United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, WEDNESDAY, MAY 22, 2013 No. 73

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
May 22, 2013.

I hereby appoint the Honorable TOM MCCLINTOCK to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

SERGEANT DWAYNE POLK, HARRIS COUNTY, TEXAS, LAWMAN

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

Mr. POE of Texas. Mr. Speaker, peace officers are the ones who diligently protect and serve the people. They are the first to respond to the call for help in time of trouble.

They go after the bad guys and provide us safe communities to live in. Some take extra jobs to make ends meet. They wear the badge of commitment over their heart. Sheriffs departments in Texas wear a star over their heart.

Today, peace officers in Houston, Texas, have placed a black band across their badges in honor of one of the fallen among their number. Sergeant Dwayne Polk, 47, of the Harris County Sheriff's Department, was killed about 3 a.m. Sunday morning. He was headed home in his uniform after working a contract assignment.

Sergeant Polk grew up in Houston, Texas, with his three sisters and his two brothers. His mother always encouraged him and the other kids to read the Bible.

He had worked for the sheriff for 16 years. Sheriff Adrian Garcia said:

> It was tough talking to his son, but he will have many big brothers in the sheriff's department.

As Sergeant Polk was driving home that Sunday morning, his pickup truck was struck by Andres Munos-Munos, who ran a red light, never slowed down, and crashed into Polk. Polk was killed. Munos-Munos was drunk and had minor injuries.

Munos-Munos was charged with intoxication, manslaughter, and is in jail. He had been convicted last year for drunk driving and unlawfully carrying a pistol. He went to jail for 30 days for that offense. News reports also say Munos-Munos was in the country illegally.

Last weekend, while Polk was being killed in Texas, America's families of peace officers killed in the line of duty last year were here in D.C. Their fallen were honored by thousands of other officers from America on the west side of this Capitol.

Next year, about this time, Sergeant Dwayne Polk, of Harris County, Texas, and the sheriff's department will be remembered here as his name is read from the rollcall of the dead.

Citizens should appreciate the service of officers like Sergeant Polk. They do the work most of us would never do. They go into the worst places of our cities to root out evil that lives among us. They sacrifice for us. The least we can do is appreciate them for wearing the star or the badge over their heart, protecting the rest of us.

They are the only thing that stands between us and the lawless. They are among the best we have. So we mourn the loss of Sergeant Polk, while thanking the good Lord such men as him ever lived.

And that's just the way it is.

THE EFFECTS OF SEQUESTRATION

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

Mr. HOYER. Mr. Speaker, as the sequester's effects continue to place our economy and national security at risk, the news that 650,000 civilian defense workers will be forced to take unpaid leave ought to alarm all Americans who are concerned about our military readiness and national security. These furloughs will affect thousands who live in my district and thousands who live in the districts of every Member here.

After Congress voted earlier this month to end furloughs for air traffic controllers that had caused flight delays, one would have expected there to be a unanimous outcry for the rest of the sequester to be replaced.

The best way to do that, of course, Mr. Speaker, is with a big and balanced agreement, but, instead, Republicans in this House don't seem interested.

It's not just Democrats who are taken aback by their silence. Republican Senator and former Presidential nominee of the Republican Party, JOHN MCCAIN, said on May 14, just a few days ago, about these furloughs for civilian defense employees:

> Nobody seems to care. It's amazing. It's one of the most amazing things I've seen in the years I've been in the Senate.

So said JOHN MCCAIN.

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Democrats continue to call for the sequester to be replaced with a balanced approach to deficits that restores fiscal discipline, preserves our ability to pay for our military readiness, and invests in a strong economy.

The sequester, on its own, is not a solution. It has been, however, Republican policy all along and is now in effect because they refuse to compromise in a bipartisan way to find a real solution.

If you go back to July of 2011 and look at the Republican offer of the Cut, Cap and Balance bill, you will see that sequestration is in there. It is the alternative that Republicans put forth as policy; 229 Republicans voted for that policy.

