximately 51,000 acres).
  - (Q) Upper Kanab Creek (approximately 49,000 acres).
  - (R) Vermillion Cliffs (approximately 26,000 acres).
  - (S) Willis Creek (approximately 21,000 acres).
- (b) KAIPAROWITS PLATEAU.—
  - (1) FINDINGS.—Congress finds that—
    - (A) the Kaiparowits Plateau east of the Paria River is 1 of the most rugged and isolated wilderness regions in the United States;
    - (B) the Kaiparowits Plateau, a windswept land of harsh beauty, contains distant vistas and a remarkable variety of plant and animal species;
    - (C) ancient forests, an abundance of big game animals, and 22 species of raptors thrive undisturbed on the grassland mesa tops of the Kaiparowits Plateau;
    - (D) each of the areas described in paragraph (2) (other than Heaps Canyon, Little Valley, and Wide Hollow) is located within the Grand Staircase-Escalante National Monument; and
    - (E) the Kaiparowits Plateau should be protected and managed as a wilderness area.
  - (2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
    - (A) Andalex Not (approximately 18,000 acres).
    - (B) The Blues (approximately 21,000 acres).
    - (C) Box Canyon (approximately 2,800 acres).
    - (D) Burning Hills (approximately 80,000 acres).
    - (E) Carcass Canyon (approximately 83,000 acres).
    - (F) The Cockscomb (approximately 11,000 acres).

(G) Fiftymile Bench (approximately 12,000 acres).

(H) Fiftymile Mountain (approximately 203,000 acres).

(I) Heaps Canyon (approximately 4,000 acres).

(J) Horse Spring Canyon (approximately 31,000 acres).

(K) Kodachrome Headlands (approximately 10,000 acres).

(L) Little Valley Canyon (approximately 4,000 acres).

(M) Mud Spring Canyon (approximately 65,000 acres).

(N) Nipple Bench (approximately 32,000 acres).

(O) Paradise Canyon-Wahweap (approximately 262,000 acres).

(P) Rock Cove (approximately 16,000 acres).

(Q) Warm Creek (approximately 23,000 acres).

(R) Wide Hollow (approximately 6,800 acres).

(c) ESCALANTE CANYONS.—

(1) FINDINGS.—Congress finds that—

(A) glens and coves carved in massive sandstone cliffs, spring-watered hanging gardens, and the silence of ancient Anasazi ruins are examples of the unique features that entice hikers, campers, and sightseers from around the world to Escalante Canyon;

(B) Escalante Canyon links the spruce fir forests of the 11,000-foot Aquarius Plateau with winding slickrock canyons that flow into Glen Canyon;

(C) Escalante Canyon, 1 of Utah's most popular natural areas, contains critical habitat for deer, elk, and wild bighorn sheep that also enhances the scenic integrity of the area;

(D) each of the areas described in paragraph (2) is located within the Grand Staircase-Escalante National Monument; and

(E) Escalante Canyon should be protected and managed as a wilderness area.

(2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(A) Brinkerhof Flats (approximately 3,000 acres).

(B) Colt Mesa (approximately 28,000 acres).

(C) Death Hollow (approximately 49,000 acres).

(D) Forty Mile Gulch (approximately 6,600 acres).

(E) Hurricane Wash (approximately 9,000 acres).

(F) Lampstand (approximately 7,900 acres).

(G) Muley Twist Flank (approximately 3,600 acres).

(H) North Escalante Canyons (approximately 176,000 acres).

(I) Pioneer Mesa (approximately 11,000 acres).

(J) Scorpion (approximately 53,000 acres).

(K) Sooner Bench (approximately 390 acres).

(L) Steep Creek (approximately 35,000 acres).

(M) Studhorse Peaks (approximately 24,000 acres).

**SEC. 103. MOAB-LA SAL CANYONS WILDERNESS AREAS.**

(a) FINDINGS.—Congress finds that—

(1) the canyons surrounding the La Sal Mountains and the town of Moab offer a variety of extraordinary landscapes;

(2) outstanding examples of natural formations and landscapes in the Moab-La Sal area include the huge sandstone fins of Behind the Rocks, the mysterious Fisher Towers, and the whitewater rapids of Westwater Canyon; and

(3) the Moab-La Sal area should be protected and managed as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Arches Adjacent (approximately 12,000 acres).

(2) Beaver Creek (approximately 41,000 acres).

(3) Behind the Rocks and Hunters Canyon (approximately 22,000 acres).

(4) Big Triangle (approximately 20,000 acres).

(5) Coyote Wash (approximately 28,000 acres).

(6) Dome Plateau-Professor Valley (approximately 35,000 acres).

(7) Fisher Towers (approximately 18,000 acres).

(8) Goldbar Canyon (approximately 9,000 acres).

(9) Granite Creek (approximately 5,000 acres).

(10) Mary Jane Canyon (approximately 25,000 acres).

(11) Mill Creek (approximately 14,000 acres).

(12) Porcupine Rim and Morning Glory (approximately 20,000 acres).

(13) Renegade Point (approximately 6,600 acres).

(14) Westwater Canyon (approximately 37,000 acres).

(15) Yellow Bird (approximately 4,200 acres).

**SEC. 104. HENRY MOUNTAINS WILDERNESS AREAS.**

(a) FINDINGS.—Congress finds that—

(1) the Henry Mountain Range, the last mountain range to be discovered and named by early explorers in the contiguous United States, still retains a wild and undiscovered quality;

(2) fluted badlands that surround the flanks of 11,000-foot Mounts Ellen and Pennell contain areas of critical habitat for mule deer and for the largest herd of free-roaming buffalo in the United States;

(3) despite their relative accessibility, the Henry Mountain Range remains 1 of the wildest, least-known ranges in the United States; and

(4) the Henry Mountain range should be protected and managed to ensure the preservation of the range as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Bull Mountain (approximately 16,000 acres).

(2) Bullfrog Creek (approximately 35,000 acres).

(3) Dogwater Creek (approximately 3,400 acres).

(4) Fremont Gorge (approximately 20,000 acres).

(5) Long Canyon (approximately 16,000 acres).

(6) Mount Ellen-Blue Hills (approximately 140,000 acres).

(7) Mount Hillers (approximately 21,000 acres).

(8) Mount Pennell (approximately 147,000 acres).

(9) Notom Bench (approximately 6,200 acres).

(10) Oak Creek (approximately 1,700 acres).

(11) Ragged Mountain (approximately 28,000 acres).

**SEC. 105. GLEN CANYON WILDERNESS AREAS.**

(a) FINDINGS.—Congress finds that—

(1) the side canyons of Glen Canyon, including the Dirty Devil River and the Red, White and Blue Canyons, contain some of the most remote and outstanding landscapes in southern Utah;

(2) the Dirty Devil River, once the fortress hideout of outlaw Butch Cassidy's Wild Bunch, has sculpted a maze of slickrock canyons through an imposing landscape of monoliths and inaccessible mesas;

(3) the Red and Blue Canyons contain colorful Chinle/Moenkopi badlands found nowhere else in the region; and

(4) the canyons of Glen Canyon in the State should be protected and managed as wilderness areas.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Cane Spring Desert (approximately 18,000 acres).

(2) Dark Canyon (approximately 134,000 acres).

(3) Dirty Devil (approximately 242,000 acres).

(4) Fiddler Butte (approximately 92,000 acres).

(5) Flat Tops (approximately 30,000 acres).

(6) Little Rockies (approximately 64,000 acres).

(7) The Needle (approximately 11,000 acres).

(8) Red Rock Plateau (approximately 213,000 acres).

(9) White Canyon (approximately 98,000 acres).

**SEC. 106. SAN JUAN-ANASAZI WILDERNESS AREAS.**

(a) FINDINGS.—Congress finds that—

(1) more than 1,000 years ago, the Anasazi Indian culture flourished in the slickrock canyons and on the piñon-covered mesas of southeastern Utah;

(2) evidence of the ancient presence of the Anasazi pervades the Cedar Mesa area of the San Juan-Anasazi area where cliff dwellings, rock art, and ceremonial kivas embellish sandstone overhangs and isolated benchlands;

(3) the Cedar Mesa area is in need of protection from the vandalism and theft of its unique cultural resources;

(4) the Cedar Mesa wilderness areas should be created to protect both the archaeological heritage and the extraordinary wilderness, scenic, and ecological values of the United States; and

(5) the San Juan-Anasazi area should be protected and managed as a wilderness area to ensure the preservation of the unique and valuable resources of that area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Allen Canyon (approximately 5,900 acres).

(2) Arch Canyon (approximately 30,000 acres).

(3) Comb Ridge (approximately 15,000 acres).

(4) East Montezuma (approximately 45,000 acres).

(5) Fish and Owl Creek Canyons (approximately 73,000 acres).

(6) Grand Gulch (approximately 159,000 acres).

(7) Hammond Canyon (approximately 4,400 acres).

(8) Nokai Dome (approximately 93,000 acres).

(9) Road Canyon (approximately 63,000 acres).

(10) San Juan River (Sugarloaf) (approximately 15,000 acres).

(11) The Tabernacle (approximately 7,000 acres).

(12) Valley of the Gods (approximately 21,000 acres).

**SEC. 107. CANYONLANDS BASIN WILDERNESS AREAS.**

(a) FINDINGS.—Congress finds that—  
 (1) Canyonlands National Park safeguards only a small portion of the extraordinary red-hued, cliff-walled canyonland region of the Colorado Plateau;

(2) areas near Arches National Park and Canyonlands National Park contain canyons with rushing perennial streams, natural arches, bridges, and towers;

(3) the gorges of the Green and Colorado Rivers lie on adjacent land managed by the Secretary;

(4) popular overlooks in Canyonlands National Park and Dead Horse Point State Park have views directly into adjacent areas, including Lockhart Basin and Indian Creek; and

(5) designation of those areas as wilderness would ensure the protection of this erosional masterpiece of nature and of the rich pockets of wildlife found within its expanded boundaries.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Bridger Jack Mesa (approximately 33,000 acres).

(2) Butler Wash (approximately 27,000 acres).

(3) Dead Horse Cliffs (approximately 5,300 acres).

(4) Demon's Playground (approximately 3,700 acres).

(5) Duma Point (approximately 14,000 acres).

(6) Gooseneck (approximately 9,000 acres).

(7) Hatch Point Canyons/Lockhart Basin (approximately 149,000 acres).

(8) Horsethief Point (approximately 15,000 acres).

(9) Indian Creek (approximately 28,000 acres).

(10) Labyrinth Canyon (approximately 150,000 acres).

(11) San Rafael River (approximately 101,000 acres).

(12) Shay Mountain (approximately 14,000 acres).

(13) Sweetwater Reef (approximately 69,000 acres).

(14) Upper Horseshoe Canyon (approximately 60,000 acres).

**SEC. 108. SAN RAFAEL SWELL WILDERNESS AREAS.**

(a) FINDINGS.—Congress finds that—  
 (1) the San Rafael Swell towers above the desert like a castle, ringed by 1,000-foot ramparts of Navajo Sandstone;

(2) the highlands of the San Rafael Swell have been fractured by uplift and rendered hollow by erosion over countless millennia, leaving a tremendous basin punctuated by mesas, buttes, and canyons and traversed by sediment-laden desert streams;

(3) among other places, the San Rafael wilderness offers exceptional back country opportunities in the colorful Wild Horse Badlands, the monoliths of North Caineville Mesa, the rock towers of Cliff Wash, and colorful cliffs of Humbug Canyon;

(4) the mountains within these areas are among Utah's most valuable habitat for desert bighorn sheep; and

(5) the San Rafael Swell area should be protected and managed to ensure its preservation as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Cedar Mountain (approximately 15,000 acres).

(2) Devils Canyon (approximately 23,000 acres).

(3) Eagle Canyon (approximately 38,000 acres).

(4) Factory Butte (approximately 22,000 acres).

(5) Hondu Country (approximately 20,000 acres).

(6) Jones Bench (approximately 2,800 acres).

(7) Limestone Cliffs (approximately 25,000 acres).

(8) Lost Spring Wash (approximately 37,000 acres).

(9) Mexican Mountain (approximately 100,000 acres).

(10) Molen Reef (approximately 33,000 acres).

(11) Muddy Creek (approximately 240,000 acres).

(12) Mussentuchit Badlands (approximately 25,000 acres).

(13) Pleasant Creek Bench (approximately 1,100 acres).

(14) Price River-Humbug (approximately 120,000 acres).

(15) Red Desert (approximately 40,000 acres).

(16) Rock Canyon (approximately 18,000 acres).

(17) San Rafael Knob (approximately 15,000 acres).

(18) San Rafael Reef (approximately 114,000 acres).

(19) Sids Mountain (approximately 107,000 acres).

(20) Upper Muddy Creek (approximately 19,000 acres).