Well, they got what they wanted. On April 27, a report in The Hill said:

> GOP leaders in the House said they have no plans to bring up broad legislation to replace sequestration, according to a leadership aide.

The men and women who are hard at work supporting our troops and protecting our Nation are set to be furloughed for 11 days this year—an unfair, unplanned, undeserved pay cut, while, frankly, the leadership of this House sits idly by and takes no action to replace the sequester.

The same goes for the other terrible effects sequestration could have: 70,000 eligible children kicked off Head Start; 10,000 teachers' jobs at risk; retirement disability claims delayed; 4 million fewer Meals on Wheels for seniors; 125,000 fewer rental assistance vouchers; 2,100 fewer food safety inspectors.

Surely, if those were on the floor for a vote, most of us would not vote for them; but that's what's happening as a result of the sequester.

We know, Mr. Speaker, what the Republican plan is for these defense cuts, to pass appropriation bills in the House that shift those cuts so that domestic programs, those education, Head Start, food safety that I've just mentioned, basic biomedical research, are cut more deeply than the parties agreed to in the Budget Control Act in 2011.

We also understand, Mr. Speaker, and everyone recognizes, that the domestic cuts Republicans want to impose, instead, couldn't even pass the House, let alone make it through the Senate or survive a certain veto.

So, again, Mr. Speaker, we have only one reasonable option before us, and that is to work together, to set our differences aside for the good of our country, and to achieve real compromise.

A big, balanced, bipartisan approach that replaces the entire sequester is the only way to protect our defense workers against these furloughs and end the uncertainty that they and their families are facing.

Let's have a vote, Mr. Speaker, on a balanced alternative, not another vote to repeal health care reform that's not going anyplace, not another vote to roll back the rights of workers, not another vote to strip away safety standards or environmental protections.

Let's stop wasting time and get to work on the most pressing challenge we face, and make the tough choices necessary to restore fiscal stability and invest in our economy and in our national security.

□ 1010

FEDERAL GOVERNMENT IS TOO LARGE AND HAS TOO MUCH CONTROL

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

Mr. JOHNSON of Ohio. Mr. Speaker, I find it would be irresponsible if I didn't mention this. It sounds like the lightbulb has come on for my colleague from Maryland. He now says that we should replace the sequester. I only wish that that lightbulb had come on when the House passed under Republican leadership—twice—legislation in the 112th Congress to replace the sequester with responsible spending cuts. So it looks like here we are again.

The recent admission by the IRS that it used its considerable authority and resources to target certain Americans because of their political affiliation should serve as an urgent warning to all Americans: the Federal Government is getting too large and has too much control. The simple truth is that when the government expands, personal liberty contracts.

I found it both stunning and revealing when the former adviser to President Obama, David Axelrod, said this:

> Part of being President is there's so much beneath you that you can't know because the government is so vast.

For a member of this President's inner circle to admit that the Federal Government is so massive that it is essentially not practical for the chief executive to hold it accountable or for the President to effectively manage it is simply stunning. It also begs the question, if it is no longer possible for the President of the United States to oversee all the Federal agencies assigned to him and to hold them accountable, then who is? Is anyone?

As if the IRS scandal wasn't bad enough, there are other troubling stories that have arisen in the last few weeks. The Associated Press has said that the administration monitored hundreds of private phone calls between reporters. Is this really freedom of the press? Then we find that talking points given to the administration to tell the American people what happened on that fateful night in Benghazi were twisted, cut, turned, and edited to the point that the truth wound up on the cutting room floor in the White House, or at the State Department, or at the CIA, or at the Department of Defense. Actually, we don't even really know. But we're going to find out.

But we do know one very troubling thing: the Federal Government, with the IRS leading the way, is about to become exponentially larger and more powerful because it's about to get into the health care business. ObamaCare will be fully implemented by next January. And, according to the Treasury Department's inspector general, the new health care law is the largest set of new tax law changes in 20 years.