(21) Wild Horse Mesa (approximately 92,000 acres).

**SEC. 109. BOOK CLIFFS AND UINTA BASIN WILDERNESS AREAS.**

(a) FINDINGS.—Congress finds that—

(1) the Book Cliffs and Uinta Basin wilderness areas offer—

(A) unique big game hunting opportunities in verdant high-plateau forests;

(B) the opportunity for float trips of several days duration down the Green River in Desolation Canyon; and

(C) the opportunity for calm water canoe weekends on the White River;

(2) the long rampart of the Book Cliffs bounds the area on the south, while seldom-visited uplands, dissected by the rivers and streams, slope away to the north into the Uinta Basin;

(3) bears, bighorn sheep, cougars, elk, and mule deer flourish in the back country of the Book Cliffs; and

(4) the Book Cliffs and Uinta Basin areas should be protected and managed to ensure the protection of the areas as wilderness.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System.

(1) Bourdette Draw (approximately 15,000 acres).

(2) Bull Canyon (approximately 2,800 acres).

(3) Chipeta (approximately 95,000 acres).

(4) Dead Horse Pass (approximately 8,000 acres).

(5) Desbrough Canyon (approximately 13,000 acres).

(6) Desolation Canyon (approximately 555,000 acres).

(7) Diamond Breaks (approximately 9,000 acres).

(8) Diamond Canyon (approximately 166,000 acres).

(9) Diamond Mountain (also known as "Wild Mountain") (approximately 27,000 acres).

(10) Dinosaur Adjacent (approximately 10,000 acres).

(11) Goslin Mountain (approximately 4,900 acres).

(12) Hideout Canyon (approximately 12,000 acres).

(13) Lower Bitter Creek (approximately 14,000 acres).

(14) Lower Flaming Gorge (approximately 21,000 acres).

(15) Mexico Point (approximately 15,000 acres).

(16) Moonshine Draw (also known as "Daniels Canyon") (approximately 10,000 acres).

(17) Mountain Home (approximately 9,000 acres).

(18) O-Wi-Yu-Kuts (approximately 13,000 acres).

(19) Red Creek Badlands (approximately 3,600 acres).

(20) Seep Canyon (approximately 21,000 acres).

(21) Sunday School Canyon (approximately 18,000 acres).

(22) Survey Point (approximately 8,000 acres).

(23) Turtle Canyon (approximately 39,000 acres).

(24) White River (approximately 23,000 acres).

(25) Winter Ridge (approximately 38,000 acres).

(26) Wolf Point (approximately 15,000 acres).

**TITLE II—ADMINISTRATIVE PROVISIONS**

**SEC. 201. GENERAL PROVISIONS.**

(a) NAMES OF WILDERNESS AREAS.—Each wilderness area named in title I shall—

(1) consist of the quantity of land referenced with respect to that named area, as generally depicted on the map entitled "Utah BLM Wilderness"; and

(2) be known by the name given to it in title I.

(b) MAP AND DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated by this Act with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—A map and legal description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the Office of the Director of the Bureau of Land Management.

**SEC. 202. ADMINISTRATION.**

Subject to valid rights in existence on the date of enactment of this Act, each wilderness area designated under this Act shall be administered by the Secretary in accordance with—

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) the Wilderness Act (16 U.S.C. 1131 et seq.).

**SEC. 203. STATE SCHOOL TRUST LAND WITHIN WILDERNESS AREAS.**

(a) IN GENERAL.—Subject to subsection (b), if State-owned land is included in an area designated by this Act as a wilderness area, the Secretary shall offer to exchange land owned by the United States in the State of approximately equal value in accordance with section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) and section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)).

(b) MINERAL INTERESTS.—The Secretary shall not transfer any mineral interests

under subsection (a) unless the State transfers to the Secretary any mineral interests in land designated by this Act as a wilderness area.

#### SEC. 204. WATER.

(a) RESERVATION.—

(1) WATER FOR WILDERNESS AREAS.—

(A) IN GENERAL.—With respect to each wilderness area designated by this Act, Congress reserves a quantity of water determined by the Secretary to be sufficient for the wilderness area.

(B) PRIORITY DATE.—The priority date of a right reserved under subparagraph (A) shall be the date of enactment of this Act.

(2) PROTECTION OF RIGHTS.—The Secretary and other officers and employees of the United States shall take any steps necessary to protect the rights reserved by paragraph (1)(A), including the filing of a claim for the quantification of the rights in any present or future appropriate stream adjudication in the courts of the State—

(A) in which the United States is or may be joined; and

(B) that is conducted in accordance with section 208 of the Department of Justice Appropriation Act, 1953 (66 Stat. 560, chapter 651).

(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in this Act relinquishes or reduces any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(c) ADMINISTRATION.—

(1) SPECIFICATION OF RIGHTS.—The Federal water rights reserved by this Act are specific to the wilderness areas designated by this Act.

(2) NO PRECEDENT ESTABLISHED.—Nothing in this Act related to reserved Federal water rights—

(A) shall establish a precedent with regard to any future designation of water rights; or

(B) shall affect the interpretation of any other Act or any designation made under any other Act.

#### SEC. 205. ROADS.

(a) SETBACKS.—

(1) MEASUREMENT IN GENERAL.—A setback under this section shall be measured from the center line of the road.

(2) WILDERNESS ON 1 SIDE OF ROADS.—Except as provided in subsection (b), a setback for a road with wilderness on only 1 side shall be set at—

(A) 300 feet from a paved Federal or State highway;

(B) 100 feet from any other paved road or high standard dirt or gravel road; and

(C) 30 feet from any other road.

(3) WILDERNESS ON BOTH SIDES OF ROADS.—Except as provided in subsection (b), a setback for a road with wilderness on both sides (including cherry-stems or roads separating 2 wilderness units) shall be set at—

(A) 200 feet from a paved Federal or State highway;

(B) 40 feet from any other paved road or high standard dirt or gravel road; and

(C) 10 feet from any other roads.

(b) SETBACK EXCEPTIONS.—

(1) WELL-DEFINED TOPOGRAPHICAL BARRIERS.—If, between the road and the boundary of a setback area described in paragraph (2) or (3) of subsection (a), there is a well-defined cliff edge, stream bank, or other topographical barrier, the Secretary shall use the barrier as the wilderness boundary.

(2) FENCES.—If, between the road and the boundary of a setback area specified in paragraph (2) or (3) of subsection (a), there is a fence running parallel to a road, the Secretary shall use the fence as the wilderness boundary if, in the opinion of the Secretary, doing so would result in a more manageable boundary.

(3) DEVIATIONS FROM SETBACK AREAS.—

(A) EXCLUSION OF DISTURBANCES FROM WILDERNESS BOUNDARIES.—In cases where there is an existing livestock development, dispersed camping area, borrow pit, or similar disturbance within 100 feet of a road that forms part of a wilderness boundary, the Secretary may delineate the boundary so as to exclude the disturbance from the wilderness area.

(B) LIMITATION ON EXCLUSION OF DISTURBANCES.—The Secretary shall make a boundary adjustment under subparagraph (A) only if the Secretary determines that doing so is consistent with wilderness management goals.

(C) DEVIATIONS RESTRICTED TO MINIMUM NECESSARY.—Any deviation under this paragraph from the setbacks required under in paragraph (2) or (3) of subsection (a) shall be the minimum necessary to exclude the disturbance.

(c) DELINEATION WITHIN SETBACK AREA.—The Secretary may delineate a wilderness boundary at a location within a setback under paragraph (2) or (3) of subsection (a) if, as determined by the Secretary, the delineation would enhance wilderness management goals.

#### SEC. 206. LIVESTOCK.

Within the wilderness areas designated under title I, the grazing of livestock authorized on the date of enactment of this Act shall be permitted to continue subject to such reasonable regulations and procedures as the Secretary considers necessary, as long as the regulations and procedures are consistent with—

(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) section 101(f) of the Arizona Desert Wilderness Act of 1990 (Public Law 101-628; 104 Stat. 4469).

#### SEC. 207. FISH AND WILDLIFE.

Nothing in this Act affects the jurisdiction of the State with respect to wildlife and fish on the public land located in the State.

#### SEC. 208. MANAGEMENT OF NEWLY ACQUIRED LAND.

Any land within the boundaries of a wilderness area designated under this Act that is acquired by the Federal Government shall—

(1) become part of the wilderness area in which the land is located; and

(2) be managed in accordance with this Act and other laws applicable to wilderness areas.

#### SEC. 209. WITHDRAWAL.

Subject to valid rights existing on the date of enactment of this Act, the Federal land referred to in title I is withdrawn from all forms of—

(1) entry, appropriation, or disposal under public law;

(2) location, entry, and patent under mining law; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 770. A bill to authorize the Secretary of the Interior to conduct a special resource study of President Station in Baltimore, Maryland, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CARDIN. Mr. President, today marks an important day in history as our nation continues to honor the sesquicentennial of the Civil War. There are many landmarks in my hometown of Baltimore that are significant to the

history of the Civil War that I believe are in the Nation's interests to protect for future generations to experience. As our nation pays tribute to this trying time in our nation's history, I am proud to re-introduce the President Street Station Study Act which would initiate the process for preserving one such landmark in the heart of Baltimore. President Street Station played a crucial role in the Civil War, the Underground Railroad, the growth of Baltimore's railroad industry, and is a historically significant landmark to the presidency of Abraham Lincoln.

The station was constructed for the Philadelphia, Wilmington, and Baltimore, PW&B, Railroad in 1849 and remains the oldest surviving big city railroad terminal in the United States. This historical structure is a unique architectural gem, arguably the first example and last survivor of the early barrel-vault train shed arches, also known as the Howe Truss. The arch-rib design became the blueprint for railroad bridges and roofs well into the 20th century and was replicated for every similarly designed train shed and roof for the next 20 years.

The growth of President Street Station and the PW&B railroad mirror the expansion of the railroad industry throughout the country in the latter half of the 19th century. This station played an essential role in making Baltimore the first railroad and sea-rail link in the nation and helped the city become the international port hub it is today.

In its heyday, President Street Station was the key link connecting Washington D.C. with the northeast States. Hundreds of passengers traveling north passed through this station and, by the start of the Civil War, Baltimore had become our Nation's major southern railroad hub. Not surprisingly, the station played a critical role in both the Civil War and the Underground Railroad.

Perhaps the most famous passenger to travel through the station was President Abraham Lincoln. He came through the station at least four times, including secretly on his way to his first inauguration in 1861. President-elect Lincoln was warned by a PW&B private detective of a possible assassination plot in Baltimore as he transferred trains. While it is unclear if this plot existed and posed a serious threat, Lincoln nevertheless was secretly smuggled aboard a train in the dead of night to complete his trip to Washington.

Just a few months later, President Street Station served as a backdrop for what many historians consider to be the first bloodshed of the Civil War. The Baltimore Riot of 1861 occurred when Lincoln called for Union volunteers to quell the rebellion at Fort Sumter in Charleston. On this day in history, April 19, 1861, Massachusetts and Pennsylvania volunteers were met and attacked by a mob of secessionist and Confederate sympathizers. The

bloody confrontation left four dead and 36 wounded. As the war continued, the Station remained a critical link for the Union. Troops and supplies from the north were regularly shuttled through the station to support Union soldiers.

It is well known that Maryland was a common starting point along the Underground Railroad and that many escaped slaves from Maryland's Eastern Shore plantations were destined for Baltimore and the President Street Station to travel North to freedom. A few weeks ago, President Barack Obama honored Maryland's own Harriet Tubman, the Underground Railroad's most famous "conductor" by establishing the Harriet Tubman Underground Railroad National Monument, the first National Monument to commemorate an African American woman. While she personally led dozens of people to freedom, her courage and fortitude also inspired others to find their own strength to seek freedom. President Street Station was indeed a station on this secret network. Prior to emancipation in 1863, several renowned escapees, including Frederick Douglass, William and Ellen Craft, and Henry "Box" Brown, traveled through the Station, risking their lives for a better and freer life.

Others' journeys for a better life also passed through President Street Station. From its beginning and into the 20th century, Baltimore was both a destination and departure point for immigrants. New arrivals from Ireland, Russia, and Europe arriving on the eastern seaboard traveled by way of the PW&B railroads to the west.

For decades, President Street Station has long been recognized as having an important place in history: In 1992, it was listed on the National Register of Historic Places and the city of Baltimore has dedicated it a local historical landmark. For many years it served as the Baltimore Civil War Museum, educating generations of people about the role Maryland and Baltimore played in the Civil War and the early history of the city. In recent years, the museum, run by dedicated volunteers from the Maryland Historical Society and Friends of President Street Station, have struggled to keep the station's doors open and keeping the station's character true to its historical roots. The area around President Street Station has changed dramatically over the decades, but the Station has worked to preserve its place in history. It has been many years since trains passed through the Presidents Street Station and it is clear that today the best use for this building is to preserve the building and use it to tell Station's American story.