The IRS will be hiring more bureaucrats to make sure Americans comply with these new laws and to oversee the flood of new personal information the Federal Government will be collecting on the American people. For example, under ObamaCare, the Federal Government will require insurance companies to report to the IRS the name, the address, the identification number, and type of policy purchased by every customer. And, if that weren't enough, the IRS will also require insurance companies to detail whether or not individuals purchased ''government-approved health care'' to ensure compliance with ObamaCare's individual mandate.

And, just yesterday, Lois Lerner, head of the IRS' Exempt Organizations Division, announced that she would be invoking the Fifth Amendment to protect herself from self-incrimination.

The truth is that our Federal Government is too big, too intrusive, and it's seeping into every aspect of our lives. It's taking away personal freedoms and collecting personal data. It has shown it can be manipulated to punish fellow Americans for their political beliefs, all at the expense of the American taxpayer.

And let me be clear: I'm not a no-regulation guy. We need commonsense regulations to ensure that our food is safe, our air and water are clean, our transportation system and infrastructure are sound, and that our financial transactions are secure, among other things. However, this administration has issued more than 10,000 regulations to date, including 106 major new regulations imposing $46 billion in additional costs that are being paid for by the American people. This means more rules, more bureaucrats, bigger government, and less freedom.

Most troubling to me is that we were founded as a constitutional Republic, governed by the rule of law. But there are those in Washington who think we should be a Nation governed by the law of rules, where the President and his bureaucratic agencies make up the rules. This represents a fundamental break from our history and traditions dating back to our Founding Fathers. Our Founders placed their trust in the American people to elect their representatives to make the laws necessary to allow Americans to prosper.

Mr. Speaker, I ask the American people to consider America's government is getting too big and too out of control.

As members of the House, we serve at the pleasure of those we represent. The tens of thousands of bureaucrats implementing the more than 10,000 new regulations are accountable to no one, let alone the American people.

Those that will be making health care decisions for the American people on the Independent Payment Advisory Board, IPAB, will never appear on a ballot. The American people will never be able to hire or fire those making medical decisions on their behalf. Is that fair? Is that democratic? Is that what America is all about?

Mr. Speaker, this need not be a partisan issue. The American people deserve an effective, efficient Federal Government—a government that works for them and not the other way around.

I fear that as the government continues to grow and Obamacare is fully implemented, the consequences of transferring so much power, national treasure, and control to the Federal Government will be felt widely, personally, and painfully.

In the meantime, it is the duty of this Congress to vigorously oversee the Federal agencies, and root out those political appointees and bureaucrats who've abused their positions and violated the trust of the American people.

SAFETY NEEDS OF CHILDREN AS A NATIONAL PRIORITY

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

Mr. GEORGE MILLER of California. Mr. Speaker, in the wake of the horrific tragedy in Newtown, Connecticut, where 20 children were murdered, the issue of keeping children safe has been on the minds of all Americans. Since this tragedy occurred in a school, districts and States have, understandably, focused conversations on preventing and responding to violent crime that occurs in the school building itself. However, protecting children will require much more than preventing an outside intruder from committing acts of violence against students or a good emergency response plan to deal with an event. We need to recognize that violence—or the fear of violence—against children does not begin or end at the schoolhouse door. That's why I've devoted this month to introduce legislation that focuses on the safety needs of children as a national priority.

First, I introduced legislation to establish the minimum safety standards to prevent abusive seclusion and restraint practices in schools across the country. The Keeping All Students Safe Act would protect schoolchildren from inappropriate uses of seclusion and restraints and provide school personnel with the necessary tools, training, and support to ensure the safety of all students and school personnel. These practices are, at best, cruel and, at worst, deadly. They continue to be used on children across the country.