President Street Station is one of America's historical treasures. As we commemorate the 152nd Anniversary of the Baltimore Riot and the start of National Park Week this weekend, we honor some of our country's greatest leaders and remember our own rich and innovative history. This bill authorizes

the Secretary of the Interior to conduct a special resource study of President Street Station to evaluate the suitability and feasibility of establishing the Station as a unit of the National Park Service. President Street Station, a contributor to the growth of the railroad, and a vital player in the Underground Railroad, Lincoln Presidency and Civil War, is part of this history. I urge my colleagues to join me in giving this station the recognition it deserves and support this bill.

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

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

S. 770

*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 "President Street Station Study Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) STUDY AREA.—The term "study area" means the President Street Station, a railroad terminal in Baltimore, Maryland, the history of which is tied to the growth of the railroad industry in the 19th century, the Civil War, the Underground Railroad, and the immigrant influx of the early 20th century.

#### SEC. 3. SPECIAL RESOURCE STUDY.

(a) STUDY.—The Secretary shall conduct a special resource study of the study area.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the study area;

(2) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(3) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(4) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals;

(5) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives; and

(6) identify any authorities that would compel or permit the Secretary to influence local land use decisions under the alternatives.

(c) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with section 8 of Public Law 91-383 (16 U.S.C. 1a-5).

(d) REPORT.—Not later than 3 years after the date on which funds are first made available for the study under subsection (a), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the results of the study; and

(2) any conclusions and recommendations of the Secretary.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 102—EX-PRESSING SUPPORT FOR THE DESIGNATION OF SAINT LOUIS, MISSOURI, AS THE "NATIONAL CHESS CAPITAL" OF THE UNITED STATES TO ENHANCE AWARENESS OF THE EDUCATIONAL BENEFITS OF CHESS AND TO ENCOURAGE SCHOOLS AND COMMUNITY CENTERS TO ENGAGE IN CHESS PROGRAMS TO PROMOTE PROBLEM-SOLVING, CRITICAL THINKING, SPATIAL AWARENESS, AND GOAL SETTING

Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 102

Whereas, in 2009 and 2011, the United States Chess Federation awarded Saint Louis, Missouri, the title of "Chess City of the Year" and, in 2010, the Chess Club and Scholastic Center of Saint Louis was named "Chess Club of the Year";

Whereas Saint Louis hosted the United States Chess Championship and United States Women's Chess Championship in 2009, 2010, 2011 and 2012 and the United States Junior Closed Chess Championship in 2010, 2011, and 2012, which are the three most prestigious, invitation-only chess tournaments in the United States;

Whereas the Chess Club and Scholastic Center of Saint Louis opened its doors in July 2008, and since that date, Saint Louis has become widely recognized as the emerging chess center of the United States;

Whereas chess promotes problem-solving, higher-level thinking skills, and improved self-esteem;

Whereas the Chess Club and Scholastic Center of Saint Louis brings the educational benefits of chess to thousands of students in more than 100 schools and community centers across the greater Saint Louis area, targeting more than 3,300 students in 2011 and 2012;

Whereas the Chess Club and Scholastic Center of Saint Louis offers free classes and lectures, weekly tournaments, private lessons, summer camps, and field trips to expose school-aged children to the benefits of chess;

Whereas the Chess Club and Scholastic Center of Saint Louis provides instructors, equipment, and curricula to after-school programs in the greater Saint Louis area;

Whereas the Chess Club and Scholastic Center of Saint Louis offers a coaching program to create a sustainable network of participating after-school chess programs; and

Whereas Saint Louis has become a hub for developing chess skills in students from across the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses support for the designation of Saint Louis, Missouri, as the "National Chess Capital" of the United States;

(2) encourages the people of Saint Louis to continue promoting the educational benefits of chess among school-aged children; and

(3) encourages all schools and community centers in the United States to engage in chess programs to promote problem-solving, critical thinking, spatial awareness, and goal setting.

SENATE RESOLUTION 103—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF STEVE SCHONBERG V. SENATOR MITCH MCCONNELL, ET AL

Mr. REID of Nevada submitted the following resolution; which was considered and agreed to:

S. RES. 103

Whereas, Senator Mitch McConnell, Vice President Joseph R. Biden, Jr., and Sergeant at Arms Terrance W. Gainer have been named as defendants in the case of Steve Schonberg v. Senator Mitch McConnell, et al., No. 3:13-cv-220, now pending in the United States District Court for the Western District of Kentucky;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members and officers of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized to represent Senator Mitch McConnell, Vice President Joseph R. Biden, Jr., and Sergeant at Arms Terrance W. Gainer in the case of Steve Schonberg v. Senator Mitch McConnell, et al.

AMENDMENTS SUBMITTED AND PROPOSED

SA 734. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table.

SA 735. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

SA 736. Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID of NV to the bill S. 649, supra; which was ordered to lie on the table.

SA 737. Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID of NV to the bill S. 649, supra; which was ordered to lie on the table.

SA 738. Ms. LANDRIEU (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 649, supra; which was ordered to lie on the table.

SA 739. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 649, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 734. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE IV—NATIONAL COMMISSION ON MASS VIOLENCE

SEC. 401. SHORT TITLE.

This title may be cited as the "National Commission on Mass Violence Act of 2013".

SEC. 402. NATIONAL COMMISSION ON MASS VIOLENCE.

(a) ESTABLISHMENT OF COMMISSION.—There is established a commission to be known as the National Commission on Mass Violence (in this title referred to as the "Commission") to study the availability and nature of firearms, including the means of acquiring firearms, issues relating to mental health, and all positive and negative impacts of the availability and nature of firearms on incidents of mass violence or in preventing mass violence.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The Commission shall be composed of 12 members, of whom—

(A) 6 members of the Commission shall be appointed by the Majority Leader of the Senate, in consultation with the Democratic leadership of the House of Representatives, 1 of whom shall serve as Chairman of the Commission; and

(B) 6 members of the Commission shall be appointed by the Speaker of the House of Representatives, in consultation with the Republican leadership of the Senate, 1 of whom shall serve as Vice Chairman of the Commission.

(2) PERSONS ELIGIBLE.—

(A) IN GENERAL.—The members appointed to the Commission shall include—

(i) well-known and respected individuals among their peers in their respective fields of expertise; and

(ii) not less than 1 non-elected individual from each of the following categories, who has expertise in the category, by both experience and training:

- (I) Firearms.
- (II) Mental health.
- (III) School safety.
- (IV) Mass media.

(B) EXPERTS.—In identifying the individuals to serve on the Commission, the appointing authorities shall take special care to identify experts in the fields described in section 403(a)(2).

(C) PARTY AFFILIATION.—Not more than 6 members of the Commission shall be from the same political party.

(3) COMPLETION OF APPOINTMENTS; VACANCIES.—Not later than 30 days after the date of enactment of this Act, the appointing authorities under paragraph (1) shall each make their respective appointments. Any vacancy that occurs during the life of the Commission shall not affect the powers of the Commission, and shall be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

(4) OPERATION OF THE COMMISSION.—

(A) MEETINGS.—

(i) IN GENERAL.—The Commission shall meet at the call of the Chairman.

(ii) INITIAL MEETING.—The initial meeting of the Commission shall be conducted not later than 30 days after the later of—

(I) the date of the appointment of the last member of the Commission; or

(II) the date on which appropriated funds are available for the Commission.

(B) QUORUM; VACANCIES; VOTING; RULES.—A majority of the members of the Commission shall constitute a quorum to conduct business, but the Commission may establish a lesser quorum for conducting hearings scheduled by the Commission. Each member of the Commission shall have 1 vote, and the vote of each member shall be accorded the same weight. The Commission may establish by majority vote any other rules for the conduct of the Commission's business, if such rules are not inconsistent with this title or other applicable law.

SEC. 403. DUTIES OF THE COMMISSION.

(a) STUDY.—

(1) IN GENERAL.—It shall be the duty of the Commission to conduct a comprehensive fac-

tual study of incidents of mass violence, including incidents of mass violence not involving firearms, in the context of the many acts of senseless mass violence that occur in the United States each year, in order to determine the root causes of such mass violence.

(2) MATTERS TO BE STUDIED.—In determining the root causes of these recurring and tragic acts of mass violence, the Commission shall study any matter that the Commission determines relevant to meeting the requirements of paragraph (1), including at a minimum—

(A) the role of schools, including the level of involvement and awareness of teachers and school administrators in the lives of their students and the availability of mental health and other resources and strategies to help detect and counter tendencies of students towards mass violence;

(B) the effectiveness of and resources available for school security strategies to prevent incidents of mass violence;

(C) the role of families and the availability of mental health and other resources and strategies to help families detect and counter tendencies toward mass violence;

(D) the effectiveness and use of, and resources available to, the mental health system in understanding, detecting, and countering tendencies toward mass violence, as well as the effects of treatments and therapies;

(E) whether medical doctors and other mental health professionals have the ability, without negative legal or professional consequences, to notify law enforcement officials when a patient is a danger to himself or others;

(F) the nature and impact of the alienation of the perpetrators of such incidents of mass violence from their schools, families, peer groups, and places of work;

(G) the role that domestic violence plays in causing incidents of mass violence;

(H) the effect of depictions of mass violence in the media, and any impact of such depictions on incidents of mass violence;

(I) the availability and nature of firearms, including the means of acquiring such firearms, and all positive and negative impacts of such availability and nature on incidents of mass violence or in preventing mass violence;

(J) the role of current prosecution rates in contributing to the availability of weapons that are used in mass violence;

(K) the availability of information regarding the construction of weapons, including explosive devices, and any impact of such information on such incidents of mass violence;

(L) the views of law enforcement officials, religious leaders, mental health experts, and other relevant officials on the root causes and prevention of mass violence;

(M) incidents in which firearms were used to stop mass violence; and

(N) any other area that the Commission determines contributes to the causes of mass violence.

(3) TESTIMONY OF VICTIMS AND SURVIVORS.—In determining the root causes of these recurring and tragic incidents of mass violence, the Commission shall, in accordance with section 404(a), take the testimony of victims and survivors to learn and memorialize their views and experiences regarding such incidents of mass violence.

(b) RECOMMENDATIONS.—Based on the findings of the study required under subsection (a), the Commission shall make recommendations to the President and Congress to address the causes of these recurring and tragic incidents of mass violence and to reduce such incidents of mass violence.

(c) REPORTS.—

(1) INTERIM REPORT.—Not later than 3 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress an interim report describing any initial recommendations of the Commission.

(2) FINAL REPORT.—Not later than 6 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress a comprehensive report of the findings and conclusions of the Commission, together with the recommendations of the Commission.

(3) SUMMARIES.—The report under paragraph (2) shall include a summary of—

(A) the reports submitted to the Commission by any entity under contract for research under section 404(e); and

(B) any other material relied on by the Commission in the preparation of the report.

**SEC. 404. POWERS OF THE COMMISSION.**

(a) HEARINGS.—

(1) IN GENERAL.—The Commission may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, and receive such evidence as the Commission considers advisable to carry out its duties under section 403.

(2) WITNESS EXPENSES.—Witnesses requested to appear before the Commission shall be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal agency such information as the Commission considers necessary to carry out its duties under section 403. Upon the request of the Commission, the head of such agency may furnish such information to the Commission.

(c) INFORMATION TO BE KEPT CONFIDENTIAL.—

(1) IN GENERAL.—The Commission shall be considered an agency of the Federal Government for purposes of section 1905 of title 18, United States Code, and any individual employed by any individual or entity under contract with the Commission under subsection (d) shall be considered an employee of the Commission for the purposes of section 1905 of title 18, United States Code.

(2) DISCLOSURE.—Information obtained by the Commission or the Attorney General under this title and shared with the Commission, other than information available to the public, shall not be disclosed to any person in any manner, except—

(A) to Commission employees or employees of any individual or entity under contract to the Commission under subsection (d) for the purpose of receiving, reviewing, or processing such information;

(B) upon court order; or

(C) when publicly released by the Commission in an aggregate or summary form that does not directly or indirectly disclose—

(i) the identity of any person or business entity; or

(ii) any information which could not be released under section 1905 of title 18, United States Code.

(d) CONTRACTING FOR RESEARCH.—The Commission may enter into contracts with any entity for research necessary to carry out the duties of the Commission under section 403.

**SEC. 405. COMMISSION PERSONNEL MATTERS.**

(a) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged

in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional employees as may be necessary to enable the Commission to perform its duties. The employment and termination of an executive director shall be subject to confirmation by a majority of the members of the Commission.

(2) COMPENSATION.—The executive director shall be compensated at a rate not to exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code. The Chairman may fix the compensation of other employees without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for such employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency, may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privilege.

(d) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals not to exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

**SEC. 406. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Commission and any agency of the Federal Government assisting the Commission in carrying out its duties under this title such sums as may be necessary to carry out the purposes of this title. Any sums appropriated shall remain available, without fiscal year limitation, until expended.

**SEC. 407. TERMINATION OF THE COMMISSION.**

The Commission shall terminate 30 days after the Commission submits the final report under section 403(c)(2).

**SA 735.** Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

Strike titles I and II and insert the following:

**TITLE I—KEEPING OUR SCHOOLS SAFE ACT**

**SEC. 101. SHORT TITLE.**

This title may be cited as the “Keeping Our Schools Safe Act of 2013”.

**SEC. 102. AUTHORIZATION FOR USE OF COPS GRANT FUNDS.**

(a) COMBATING TARGETED FIREARMS VIOLENCE AGAINST STUDENTS AND SCHOOL PERSONNEL.—Section 1701(b)(12) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(12)) is amended by striking “to combat school-related crime and disorder problems, gangs, and drug activities” and inserting “to combat targeted firearms violence against students and school personnel and other forms of school-related violent crime, gangs, and drug activities”.

(b) HIRING SCHOOL RESOURCE OFFICERS.—Notwithstanding any other provision of law, of amounts appropriated to the Attorney General for fiscal year 2014 for grants to hire additional career law enforcement officers under paragraph (2) of section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(2)), the Attorney General may use not more than 25 percent of such amounts for grants for school resource officers under paragraph (12) of such section 1701(b), as amended by subsection (a), which shall be awarded through a competitive process.

**SA 736.** Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID, of NV to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ———. EXPLOSIVE MATERIALS BACKGROUND CHECK ACT.**

(a) SHORT TITLE.—This section may be cited as the “Explosive Materials Background Check Act”.

(b) AMENDMENTS TO TITLE 18.—Chapter 40 of title 18, United States Code, is amended—

(1) in section 841—

(A) in subsection (d), by inserting “smokeless powder and black powder substitutes,” after “black powder.”; and

(B) in subsection (h), by striking “the business of”;

(2) in section 842—

(A) in subsection (d)—

(i) in paragraph (9), by striking the period and inserting a semicolon; and

(ii) inserting at the end the following:

“(10) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

“(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

“(B)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

“(11) has been convicted in any court of a misdemeanor crime of domestic violence.”;

(B) in subsection (i)—

(i) in paragraph (7), by inserting a semicolon after “person”;

(ii) inserting at the end the following:

“(8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

“(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

“(B)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

“(9) has been convicted in any court of a misdemeanor crime of domestic violence.”;

(3) in section 843(b)—

(A) by striking “Upon” and inserting “Except as provided in subsection (j), upon”;

(B) in paragraph (6), by striking “and” after the semicolon;

(C) in paragraph (7), by striking the period and inserting “; and”;

(D) by inserting at the end the following:

“(8) in the case of a limited permit holder, the applicant certifies the permit will only be used to purchase black powder, black powder substitute, and smokeless powder in which case the limitation in paragraph (7) shall not apply.”; and

(4) in section 845(a)—

(A) in paragraph (4), by striking “and components thereof”; and

(B) in paragraph (5), by striking “black powder in quantities not to exceed fifty pounds.”;

**SA 737.** Mr. REID (for Mr. LAUTENBERG) submitted an amendment intended to be proposed by Mr. REID, of NV to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . . . EXPLOSIVE MATERIALS BACKGROUND CHECK ACT.**

(a) **SHORT TITLE.**—This section may be cited as the “Explosive Materials Background Check Act”.

(b) **AMENDMENTS TO EXPLOSIVE MATERIALS PROVISIONS.**—

(1) **CHAPTER 40.**—Chapter 40 of title 18, United States Code, is amended—

(A) in section 841—

(i) in subsection (d), by inserting “smokeless powder and black powder substitutes,” after “black powder.”; and

(ii) in subsection (h), by striking “the business of”;

(B) in section 842—

(i) in subsection (d)—

(I) in paragraph (9), by striking the period and inserting a semicolon; and

(II) inserting at the end the following:

“(10) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

“(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

“(B) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(C) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

“(11) has been convicted in any court of a misdemeanor crime of domestic violence; or

“(12) has received actual notice of the Attorney General’s determination made pursuant to subsection (d)(1)(B) or (j) of section 843 of this title.”; and

(ii) in subsection (i)—

(I) in paragraph (7), by inserting a semicolon after “person”;

(II) inserting at the end the following:

“(8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, except that this paragraph shall only apply to a court order that—

“(A) was issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and

“(B) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or

“(C) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury;

“(9) has been convicted in any court of a misdemeanor crime of domestic violence; or

“(10) has received actual notice of the Attorney General’s determination made pursuant to subsection (d)(1)(B) or (j) of section 843 of this title.”;

(C) in section 843—

(i) in subsection (b)—

(I) by striking “Upon” and inserting “Except as provided in subsection (j), upon”;

(II) in paragraph (6), by striking “and” after the semicolon;

(III) in paragraph (7), by striking the period and inserting “; and”;

(IV) by inserting at the end the following:

“(8) in the case of a limited permit holder, the applicant certifies the permit will only be used to purchase black powder, black powder substitute, and smokeless powder in which case the limitation in paragraph (7) shall not apply.”;

(ii) in subsection (d)—

(I) by inserting “(1)” after “(d)”;

(II) by striking “if in the opinion” and inserting the following: “if—

(iii) in the opinion; and”;

(I) by striking “The Secretary’s action” and inserting the following: “; or

“(II) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.

“(2) The Attorney General’s action”;

(iv) in subsection (e)—

(I) in paragraph (1), by inserting after the first sentence the following: “However, if the denial or revocation is based upon an Attorney General determination under subsection

(j) or (d)(1)(B), any information which the Attorney General relied on for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.”; and

(II) in paragraph (2), by adding at the end the following: “In responding to any petition for review of a denial or revocation based upon an Attorney General determination under subsection (j) or (d)(1)(B), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”;

(v) in subsection (h)(2)—

(I) in subparagraph (A), by inserting “or in subsection (j) of this section (on grounds of terrorism)” after “section 842(i)”;

(II) in subparagraph (B)—

(aa) in the matter preceding clause (i), by inserting “or in subsection (j) of this section,” after “section 842(i)”;

(bb) in clause (ii), by inserting “, except that any information that the Attorney General relied on for a determination pursuant to subsection (j) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security” after “determination” ; and

(vi) by inserting at the end the following:

“(j) **ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.**—The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.”; and

(D) in section 845(a)—

(i) in paragraph (4), by striking “and components thereof”; and

(ii) in paragraph (5), by striking “black powder in quantities not to exceed fifty pounds.”;

(2) **CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.**—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking “or (5)” and inserting “(5), or (10)”.

(3) **GUIDELINES.**—

(A) **IN GENERAL.**—The Attorney General shall issue guidelines describing the circumstances under which the Attorney General will exercise the authority and make determinations under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act.

(B) **CONTENTS.**—The guidelines issued under subparagraph (A) shall—

(i) provide accountability and a basis for monitoring to ensure that the intended goals for, and expected results of, the grant of authority under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act, are being achieved; and

(ii) ensure that terrorist watch list records are used in a manner that safeguards privacy and civil liberties protections, in accordance with requirements outlined in Homeland Security Presidential Directive 11 (dated August 27, 2004).

(c) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting after section 922 the following:

**“§ 922A. Attorney General’s discretion to deny transfer of a firearm.**

“The Attorney General may deny the transfer of a firearm under section 922(t)(1)(B)(ii) of this title if the Attorney General—

“(1) determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

“(2) has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.

**“§ 922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).**

“The Attorney General may determine that—

“(1) an applicant for a firearm permit which would qualify for an exemption under section 922(t) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

“(2) the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”;

(2) in section 921(a), by adding at the end the following:

“(36) The term ‘terrorism’ includes international terrorism and domestic terrorism, as defined in section 2331 of this title.

“(37) The term ‘material support or resources’ has the meaning given the term in section 2339A of this title.

“(38) The term ‘responsible person’ means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.”;

(3) in the table of sections, by inserting after the item relating to section 922 the following:

“922A. Attorney General’s discretion to deny transfer of a firearm.

“922B. Attorney General’s discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).”.

(d) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(ii), by inserting “or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title” before the semicolon;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting “, or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (I), by striking “and” at the end; and

(II) by adding at the end the following:

“(III) was issued after a check of the system established pursuant to paragraph (1);”;

(ii) in clause (ii), by inserting “and” after the semicolon; and

(iii) by adding at the end the following:

“(ii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B of this title;”;

(4) in paragraph (4), by inserting “, or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”; and

(5) in paragraph (5), by inserting “, or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title” after “or State law”.

(e) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(10) has been the subject of a determination by the Attorney General under section 922A, 922B, 923(d)(3), or 923(e) of this title.”.

(f) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking “or” at the end;

(2) in paragraph (9), by striking the comma at the end and inserting “; or”; and

(3) by inserting after paragraph (9) the following:

“(10) who has received actual notice of the Attorney General’s determination made under section 922A, 922B, 923(d)(3) or 923(e) of this title.”.

(g) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking “Any” and inserting “Except as provided in paragraph (3), any”; and

(2) by adding at the end the following:

“(3) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.”.

(h) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(1) by inserting “(1)” after “(e)”; and

(2) by striking “revoke any license” and inserting the following: “revoke—

“(A) any license”;

(3) by striking “. The Attorney General may, after notice and opportunity for hearing, revoke the license” and inserting the following: “;

“(B) the license”; and

(4) by striking “. The Secretary’s action” and inserting the following: “; or

“(C) any license issued under this section if the Attorney General determines that the holder of such license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.

“(2) The Attorney General’s action”.

(i) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—

(1) IN GENERAL.—Section 923(f)(1) of title 18, United States Code, is amended by inserting after the first sentence the following: “However, if the denial or revocation is pursuant to subsection (d)(3) or (e)(1)(C), any information upon which the Attorney General relied for this determination may be withheld from the petitioner, if the Attorney General determines that disclosure of the information would likely compromise national security.”.

(2) SUMMARIES.—Section 923(f)(3) of title 18, United States Code, is amended by inserting after the third sentence the following: “With respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(j) ATTORNEY GENERAL’S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of title 18, United States Code, is amended by inserting after the third sentence the following: “If the person is subject to a disability under section 922(g)(10) of this title, any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.”.

(k) PENALTIES.—Section 924(k) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “or” at the end;

(2) in paragraph (3), by striking the comma at the end and inserting “; or”; and

(3) by inserting after paragraph (3) the following:

“(4) constitutes an act of terrorism, or providing material support or resources for terrorism.”.

(l) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—

(1) IN GENERAL.—Section 925A of title 18, United States Code, is amended—

(A) in the section heading, by striking “**Remedy for erroneous denial of firearm**” and inserting “**Remedies**”;

(B) by striking “Any person denied a firearm pursuant to subsection (s) or (t) of section 922” and inserting the following:

“(a) Except as provided in subsection (b), any person denied a firearm pursuant to subsection (t) of section 922 or a firearm permit pursuant to a determination made under section 922B”; and

(C) by adding at the end the following:

“(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A of this title or has made a determination regarding a firearm permit applicant pursuant to section 922B of this title, an action challenging the determination may be brought against the United States. The petition shall be filed not later than 60 days after the petitioner has received actual notice of the Attorney General’s determination under section 922A or 922B of this title. The court shall sustain the Attorney General’s determination upon a showing by the United States by a preponderance of evidence that the Attorney General’s determination satisfied the requirements of section 922A or 922B,

as the case may be. To make this showing, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. Upon request of the petitioner or the court's own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General's determination satisfies the requirements of section 922A or 922B."

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 925A and inserting the following: "925A. Remedies."

(m) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f)—

(A) by inserting "or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code," after "is ineligible to receive a firearm"; and

(B) by inserting "except any information for which the Attorney General has determined that disclosure would likely compromise national security," after "reasons to the individual,"; and

(2) in subsection (g)—

(A) the first sentence—

(i) by inserting "or if the Attorney General has made a determination pursuant to section 922A or 922B of title 18, United States Code," after "or State law,"; and

(ii) by inserting "except any information for which the Attorney General has determined that disclosure would likely compromise national security" before the period at the end; and

(B) by adding at the end the following: "Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code."

**SA 738.** Ms. LANDRIEU (for herself and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE IV—YOUTH PRISON REDUCTION THROUGH OPPORTUNITIES, MENTORING, INTERVENTION, SUPPORT, AND EDUCATION ACT**

**SEC. 401. SHORT TITLE.**

This title may be cited as the "Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act" or the "Youth PROMISE Act".