In Indiana, an 8-year-old girl with Down syndrome had her shoes duct-taped painfully to her ankles because she refused to put her shoes on. In North Carolina, a 14-year-old boy with a traumatic brain injury was confined inside a cardboard box as a form of timeout. In some cases, children have even died from improper restraints and seclusion. My bill also would stop these abusive practices, but safety shouldn't stop at the schoolhouse door.

Investigations conducted by the Government Accountability Office, at my request, in 2007 and 2008 found that private and public residential programs, including therapeutic boarding schools, wilderness camps, boot camps, and behavior modification facilities are not always run in a safe manner. Recently, the Tampa Bay Times confirmed that problems of abuse and neglect continue, with stories of children being bruised, bloodied, and choked into unconsciousness at these programs, all in the name of discipline. More horrific stories of child abuse, including deaths in some cases, have been documented in seven States' residential programs in just the past 2 years.

Last week, I introduced the Stop Child Abuse in Residential Programs for Teens Act, a bill that would set basic health and safety standards the State would need to adopt to enforce and protect teens from physical, mental, and sexual abuse in these programs. It would also create easily accessible information for parents about the safety records of the programs so that parents can make sound decisions about if they want to send their child there or not.

No one disputes that our schools and residential programs must be a safe place for children where they can focus on learning and improving their lives, not fearing for their lives. Though some States have made progress developing policies to protect children from acts of violence, abuse, and neglect, a patchwork of protections, riddled with holes, is not acceptable when it comes to our Nation's children. We cannot sit idly by as incidents of children being abused or killed continues to occur.

Today, I'm introducing legislation that will prevent registered sex offenders and criminals convicted of crimes against children from working at schools. The Protecting Students from Sexual and Violent Predators Act would require public schools to conduct comprehensive background checks on any employee, using State criminal and child abuse registries and the FBI's fingerprint database. It would also prohibit school districts from hiring or retaining anyone who has been convicted of certain violent crimes, including crimes against children, crimes involving rape or sexual assault, and child pornography.

□ 1020

Mr. Speaker, keeping our children safe isn't a partisan issue; it's a moral obligation. This Congress must do more to protect our children. One way Congress can immediately help to ensure that students and schools have the support needed to address all aspects of violence is through the reauthorization of the Elementary and Secondary Education Act. Through a bipartisan rewrite of the Nation's education law, we can ensure that schools and students have the necessary support to provide key nonacademic services essential for students to succeed in a safe and healthy learning environment.

In the Elementary and Secondary Education Act, Democrats will be fighting for these critical services, including other measures to promote safety, such as school services for violence prevention activities, bullying and harassment prevention, drug and alcohol abuse prevention, and programs to prepare for and respond to natural disasters and emergencies in our schools.

Mr. Speaker, on my last point, my thoughts continue to be with the victims and families of all those who have suffered and continue to suffer from the terrible tragedy that took place in Oklahoma earlier this week. We are just amazed and honor all of the efforts of school staff, teachers, and parents trying to get children out of harm's way, and our heart goes out to those who were unsuccessful. I hope that Congress can support these communities in healing in every possible way. As always, keeping kids safe requires the coordinated efforts of children, principals, superintendents, community partners, and parents.

And protecting children from violence and freeing students to learn and better their lives means ensuring that states, districts, schools and communities have the resources and supports needed to implement evidence-based approaches that are tailored to the unique needs of children in that area.

My bills are only part of the solution, but an important step forward.

We owe it to parents and to the children and to the school officials who follow the rules to consider these bills.

We also owe it to them to send a strong message that people who abuse children or do not do their jobs to keep children safe will face serious consequences.

I hope that this Congress will be able to take an even more comprehensive approach to protect children in our schools and residential programs, and I urge all of my colleagues to support these bills.

NORTHERN ROUTE APPROVAL ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Dakota (Mr. CRAMER) for 5 minutes.

Mr. CRAMER. Mr. Speaker, this week, the House of Representatives is going to vote on a very important piece of legislation that should be unnecessary.

Due to the President's objection—at the insistence of Hollywood and the EPA—a critical piece of North America's energy security puzzle languishes on a desk in the Oval Office while thousands of unemployed workers collect government benefits instead of a paycheck. That is why I cosponsored and am doing all I can to pass H.R. 3, the Keystone pipeline Northern Route Approval Act, a bill that renders the northern route of the pipeline approved for construction, eliminating the need for a Presidential permit.

As vast reserves of oil are discovered and new technologies unlocked, energy security in this decade is well within our reach. The amount of oil that could be flowing to U.S. refineries in the Keystone XL represents nearly 50 percent of the oil that we currently import from the Middle East.

Mr. Speaker, in addition to sitting on two of the subcommittees that held hearings on this legislation, I have a long history of involvement with TransCanada and the Keystone pipeline as a former environmental regulator in North Dakota. From 2003 until my election to Congress last year, I carried the pipeline portfolio as one of three members of the North Dakota Public Service Commission.

As you might imagine, the oil and gas pipeline construction business is robust in my State, as the Bakken shale development has elevated North Dakota to the position of the number two producing State in the country.

One of the pipelines we sited while I was on the PSC was the original TransCanada Keystone pipeline. It carries over 500,000 barrels of crude from the Western Canadian Sedimentary Basin in Alberta to U.S. refineries in Illinois and Oklahoma.

The first 217 miles of this pipeline actually run through our State. It crosses the border in Cavalier County, North Dakota, and runs through seven more counties, crossing 600 landowners' land, two scenic rivers, and includes five pumping stations.

While not universally loved, I can tell you that not a single inch of this line in North Dakota required condemnation proceedings—not because I was such a great regulator, but because I represent such great citizens. Our citizens understand the value of energy security and the jobs that energy development creates, and that same sentiment exists in our Nation today.

The environmental safeguards we demanded on the Keystone are rigorous and appropriate. They've been tested and they work.

I toured the Keystone during construction and met many of the men and women, who were grateful for the good-paying jobs that built the line, and many other local restaurant and hotel proprietors, retailers, subcontractors who were happy to have the work and the business. The local officials and school administrators are grateful for the tax revenue that would not be there but for the Keystone pipeline, and, of course, the tax relief it provides local farmers, in addition to the easement payments, are a blessing.

Mr. Speaker, I've sited hundreds, maybe thousands of miles of oil pipelines that operate safely and efficiently throughout North Dakota, but none as thoroughly vetted and safe as the Keystone XL.

I've heard the arguments from my friends across the aisle who claim the Keystone only helps Canada and does nothing to the benefit of the United States. They also claim that the carbon footprint is too great. The fact of the matter is the Keystone has already signed up over 60,000 barrels of North Dakota crude and has the capacity for at least 100,000 barrels.

Today, 71 percent of North Dakota crude is shipped by rail. Now, I have nothing against trains, but railing oil costs more and is not as safe as pipelines. It also requires trucks to get the oil to the train.

According to the director of the North Dakota Department of Mineral Resources, Lynn Helms, approval of the Keystone XL will cause two things to happen: 300 to 500 truckloads per day will be taken off North Dakota highways, and there will be one to two fewer trains leaving the State. He calculates that greenhouse gas emissions from rail are 1.8 times and trucks 2.9 times greater than the emissions from pipeline transportation, and spills from truck transportation occur at three to four times the rate of spills from pipelines.

Approval of the Keystone will result in 450,000 to 950,000 kilograms per day less in greenhouse gas emissions in North Dakota alone, as well as significant decreases in dust, and 60 to 80 fewer spills per year.

North Dakota officials also expect highway fatalities will be reduced by three to six per year, and injury crashes by 85 to 150 annually if the Keystone XL is built.