**SEC. 402. DEFINITIONS.**

In this title:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Office of Juvenile Justice and Delinquency Prevention.

(2) COMMUNITY.—The term "community" means a unit of local government or an Indian tribe, or part of such a unit or tribe, as determined by such a unit or tribe for the purpose of applying for a grant under this title.

(3) DESIGNATED GEOGRAPHIC AREA.—The term "designated geographic area" means a 5-digit postal ZIP Code assigned to a geographic area by the United States Postal Service.

(4) EVIDENCE-BASED.—The term "evidence-based", when used with respect to a practice relating to juvenile delinquency and criminal street gang activity prevention and intervention, means a practice (including a service, program, activity, intervention, technology, or strategy) for which the Administrator has determined—

(A) causal evidence documents a relationship between the practice and its intended outcome, based on measures of the direction and size of a change, and the extent to which a change may be attributed to the practice; and

(B) the use of scientific methods rules out, to the extent possible, alternative explanations for the documented change.

(5) INTERVENTION.—The term "intervention" means the provision of programs and services that are supported by research, are evidence-based or promising practices, and are provided to youth who are involved in, or who are identified by evidence-based risk assessment methods as being at high risk of continued involvement in, juvenile delinquency or criminal street gangs, as a result of indications that demonstrate involvement with problems such as truancy, substance abuse, mental health treatment needs, or siblings who have had involvement with juvenile or criminal justice systems.

(6) JUVENILE DELINQUENCY AND CRIMINAL STREET GANG ACTIVITY PREVENTION.—The term "juvenile delinquency and criminal street gang activity prevention" means the provision of programs and resources to children and families who have not yet had substantial contact with criminal justice or juvenile justice systems, that—

(A) are designed to reduce potential juvenile delinquency and criminal street gang activity risks; and

(B) are evidence-based or promising educational, health, mental health, school-based, community-based, faith-based, parenting, job training, social opportunities and experiences, or other programs, for youth and their families, that have been demonstrated to be effective in reducing juvenile delinquency and criminal street gang activity risks.

(7) PROMISING.—The term "promising", when used with respect to a practice relating to juvenile delinquency and criminal street gang activity prevention and intervention, means a practice (including a service, program, activity, intervention, technology, or strategy) that, based on statistical analyses or a theory of change, has been determined by the Administrator to have demonstrated the potential to meet the requirements of an evidence-based practice.

(8) STATE.—The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Northern Mariana Islands, and any other territories or possessions of the United States.

(9) THEORY OF CHANGE.—The term "theory of change" means a program planning strategy approved by the Administrator that outlines the types of interventions and outcomes essential to achieving a set of program goals.

(10) YOUTH.—The term "youth" means—

(A) an individual who is 18 years of age or younger; or

(B) in any State in which the maximum age at which the juvenile justice system of such State has jurisdiction over individuals exceeds 18 years of age, an individual who is such maximum age or younger.

**SEC. 403. FINDINGS.**

The Congress finds as follows:

(1) Youth gang crime has taken a toll on a number of urban communities, and senseless acts of gang-related violence have imposed economic, social, and human costs.

(2) Drug- and alcohol-dependent youth, and youth dually diagnosed with addiction and mental health disorders, are more likely to become involved with the juvenile justice system than youth without such risk factors, absent appropriate prevention and intervention services.

(3) Children of color are over-represented relative to the general population at every stage of the juvenile justice system. African American youth are 17 percent of the United States population, but represent 38 percent of youth in secure placement juvenile facilities, and 58 percent of youth incarcerated in adult prisons.

(4) Research funded by the Department of Justice indicates that gang-membership is short-lived among adolescents. With very few youth remaining gang-involved throughout their adolescent years, ongoing opportunities for intervention exist.

(5) Criminal justice costs have become burdensome in many States and cities, requiring reductions in vital educational, social, welfare, mental health, and related services.

(6) Direct expenditures for each of the major criminal justice functions, police, corrections, and judicial services, have increased steadily over the last 25 years. In fiscal year 2009, Federal, State, and local governments spent an estimated \$258,000,000,000 for police protection, corrections, and judicial and legal services, nearly a 207 percent increase since 1982.

(7) In 2009, State governments spent \$5,700,000,000 to incarcerate youth. The average annual cost to incarcerate one youth is \$88,000.

(8) Coordinated efforts of stakeholders in the juvenile justice system in a local community, together with other organizations and community members concerned with the safety and welfare of children, have a strong record of demonstrated success in reducing the impact of youth and gang-related crime and violence, as demonstrated in Boston, Massachusetts, Chicago, Illinois, Richmond, Virginia, Los Angeles, California, and other communities.

(9) Investment in prevention and intervention programs for children and youth, including quality early childhood programs, comprehensive evidence-based school, after school, and summer school programs, mentoring programs, mental health and treatment programs, evidence-based job training programs, and alternative intervention programs, has been shown to lead to decreased youth arrests, decreased delinquency, lower recidivism, and greater financial savings from an educational, economic, social, and criminal justice perspective.

(10) Quality early childhood education programs have been demonstrated to help children start school ready to learn and to reduce delinquency and criminal street gang activity risks.

(11) Evidence-based mentoring programs have been shown to prevent youth drug abuse and violence.

(12) Evidence-based school-based comprehensive instructional programs that pair youth with responsible adult mentors have been shown to have a strong impact upon delinquency prevention.

(13) After-school programs that connect children to caring adults and that provide

constructive activities during the peak hours of juvenile delinquency and criminal street gang activity, between 3 p.m. and 6 p.m., have been shown to reduce delinquency and the attendant costs imposed on the juvenile and criminal justice systems.

(14) States with higher levels of educational attainment have been shown to have crime rates lower than the national average. Researchers have found that a 5-percent increase in male high school graduation rates would produce an annual savings of almost \$5,000,000,000 in crime-related expenses.

(15) Therapeutic programs that engage and motivate high-risk youth and their families to change behaviors that often result in criminal activity have been shown to significantly reduce recidivism among juvenile offenders, and significantly reduce the attendant costs of crime and delinquency imposed upon the juvenile and criminal justice systems.

(16) Comprehensive programs that target kids who are already serious juvenile offenders by addressing the multiple factors in peer, school, neighborhood, and family environments known to be related to delinquency can reduce recidivism among juvenile offenders and save the public significant economic costs.

(17) There are many alternatives to incarceration of youth that have been proven to be more effective in reducing crime and violence at the Federal, State, local, and tribal levels, and the failure to provide for such effective alternatives is a pervasive problem that leads to increased youth, and later adult, crime and violence.

(18) Savings achieved through early intervention and prevention are significant, especially when noncriminal justice social, educational, mental health, and economic outcomes are considered.

(19) The prevention of child abuse and neglect can help stop a cycle of violence and save up to \$5.00 for every \$1.00 invested in preventing such abuse and neglect.

(20) Targeting interventions at special youth risk groups and focusing upon relatively low-cost interventions increases the probability of fiscal benefit.

(21) Evidence-based intervention treatment facilities have been shown to reduce youth delinquency and to be cost-effective.

(22) States, including Wisconsin, Ohio, New York, Texas, and Pennsylvania, have seen a reduction in juvenile incarceration due to a reallocation of criminal justice funds towards prevention programs.

(23) The rise in homicides in several cities in recent years followed declines in Federal funding provided for law enforcement, educational, health and mental health, social services, and other support to localities for youth, their families, and other community-oriented programs and approaches.

**SEC. 404. ALLOTMENT FOR YOUTH PROMISE PROGRAMS.**

Not more than 50 percent of the total amount available for the Edward Byrne Memorial Criminal Justice Innovation Program for each fiscal year shall be made available to carry out this title.

**Subtitle A—Federal Coordination of Local and Tribal Juvenile Justice Information and Efforts**

**SEC. 405. PROMISE ADVISORY PANEL.**

(a) ORGANIZATION OF STATE ADVISORY GROUP MEMBER REPRESENTATIVES.—Section 223(f) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(f)) is amended—

(1) in paragraph (1), by striking “an eligible organization composed of member representatives of the State advisory groups appointed under subsection (a)(3)” and inserting “a nonpartisan, nonprofit organization

that is described in section 501(c)(3) of the Internal Revenue Code of 1986.”; and

(2) by amending paragraph (2) to read as follows:

“(2) ASSISTANCE.—To be eligible to receive such assistance, such organization shall—

“(A) be governed by individuals who—

“(i) have been appointed by a chief executive of a State to serve as a State advisory group member under subsection (a)(3); and

“(ii) are elected to serve as a governing officer of such organization by a majority of the Chairs (or Chair-designees) of all such State advisory groups;

“(B) include member representatives from a majority of such State advisory groups, who shall be representative of regionally and demographically diverse States and jurisdictions;

“(C) annually seek appointments by the chief executive of each State of one State advisory group member and one alternate State advisory group member from each such State to implement the advisory functions specified in clauses (iv) and (v) of subparagraph (D), including serving on the PROMISE Advisory Panel, and make a record of any such appointments available to the public; and

“(D) agree to carry out activities that include—

“(i) conducting an annual conference of such member representatives for purposes relating to the activities of such State advisory groups;

“(ii) disseminating information, data, standards, advanced techniques, and program models;

“(iii) reviewing Federal policies regarding juvenile justice and delinquency prevention;

“(iv) advising the Administrator with respect to particular functions or aspects of the work of the Office, and appointing a representative, diverse group of members of such organization under subparagraph (C) to serve as an advisory panel of State juvenile justice advisors (referred to as the ‘PROMISE Advisory Panel’) to carry out the functions specified in subsection (g); and

“(v) advising the President and Congress with regard to State perspectives on the operation of the Office and Federal legislation pertaining to juvenile justice and delinquency prevention.”.

(b) PROMISE ADVISORY PANEL.—Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633) is further amended by adding at the end the following new subsection:

“(g) PROMISE ADVISORY PANEL.—

“(1) FUNCTIONS.—The PROMISE Advisory Panel required under subsection (f)(2)(D) shall—

“(A) assess successful evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention carried out by PROMISE Coordinating Councils under the Youth PROMISE Act;

“(B) provide the Administrator with a list of individuals and organizations with experience in administering or evaluating practices that serve youth involved in, or at risk of involvement in, juvenile delinquency and criminal street gang activity, from which the Administrator shall select individuals who shall—

“(i) provide to the Administrator peer reviews of applications submitted by units of local government and Indian tribes pursuant to subtitle B of the Youth PROMISE Act, to ensure that such applications demonstrate a clear plan to—

“(I) serve youth as part of an entire family unit; and

“(II) coordinate the delivery of service to youth among agencies; and

“(ii) advise the Administrator with respect to the award and allocation of PROMISE Planning grants to local and tribal governments that develop PROMISE Coordinating Councils, and of PROMISE Implementation grants to such PROMISE Coordinating Councils, pursuant to subtitle B of the Youth PROMISE Act; and

“(C) develop performance standards to be used to evaluate programs and activities carried out with grants under subtitle B of the Youth PROMISE Act, including the evaluation of changes achieved as a result of such programs and activities related to decreases in juvenile delinquency and criminal street gang activity, including—

“(i) prevention of involvement by at-risk youth in juvenile delinquency or criminal street gang activity;

“(ii) diversion of youth with a high risk of continuing involvement in juvenile delinquency or criminal street gang activity; and

“(iii) financial savings from deferred or eliminated costs, or other benefits, as a result of such programs and activities, and the reinvestment by the unit or tribe of any such savings.

“(2) ANNUAL REPORT.—Not later than 18 months after the date of the enactment of the Youth PROMISE Act, and annually thereafter, the PROMISE Advisory Panel shall prepare a report containing the findings and determinations under paragraph (1)(A) and shall submit such report to Congress, the President, the Attorney General, and the chief executive and chief law enforcement officer of each State, unit of local government, and Indian tribe.”.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 299(a)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671(a)(1)) is amended to read as follows:

“(1) There are authorized to be appropriated such sums as may be necessary to carry out this title for each of the fiscal years 2014 through 2016.”.

**SEC. 406. GEOGRAPHIC ASSESSMENT OF RESOURCE ALLOCATION.**

(a) GRANT FOR COLLECTION OF DATA TO DETERMINE NEED.—The Administrator shall award a grant, on a competitive basis, to an organization to—

(1) collect and analyze data related to the existing juvenile delinquency and criminal street gang activity prevention and intervention needs and resources in each designated geographic area;

(2) use the data collected and analyzed under paragraph (1) to compile a list of designated geographic areas that have the most need of resources, based on such data, to carry out juvenile delinquency and criminal street gang activity prevention and intervention;

(3) use the data collected and analyzed under paragraph (1) to rank the areas listed under paragraph (2) in descending order by the amount of need for resources to carry out juvenile delinquency and criminal street gang activity prevention and intervention, ranking the area with the greatest need for such resources highest; and

(4) periodically update the list and rankings under paragraph (3) as the Administrator determines to be appropriate.

(b) DATA SOURCES.—In compiling such list and determining such rankings, the organization shall collect and analyze data relating to juvenile delinquency and criminal street gang activity prevention and intervention—

(1) using the geographic information system and Web-based mapping application known as the Socioeconomic Mapping and Resource Topography (SMART) system;

(2) from the Department of Health and Human Services, the Department of Labor,

the Department of Housing and Urban Development, and the Department of Education; and

(3) from the annual KIDS Count Data Book and other data made available by the KIDS Count initiative of the Annie E. Casey Foundation.

(c) **USE OF DATA BY THE ADMINISTRATOR.**—The list and rankings required by this section shall be provided to the Administrator to be used to provide funds under this title in the most strategic and effective manner to ensure that resources and services are provided to youth in the communities with the greatest need for such resources and services.

(d) **LIMITATION ON USE OF COLLECTED DATA.**—The information collected and analyzed under this section may not be used for any purpose other than to carry out the purposes of this title. Such information may not be used for any purpose related to the investigation or prosecution of any person, or for profiling of individuals based on race, ethnicity, socio-economic status, or any other characteristic.

(e) **LIMITATION OF ALLOCATION.**—Of the amount made available for fiscal year 2014 to carry out this section and part I of subtitle B (as authorized under section 411), not more than 1 percent of such amount, or \$1,000,000, whichever is less, shall be available to carry out this section.

#### Subtitle B—PROMISE Grants

##### SEC. 407. PURPOSES.

The purposes of the grant programs established under this subtitle are to—

(1) enable local and tribal communities to assess the unmet needs of youth who are involved in, or are at risk of involvement in, juvenile delinquency or criminal street gangs;

(2) develop plans appropriate for a community to address those unmet needs with juvenile delinquency and gang prevention and intervention practices; and

(3) implement and evaluate such plans in a manner consistent with this title.

#### PART I—PROMISE ASSESSMENT AND PLANNING GRANTS

##### SEC. 408. PROMISE ASSESSMENT AND PLANNING GRANTS AUTHORIZED.

(a) **GRANTS AUTHORIZED.**—The Administrator is authorized to award grants to units of local government and Indian tribes to assist PROMISE Coordinating Councils with planning and assessing evidence-based and promising practices relating to juvenile delinquency and criminal street gang activity prevention and intervention, especially for youth who are involved in, or who are at risk of involvement in, juvenile delinquency and criminal street gang activity. Such PROMISE Coordinating Councils shall—

(1) conduct an objective needs and strengths assessment in accordance with section 409; and

(2) develop a PROMISE Plan in accordance with section 410, based on the assessment conducted in accordance with section 409.

(b) **GRANT DURATION, AMOUNT, AND ALLOCATION.**—

(1) **DURATION.**—A grant awarded under this section shall be for a period not to exceed one year.

(2) **MAXIMUM GRANT AMOUNT.**—A grant awarded under this section shall not exceed \$300,000.

##### SEC. 409. PROMISE COORDINATING COUNCILS.

To be eligible to receive a grant under this part, a unit of local government or an Indian tribe shall establish a PROMISE Coordinating Council for each community of such unit or tribe, respectively, for which such unit or tribe is applying for a grant under this subtitle. Each such community shall in-

clude one or more designated geographic areas identified on the list required under section 406(a)(2). The members of such a PROMISE Coordinating Council shall be representatives of public and private sector entities and individuals that—

(1) should include at least one representative from each of the following:

(A) the local chief executive's office;

(B) a local educational agency;

(C) a local health agency or provider;

(D) a local mental health agency or provider, unless the representative under subparagraph (C) also meets the requirements of this subparagraph;

(E) a local public housing agency;

(F) a local law enforcement agency;

(G) a local child welfare agency;

(H) a local juvenile court;

(I) a local juvenile prosecutor's office;

(J) a private juvenile residential care entity;

(K) a local juvenile public defender's office;

(L) a State juvenile correctional entity;

(M) a local business community representative; and

(N) a local faith-based community representative;

(2) shall include two representatives from each of the following:

(A) parents who have minor children, and who have an interest in the local juvenile or criminal justice systems;

(B) youth between the ages of 15 and 24 who reside in the jurisdiction of the unit or tribe; and

(C) members from nonprofit community-based organizations that provide effective delinquency prevention and intervention to youth in the jurisdiction of the unit or tribe; and

(3) may include other members, as the unit or tribe determines to be appropriate.

##### SEC. 410. NEEDS AND STRENGTHS ASSESSMENT.

(a) **ASSESSMENT.**—Each PROMISE Coordinating Council receiving funds from a unit of local government or Indian tribe under this subtitle shall conduct an objective strengths and needs assessment of the resources of the community for which such PROMISE Coordinating Council was established, to identify the unmet needs of youth in the community with respect to evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention. The PROMISE Coordinating Council shall consult with a research partner receiving a grant under section 420 for assistance with such assessment. Such assessment shall include, with respect to the community for which such PROMISE Coordinating Council was established—

(1) the number of youth who are at-risk of involvement in juvenile delinquency or street gang activity;

(2) the number of youth who are involved in juvenile delinquency or criminal street gang activity, including the number of such youth who are at high risk of continued involvement;

(3) youth unemployment rates during the summer;

(4) the number of individuals on public financial assistance (including a breakdown of the numbers of men, women, and children on such assistance);

(5) the estimated number of youth who are chronically truant;

(6) the number of youth who have dropped out of school in the previous year;

(7) for the year before such assessment, the estimated total amount expended (by the community and other entities) for the incarceration of offenders who were convicted or adjudicated delinquent for an offense that was committed in such community, including amounts expended for the incarceration

of offenders in prisons, jails, and juvenile facilities that are located in the United States but are not located in such community;

(8) a comparison of the amount under paragraph (5) with an estimation of the amount that would be expended for the incarceration of offenders described in such paragraph if the number of offenders described in such paragraph was equal to the national average incarceration rate per 100,000 population; and

(9) a description of evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention available for youth in the community, including school-based programs, after school programs (particularly programs that have activities available for youth between 3 p.m. and 6 p.m. in the afternoon), weekend activities and programs, youth mentoring programs, faith and community-based programs, summer activities, and summer jobs, if any; and

(10) a description of evidence-based and promising intervention practices available for youth in the community.

(b) **LIMITATION ON USE OF ASSESSMENT INFORMATION.**—Information gathered pursuant to this section may be used for the sole purpose of developing a PROMISE Plan in accordance with this subtitle.

##### SEC. 411. PROMISE PLAN COMPONENTS.

(a) **IN GENERAL.**—Each PROMISE Coordinating Council receiving funds from a unit of local government or Indian tribe under this subtitle shall develop a PROMISE Plan to provide for the coordination of, and, as appropriate, to support the delivery of, evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to youth and families who reside in the community for which such PROMISE Coordinating Council was established. Such a PROMISE Plan shall—

(1) include the strategy by which the PROMISE Coordinating Council plans to prioritize and allocate resources and services toward the unmet needs of youth in the community, consistent with the needs and available resources of communities with the greatest need for assistance, as determined pursuant to section 406;

(2) include a combination of evidence-based and promising prevention and intervention practices that are responsive to the needs of the community; and

(3) ensure that cultural and linguistic needs of the community are met.

(b) **MANDATORY COMPONENTS.**—Each PROMISE Plan shall—

(1) include a plan to connect youth identified in paragraphs (1) and (2) of section 409(a) to evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention;

(2) identify the amount or percentage of local funds that are available to the PROMISE Coordinating Council to carry out the PROMISE Plan;

(3) provide strategies to improve indigent defense delivery systems, with particular attention given to groups of children who are disproportionately represented in the State delinquency system and Federal criminal justice system, as compared to the representation of such groups in the general population of the State;

(4) provide for training (which complies with the American Bar Association Juvenile Justice Standards for the representation and care of youth in the juvenile justice system) of prosecutors, defenders, probation officers, judges and other court personnel related to issues concerning the developmental needs, challenges, and potential of youth in the juvenile justice system, (including training related to adolescent development and mental

health issues, and the expected impact of evidence-based practices and cost reduction strategies);

(5) ensure that the number of youth involved in the juvenile delinquency and criminal justice systems does not increase as a result of the activities undertaken with the funds provided under this part;

(6) describe the coordinated strategy that will be used by the PROMISE Coordinating Council to provide at-risk youth with evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention;

(7) propose the performance evaluation process to be used to carry out section 412(d), which shall include performance measures to assess efforts to address the unmet needs of youth in the community with evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention; and

(8) identify the research partner the PROMISE Coordinating Council will use to obtain information on evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention, and for the evaluation under section 412(d) of the results of the activities carried out with funds under this subtitle.

(c) **VOLUNTARY COMPONENTS.**—In addition to the components under subsection (b), a PROMISE Plan may include evidence-based or promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention in the following categories:

(1) Early childhood development services (such as pre-natal and neo-natal health services), early childhood prevention, voluntary home visiting programs, nurse-family partnership programs, parenting and healthy relationship skills training, child abuse prevention programs, Early Head Start, and Head Start.

(2) Child protection and safety services (such as foster care and adoption assistance programs), family stabilization programs, child welfare services, and family violence intervention programs.

(3) Youth and adolescent development services, including job training and apprenticeship programs, job placement and retention training, education and after school programs (such as school programs with shared governance by students, teachers, and parents, and activities for youth between the hours of 3 p.m. and 6 p.m. in the afternoon), mentoring programs, conflict resolution skills training, sports, arts, life skills, employment and recreation programs, summer jobs, and summer recreation programs, and alternative school resources for youth who have dropped out of school or demonstrate chronic truancy.

(4) Health and mental health services, including cognitive behavioral therapy, play therapy, and peer mentoring and counseling.

(5) Substance abuse counseling and treatment services, including harm-reduction strategies.

(6) Emergency, transitional, and permanent housing assistance (such as safe shelter and housing for runaway and homeless youth).

(7) Targeted gang prevention, intervention, and exit services such as tattoo removal, successful models of anti-gang crime outreach programs (such as “street worker” programs), and other criminal street gang truce or peacemaking activities.

(8) Training and education programs for pregnant teens and teen parents.

(9) Alternatives to detention and confinement programs (such as mandated participation in community service, restitution,

counseling, and intensive individual and family therapeutic approaches).

(10) Pre-release, post-release, and reentry services to assist detained and incarcerated youth with transitioning back into and reentering the community.

## PART II—PROMISE IMPLEMENTATION GRANTS

### SEC. 412. PROMISE IMPLEMENTATION GRANTS AUTHORIZED.

(a) **PROMISE IMPLEMENTATION GRANTS AUTHORIZED.**—The Administrator of the Office of Juvenile Justice and Delinquency Prevention is authorized to award grants to units of local government and Indian tribes to assist PROMISE Coordinating Councils with implementing PROMISE Plans developed pursuant to part I.

(b) **GRANT DURATION.**—A grant awarded under this part shall be for a 3-year period.

(c) **NON-FEDERAL FUNDS REQUIRED.**—For each fiscal year during the 3-year grant period for a grant under this part, each unit of local government or Indian tribe receiving such a grant for a PROMISE Coordinating Council shall provide, from non-Federal funds, in cash or in-kind, 25 percent of the costs of the activities carried out with such grant.

(d) **EVALUATION.**—Of any funds provided to a unit of local government or an Indian tribe for a grant under this part, not more than \$100,000 shall be used to provide a contract to a competitively selected organization to assess the progress of the unit or tribe in addressing the unmet needs of youth in the community, in accordance with the performance measures under section 410(a).

### SEC. 413. PROMISE IMPLEMENTATION GRANT APPLICATION REQUIREMENTS.

(a) **APPLICATION REQUIRED.**—To be eligible to receive a PROMISE Implementation grant under this part, a unit of local government or Indian tribe that received a PROMISE Assessment and Planning grant under part I shall submit an application to the Administrator of the Office of Juvenile Justice and Delinquency Prevention not later than one year after the date such unit of local government or Indian tribe was awarded such grant under part I, in such manner, and accompanied by such information, as the Administrator, after consultation with the organization under section 223(f)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(f)(1)), may require.

(b) **CONTENTS OF APPLICATION.**—Each application submitted under subsection (a) shall—

(1) identify potential savings from criminal justice costs, public assistance costs, and other costs avoided by utilizing evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention;

(2) document—

(A) investment in evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to be provided by the unit of local government or Indian tribe;

(B) the activities to be undertaken with the grants funds;

(C) any expected efficiencies in the juvenile justice or other local systems to be attained as a result of implementation of the programs funded by the grant; and

(D) outcomes from such activities, in terms of the expected numbers related to reduced criminal activity;

(3) describe how savings sustained from investment in prevention and intervention practices will be reinvested in the continuing implementation of the PROMISE Plan; and

(4) provide an assurance that the local fiscal contribution with respect to evidence-

based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention in the community for which the PROMISE Coordinating Council was established for each year of the grant period will not be less than the local fiscal contribution with respect to such practices in the community for the year preceding the first year of the grant period.

### SEC. 414. GRANT AWARD GUIDELINES.

(a) **SELECTION AND DISTRIBUTION.**—Grants awarded under this part shall be awarded on a competitive basis. The Administrator shall—

(1) take such steps as may be necessary to ensure that grants are awarded to units of local governments and Indian tribes in areas with the highest concentrations of youth who are—

(A) at-risk of involvement in juvenile delinquency or criminal street gang activity; and

(B) involved in juvenile delinquency or street gang activity and who are at high-risk of continued involvement; and

(2) give consideration to the need for grants to be awarded to units of local governments and Indian tribes in each region of the United States, and among urban, suburban, and rural areas.

(b) **EXTENSION OF GRANT AWARD.**—The Administrator may extend the grant period under section 412(b)(1) for a PROMISE Implementation grant to a unit of local government or an Indian tribe, in accordance with regulations issued by the Administrator.

(c) **RENEWAL OF GRANT AWARD.**—The Administrator may renew a PROMISE Implementation grant to a unit of local government or an Indian tribe to provide such unit or tribe with additional funds to continue implementation of a PROMISE Plan. Such a renewal—

(1) shall be initiated by an application for renewal from a unit of local government or an Indian tribe;

(2) shall be carried out in accordance with regulations issued by the Administrator; and

(3) shall not be granted unless the Administrator determines such a renewal to be appropriate based on the results of the evaluation conducted under section 418(a) with respect to the community of such unit or tribe for which a PROMISE Coordinating Council was established, and for which such unit or tribe is applying for renewal.

### SEC. 415. REPORTS.

Not later than one year after the end of the grant period for which a unit of local government or an Indian tribe receives a PROMISE Implementation grant, and annually thereafter for as long as such unit or tribe continues to receive Federal funding for a PROMISE Coordinating Council, such unit or tribe shall report to the Administrator regarding the use of Federal funds to implement the PROMISE Plan developed under part I.

## PART III—GENERAL PROMISE GRANT PROVISIONS

### SEC. 416. NONSUPPLANTING CLAUSE.

A unit of local government or Indian tribe receiving a grant under this subtitle shall use such grant only to supplement, and not supplant, the amount of funds that, in the absence of such grant, would be available to address the needs of youth in the community with respect to evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention.

### SEC. 417. GRANT APPLICATION REVIEW PANEL.

The Administrator of the Office of Juvenile Justice and Delinquency Prevention, in conjunction with the PROMISE Advisory Panel,

shall establish and utilize a transparent, reliable, and valid system for evaluating applications for PROMISE Assessment and Planning grants and for PROMISE Implementation grants, and shall determine which applicants meet the criteria for funding, based primarily on a determination of greatest need (in accordance with section 406), with due consideration to other enumerated factors and the indicated ability of the applicant to successfully implement the program described in the application.

**SEC. 418. EVALUATION OF PROMISE GRANT PROGRAMS.**

(a) **EVALUATION REQUIRED.**—The Administrator shall, in consultation with the organization provided assistance under section 223(f)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(f)(1)), provide for an evaluation of the programs and activities carried out with grants under this subtitle. In carrying out this section, the Administrator shall—

(1) award grants to institutions of higher education (including institutions that are eligible to receive funds under part F of title III of the Higher Education Act of 1965 (20 U.S.C. 1067q et seq.)), to facilitate the evaluation process and measurement of achieved outcomes;

(2) identify evidence-based and promising practices used by PROMISE Coordinating Councils under PROMISE Implementation grants that have proven to be effective in preventing involvement in, or diverting further involvement in, juvenile delinquency or criminal street gang activity; and

(3) ensure—

(A) that such evaluation is based on the performance standards that are developed by the PROMISE Advisory Panel in accordance with section 223(g) of the Juvenile Justice and Delinquency Prevention Act of 1974 (as added by section 405(b) of this title);

(B) the development of longitudinal and clinical trial evaluation and performance measurements with regard to the evidence-based and promising practices funded under this subtitle; and

(C) the dissemination of the practices identified in paragraph (2) to the National Research Center for Proven Juvenile Justice Practices (established under section 301), units of local government, and Indian tribes to promote the use of such practices by such units and tribes to prevent involvement in, or to divert further involvement in, juvenile delinquency or criminal street gang activity.

(b) **RESULTS TO THE NATIONAL RESEARCH CENTER FOR PROVEN JUVENILE JUSTICE PRACTICES.**—The Administrator shall provide the results of the evaluation under subsection (a) to the National Research Center for Proven Juvenile Justice Practices established under section 419.

**Subtitle C—PROMISE Research Centers**

**SEC. 419. ESTABLISHMENT OF THE NATIONAL RESEARCH CENTER FOR PROVEN JUVENILE JUSTICE PRACTICES.**

The Administrator shall award a grant to a nonprofit organization with a national reputation for expertise in operating or evaluating effective, evidence-based practices related to juvenile delinquency and criminal street gang activity prevention or intervention to develop a National Research Center for Proven Juvenile Justice Practices. Such Center shall—

(1) collaborate with institutions of higher education as regional partners to create a best practices juvenile justice information-sharing network to support the programs and activities carried out with grants under subtitle B;

(2) collect, and disseminate to PROMISE Coordinating Councils, research and other information about evidence-based and prom-

ising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to inform the efforts of PROMISE Coordinating Councils and regional research partners and to support the programs and activities carried out with grants under title subtitle B;

(3) increase the public's knowledge and understanding of effective juvenile justice practices to prevent crime and delinquency and reduce recidivism; and

(4) develop, manage, and regularly update a site to disseminate proven practices for successful juvenile delinquency prevention and intervention.

**SEC. 420. GRANTS FOR REGIONAL RESEARCH PROVEN PRACTICES PARTNERSHIPS.**

The Administrator shall establish a grant program to award grants to institutions of higher education to serve as regional research partners with PROMISE Coordinating Councils that are located in the same geographic region as an institution, in collaboration with the National Research Center for Proven Juvenile Justice Practices authorized under section 419. Regional research partners shall provide research support to such PROMISE Coordinating Councils, including—

(1) assistance with preparing PROMISE grant applications under subtitle B, including collection of baseline data for such applications;

(2) assistance with the needs and strengths assessments conducted under section 410; and

(3) provision of support services to PROMISE grant recipients for data collection and analysis to assess progress under the PROMISE grant.

**SA 739.** Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 649, to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

**SEC. 307. AUTHORIZATION FOR USE OF SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES FUNDS FOR SCHOOL SAFETY MEASURES.**

Section 4121(a) of the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7131(a)) is amended—

(1) in paragraph (8), by striking “and” at the end;

(2) by redesignating paragraph (9) as paragraph (10); and

(3) by inserting after paragraph (8) the following:

“(9) assistance in the acquisition and installation of physical measures, such as metal detectors, surveillance cameras, or other related security equipment and technologies, that are designed to prevent targeted firearms violence against students and school personnel; and”.

**NOTICES OF HEARINGS**

**SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING**

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public of an addition to a previously announced hearing before Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, April 25, 2013, at 2:30 p.m., in room

SD-366 of the Dirksen Senate Office Building.

In addition to the other measures previously announced, the Committee will also consider:

S. 736, to establish a maximum amount for special use permit fees applicable to certain cabins on National Forest System land in the State of Alaska; and,

S. 757, to provide for the implementation of the multispecies habitat conservation plan for the Virgin River, Nevada, and Lincoln County, Nevada, to extend the authority to purchase certain parcels of public land, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to [john\\_assini@energy.senate.gov](mailto:john_assini@energy.senate.gov).

For further information, please contact Meghan Conklin at (202) 224-8046, or John Assini at (202) 224-9313.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public of additions to a previously announced hearing before the Senate Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, April 23, 2013, at 10:00 a.m., in room SD-366 of the Dirksen Senate Office Building.

In addition to the other measures previously announced, the Committee will also consider H.R. 678, Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act; and S. 761, Energy Savings and Industrial Competitiveness Act of 2013.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to [lauren\\_goldschmidt@energy.senate.gov](mailto:lauren_goldschmidt@energy.senate.gov).

For further information, please contact Sara Tucker at (202) 224-6224, Dan Adamson at (202) 224-2871, or Lauren Goldschmidt at (202) 224-5488.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 18, 2013, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BLUMENTHAL. 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 April 18, 2013, at 10 a.m., to conduct a hearing entitled "Oversight of Federal Housing Finance Agency: Evaluating FHFA as Regulator and Conservator."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 18, 2013, at 9:45 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 18, 2013, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BLUMENTHAL. 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 April 18, 2013.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 18, 2013, at 9:30 a.m., to hold a hearing entitled, "National Security and Foreign Policy Priorities in the FY 2014 International Affairs Budget."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BLUMENTHAL. 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, to conduct a hearing entitled "Hearing for Secretary of Labor-Designate Thomas E. Perez" on April 18, 2013, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 18, 2013, at 10 a.m., in SC-

226 of the Dirksen Senate Office Building, to conduct executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate, on April 18, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate, April 18, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 52, 54, 65, 66, 67, 68, 69, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, and 88, and all nominations placed on the Secretary's desk in the Air Force, Army, Foreign Service, Marine Corps, and Navy; that the nominations be confirmed en bloc, the motions to reconsider be made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; 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.

The nominations considered and confirmed are as follows:

DEPARTMENT OF DEFENSE

Frederick Vollrath, of Virginia, to be an Assistant Secretary of Defense.

Eric K. Fanning, of the District of Columbia, to be Under Secretary of the Air Force.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. John W. Hesterman, III

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

*To be brigadier general*

Col. Richard M. Murphy

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 8069:

*To be major general*

Colonel Dorothy A. Hogg

The following named officer for appointment in the United States Air Force to the

grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. James M. Holmes

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Michelle D. Johnson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be general*

Gen. Philip M. Breedlove

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Mark O. Schissler

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Robert P. Otto

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

*To be major general*

Brig. Gen. Scott W. Jansson

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., sections 624 and 3064:

*To be brigadier general*

Col. Erik C. Peterson

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. Brently F. White

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. Christie L. Nixon

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

*To be major general*

Brigadier General Jeffrey L. Bannister  
 Brigadier General Scott D. Berrier  
 Brigadier General Gwendolyn Bingham  
 Brigadier General Joseph A. Brendler  
 Brigadier General Clarence K. K. Chinn  
 Brigadier General Edward F. Dorman, III  
 Brigadier General Terry R. Ferrell  
 Brigadier General George J. Franz, III  
 Brigadier General Christopher K. Haas  
 Brigadier General Thomas A. Horlander  
 Brigadier General Thomas S. James, Jr.  
 Brigadier General Ole A. Knudson  
 Brigadier General Jonathan A. Maddux  
 Brigadier General Theodore D. Martin  
 Brigadier General Kevin G. O'Connell  
 Brigadier General Barrye L. Price  
 Brigadier General James M. Richardson  
 Brigadier General Martin P. Schweitzer  
 Brigadier General Richard L. Stevens

Brigadier General Stephen M. Twitty  
 Brigadier General Peter D. Utley  
 Brigadier General Gary J. Volesky  
 Brigadier General Darryl A. Williams  
 Brigadier General Michael E. Williamson

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be general*

Lt. Gen. Daniel B. Allyn

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. James L. Terry

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Perry L. Wiggins

IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. John E. Wissler

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Ronald L. Bailey

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Steven A. Hummer

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Kenneth J. Glueck, Jr.

The following named officer for appointment as Commander, Marine Forces Reserve, and appointment to the grade indicated in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 5144:

*To be lieutenant general*

Lt. Gen. Richard P. Mills

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. Bret J. Mullenburg

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

*To be rear admiral (lower half)*

Capt. Adrian J. Jansen

NOMINATIONS PLACED ON THE SECRETARY'S  
 DESK

IN THE AIR FORCE

PN279 AIR FORCE nomination of Lou Rose Malamug, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN280 AIR FORCE nomination of Kelly A. Halligan, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN300 AIR FORCE nominations (3) beginning CHRISTOPHER E. CURTIS, and ending JOSEPH P. TOMSIC, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN301 AIR FORCE nominations (4) beginning TIMOTHY A. BUTLER, and ending GARY J. ZICCARDI, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN302 AIR FORCE nominations (9) beginning JOHN T. GRIVAKIS, and ending SARAH K. TOBIN, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN303 AIR FORCE nominations (11) beginning DANNY L. BLAKE, and ending ANDREA C. VINYARD, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN304 AIR FORCE nominations (14) beginning RICHARD G. ANDERSON, and ending MARK J. ROBERTS, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN305 AIR FORCE nominations (17) beginning JEFFERY R. ALDER, and ending KEVIN L. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN306 AIR FORCE nominations (20) beginning RONNELLE ARMSTRONG, and ending CHAD W. ZIELINSKI, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN307 AIR FORCE nominations (51) beginning MAIYA D. ANDERSON, and ending JEFFREY L. WISNESKI, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN308 AIR FORCE nominations (126) beginning MATTHEW G. ADKINS, and ending NORMAN DALE ZELLERS, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

IN THE ARMY

PN220 ARMY nomination of Jonathan F. Potter, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN221 ARMY nominations (2) beginning HILARIO A. PASCUA, and ending GERARDO C. RIVERA which nominations were received by the Senate and appeared in the Congressional Record of March, 19, 2013.

PN222 ARMY nominations (2) beginning JAMES D. PEAKE, and ending ALI K. SONMEZ, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN223 ARMY nominations (6) beginning JOHN D. PITCHER, and ending DEREK A. WOESSNER, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN224 ARMY nominations (6) beginning MARK L. ALLISON, and ending JOSEPH J. STREFF, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN225 ARMY nominations (7) beginning PHILLIP E. APPLETON, and ending ERIC C. RIVERS, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN281 ARMY nomination of Andrew W. Beach, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN282 ARMY nomination of Donald V. Wood, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN310 ARMY nomination of Suzanne C. Nielsen, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN311 ARMY nomination of Ann M. Rudick, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN312 ARMY nomination of Matthew P. Weberg, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN313 ARMY nomination of Grady L. Gentry, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

IN THE FOREIGN SERVICE

PN177 FOREIGN SERVICE nominations (5) beginning Margaret A. Hanson-Muse, and ending Sarah E. Kemp, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2013.

IN THE MARINE CORPS

PN112 MARINE CORPS nominations (98) beginning CHRISTOPHER C. ABRAMS, and ending JOSEPH J. ZARBA, JR., which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN187 MARINE CORPS nominations (57) beginning TIMOTHY L. ADAMS, and ending JAMES R. WILLSEA, which nominations were received by the Senate and appeared in the Congressional Record of February 27, 2013.

IN THE NAVY

PN229 NAVY nomination of Joseph R. Primeaux, Jr., which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN232 NAVY nomination of Gary S. Phillips, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN233 NAVY nomination of Genevieve Buenaflor, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN234 NAVY nomination of Freddie R. Harmon, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN235 NAVY nomination of Catherine W. Boehme, which was received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN236 NAVY nominations (2) beginning TODD W. MILLS, and ending MARVIN W. WHITING, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2013.

PN285 NAVY nomination of Richard J. Witt, which was received by the Senate and appeared in the Congressional Record of April 9, 2013.

PN316 NAVY nomination of Oleh Haluszka, which was received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN317 NAVY nominations (3) beginning STEPHEN S. CHO, and ending JAMES W. WINDE, which nominations were received by the Senate and appeared in the Congressional Record of April 11, 2013.

PN318 NAVY nominations (48) beginning TIMOTHY R. ANDERSON, and ending ANDREW J. WOOLLEY, which nominations

were received by the Senate and appeared in the Congressional Record of April 11, 2013.

**UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR**

Mr. SCHUMER. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader in consultation with Republican leader, the Senate proceed to executive session to consider Calendar No. 60; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of the time the Senate proceed to vote, without 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 to the nomination; that any statements related to the nomination 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.

**DISTRICT OF COLUMBIA CHIEF FINANCIAL OFFICER VACANCY ACT**

Mr. SCHUMER. I ask unanimous consent that the Senate proceed to the consideration of H.R. 1246, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1246) to amend the District of Columbia Home Rule Act to provide that the District of Columbia Treasurer or one of the Deputy Chief Financial Officers of the Office of the Chief Financial Officer of the District of Columbia may perform the functions and duties of the Office in an acting capacity if there is a vacancy in the Office.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. Mr. President, I ask unanimous consent the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1246) was ordered to a third reading, was read the third time, and passed.

**AUTHORIZING SENATE LEGAL COUNSEL REPRESENTATION**

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 103, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 103) to authorize representation by Senate Legal Counsel in the case of *Steve Schonberg v. Senator Mitch McConnell*, et al.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, this resolution concerns a pro se civil action filed in Kentucky federal district court against Senator McCONNELL, Vice President BIDEN, and Senate Sergeant at Arms Gainer. Plaintiff claims that the Senate cloture rule is unconstitutional.

This lawsuit, like previous suits challenging the cloture rule, is subject to jurisdictional defenses requiring dismissal. This resolution would authorize the Senate Legal Counsel to represent Senator McCONNELL, Vice President BIDEN, and Sergeant at Arms Gainer to seek dismissal of this suit.

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 103) was agreed to.

The preamble was agreed to. (The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

**ORDERS FOR MONDAY, APRIL 22, 2013**

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, April 22, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; further, at 5:30 p.m., the Senate resume consideration of the motion to proceed to calendar No. 41, S. 743, and immediately proceed to the cloture vote on the motion to proceed.

The PRESIDING OFFICER. Without objection, it is so ordered.

**PROGRAM**

Mr. SCHUMER. Mr. President, at 5:30 p.m. on Monday, there will be a cloture vote on the motion to proceed to the Marketplace Fairness Act.

**ADJOURNMENT UNTIL MONDAY, APRIL 22, 2013, AT 2 P.M.**

Mr. SCHUMER. 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 5:50 p.m., adjourned until Monday, April 22, 2013 at 2 p.m.

**NOMINATIONS**

Executive nominations received by the Senate:

**INTERNATIONAL MONETARY FUND**

BEN S. BERNANKE, OF NEW JERSEY, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF FIVE YEARS. (REAPPOINTMENT)

**DEPARTMENT OF STATE**

AVRIL D. HAINES, OF NEW YORK, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE, VICE HAROLD HONGJU KOH, RESIGNED.

**SOCIAL SECURITY ADMINISTRATION**

HENRY J. AARON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2014, VICE JEFFREY ROBERT BROWN, TERM EXPIRED.

HENRY J. AARON, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2020. (REAPPOINTMENT)

**NATIONAL CONSUMER COOPERATIVE BANK**

ANDREA LEVERE, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF THREE YEARS, VICE NGUYEN VAN HANH, TERM EXPIRED.

**LEGAL SERVICES CORPORATION**

GLORIA VALENCIA-WEBER, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014. (REAPPOINTMENT)

**IN THE ARMY**

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTION 532:

*To be major*

MICHAEL B. MOORE

**CONFIRMATIONS**

Executive nominations confirmed by the Senate April 18, 2013:

**THE JUDICIARY**

ANALISA TORRES, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

DERRICK KAHALA WATSON, OF HAWAII, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF HAWAII.

**DEPARTMENT OF DEFENSE**

FREDERICK VOLLRATH, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

ERIC K. FANNING, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY OF THE AIR FORCE.

**IN THE AIR FORCE**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. JOHN W. HESTERMAN III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. RICHARD M. MURPHY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8069:

*To be major general*

COLONEL DOROTHY A. HOGG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. JAMES M. HOLMES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. MICHELLE D. JOHNSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

GEN. PHILIP M. BREEDLOVE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE

AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. MARK O. SCHISSLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. ROBERT P. OTTO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. SCOTT W. JANSSON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be brigadier general*

COL. ERIK C. PETERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. BRENTLY F. WHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. CHRISTIE L. NIXON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIGADIER GENERAL JEFFREY L. BANNISTER  
BRIGADIER GENERAL SCOTT D. BERRIER  
BRIGADIER GENERAL GWENDOLYN BINGHAM  
BRIGADIER GENERAL JOSEPH A. BRENDLER  
BRIGADIER GENERAL CLARENCE K. K. CHINN  
BRIGADIER GENERAL EDWARD F. DORMAN III  
BRIGADIER GENERAL TERRY R. FERRELL  
BRIGADIER GENERAL GEORGE J. FRANZ III  
BRIGADIER GENERAL CHRISTOPHER K. HAAS  
BRIGADIER GENERAL THOMAS A. HORLANDER  
BRIGADIER GENERAL THOMAS S. JAMES, JR.  
BRIGADIER GENERAL OLE A. KNUDSON  
BRIGADIER GENERAL JONATHAN A. MADDUX  
BRIGADIER GENERAL THEODORE D. MARTIN  
BRIGADIER GENERAL KEVIN G. O'CONNELL  
BRIGADIER GENERAL BARRY L. PRICE  
BRIGADIER GENERAL JAMES M. RICHARDSON  
BRIGADIER GENERAL MARTIN P. SCHWEITZER  
BRIGADIER GENERAL RICHARD L. STEVENS  
BRIGADIER GENERAL STEPHEN M. TWITTY  
BRIGADIER GENERAL PETER D. UTLEY  
BRIGADIER GENERAL GARY J. VOLESKY  
BRIGADIER GENERAL DARRYL A. WILLIAMS  
BRIGADIER GENERAL MICHAEL E. WILLIAMSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. DANIEL B. ALLYN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. JAMES L. TERRY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. PERRY L. WIGGINS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE

UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. JOHN E. WISSELER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. RONALD L. BAILEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. STEVEN A. HUMMER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. KENNETH J. GLUECK, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, MARINE FORCES RESERVE, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5144:

*To be lieutenant general*

LT. GEN. RICHARD P. MILLS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. BRET J. MULLENBURG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. ADRIAN J. JANSEN

IN THE AIR FORCE

AIR FORCE NOMINATION OF LOU ROSE MALAMUG, TO BE MAJOR.  
AIR FORCE NOMINATION OF KELLY A. HALLIGAN, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH CHRISTOPHER E. CURTIS AND ENDING WITH JOSEPH P. TOMSIC, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH TIMOTHY A. BUTLER AND ENDING WITH GARY J. ZICCARDI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH JOHN T. GRIVAKIS AND ENDING WITH SARAH K. TOBIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH DANNY L. BLAKE AND ENDING WITH ANDREA C. VINYARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH RICHARD G. ANDERSON AND ENDING WITH MARK J. ROBERTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH JEFFERY R. ALDER AND ENDING WITH KEVIN L. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH RONNELLE ARMSTRONG AND ENDING WITH CHAD W. ZIELINSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH MAIYA D. ANDERSON AND ENDING WITH JEFFREY L. WISNESKI,

WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH MATTHEW G. ADKINS AND ENDING WITH NORMAN DALE ZELLERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

IN THE ARMY

ARMY NOMINATION OF JONATHAN F. POTTER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH HILARIO A. PASCUA AND ENDING WITH GERARDO C. RIVERA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH JAMES D. PEAKE AND ENDING WITH ALI K. SONMEZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH JOHN D. PITCHER AND ENDING WITH DEREK A. WOESSNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH MARK L. ALLISON AND ENDING WITH JOSEPH J. STREFF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATIONS BEGINNING WITH PHILLIP E. APPELTON AND ENDING WITH ERIC C. RIVERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

ARMY NOMINATION OF ANDREW W. BEACH, TO BE MAJOR.

ARMY NOMINATION OF DONALD V. WOOD, TO BE MAJOR.

ARMY NOMINATION OF SUZANNE C. NIELSEN, TO BE COLONEL.

ARMY NOMINATION OF ANN M. RUDICK, TO BE MAJOR.

ARMY NOMINATION OF MATTHEW P. WEBERG, TO BE MAJOR.

ARMY NOMINATION OF GRADY L. GENTRY, TO BE MAJOR.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH CHRISTOPHER C. ABRAMS AND ENDING WITH JOSEPH J. ZARBA, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH TIMOTHY L. ADAMS AND ENDING WITH JAMES R. WILLSEA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 27, 2013.

IN THE NAVY

NAVY NOMINATION OF JOSEPH R. PRIMEAUX, JR., TO BE COMMANDER.

NAVY NOMINATION OF GARY S. PHILLIPS, TO BE CAPTAIN.

NAVY NOMINATION OF GENEVIEVE BUENAFLOR, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF FREDDIE R. HARMON, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF CATHERINE W. BOEHME, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH TODD W. MILLS AND ENDING WITH MARVIN W. WHITING, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2013.

NAVY NOMINATION OF RICHARD J. WITT, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF OLEH HALUSZKA, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH STEPHEN S. CHO AND ENDING WITH JAMES W. WINDE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

NAVY NOMINATIONS BEGINNING WITH TIMOTHY R. ANDERSON AND ENDING WITH ANDREW J. WOOLLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2013.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH MARGARET A. HANSON-MUSE AND ENDING WITH SARAH E. KEMP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 27, 2013.