Mr. Speaker, America's national security and America's economic security are tied directly to America's energy security, and the Keystone XL pipeline is a critical weapon in that security.

END HUNGER NOW

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

Mr. MCGOVERN. Mr. Speaker, I rise today for the 12th time this year to talk about the need to end hunger now.

I am honored to serve on the House Agriculture Committee, and last week the committee held a markup on H.R. 1947, the farm bill. I believe we need a farm bill that contains a smart, forward-thinking policy, a farm bill that ensures that farmers are able to make a living, a farm bill that benefits the American economy, a farm bill that ensures that the food grown in America makes it to the plates of every American, and a farm bill that isn't rife with fraud, waste, and abuse.

The good news, Mr. Speaker, is that a component of that smart, forward-thinking policy already exists. It's called SNAP. This program ensures that 47 million people out of the 50 million hungry in this country are able to put at least some food on their tables when they otherwise couldn't do so. This program ensures that the food grown on our farms makes it to every American's table, not just the wealthy few.

SNAP provides an economic catalyst because the SNAP benefit is spent in our local grocery stores and farmers' markets, generating jobs and revenue. Indeed, every SNAP dollar results in $1.72 in economic activity—an amazing return on our investment. And SNAP has one of the lowest error rates of any Federal program.

But H.R. 1947 would undermine all of this. It cuts $20.5 billion from the program. That cut means that 2 million people would be kicked off of SNAP entirely. It means that 210,000 kids would be kicked off the free school meal program. It means that 850,000 people will see their SNAP benefits cut by $90 a month, and this is on top of a $25 a month cut for a family of four that will already take effect in November no matter what happens to the farm bill.

You know, there was a time not so long ago when solving the problem of hunger in America was a bipartisan priority. Former Senators George McGovern and Bob Dole worked tirelessly in the 1970s to make America hunger-free. Their partnership brought us to the point where we nearly eradicated hunger altogether. And I will insert at the end of my remarks an op-ed from yesterday's New York Times highlighting this bipartisan work.

Mr. Speaker, the problem today is that it has become far too fashionable in this House of Representatives to beat up on the poor. In fact, there is now a bipartisan effort to cut hunger programs. I'm sad to say that even some Democrats are willing to support this farm bill, even with these terrible SNAP cuts. Instead of moving forward together, we are moving backward.

Mr. Speaker, the farm bill, with these SNAP cuts, is a bad piece of legislation. It's bad policy. It deserves to be defeated. Whatever good may be in this bill—from increased access to organic foods, to more humane treatment for animals, to increased job creation in agriculture—it is not an understatement to say that this bill will make hunger worse in America.

For the life of me, I do not understand why we should be forced to choose between cutting access to food and providing jobs for our ailing economy. We can and we should achieve the joint mission of ending hunger now and creating jobs together. They are very much connected and should not be pitted against each other. But that's exactly what the farm bill would do—to the tune of $20.5 billion.

□ 1030

We should end hunger now, not make hunger worse. We need a comprehensive effort to end hunger now. We need Presidential leadership. We need a White House Conference on Food and Nutrition. And we need a Congress determined to address hunger in America and bring it to an end, not make it worse.

Hunger in America is a political condition. Nothing demonstrates that more than this farm bill. We have

enough food to end hunger now; we just don't have the political will to do so. This effort to cut SNAP—to make hunger worse—must not stand.

I hope my colleagues will join me in restoring these senseless cuts. Should that effort fail, I hope my colleagues will join me in defeating the farm bill when it is considered on the House floor. We can and we must do better.

[From The New York Times, May 20, 2013]

THERE WAS A TIME WHEN ENDING HUNGER WAS A NATIONAL GOAL FOR REPUBLICANS AND DEMOCRATS

(By Dorothy Samuels)

''That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable.'' So declared Richard Nixon in May 1969 in his now widely forgotten ''Special Message to the Congress Recommending a Program to End Hunger in America.'' In that document, he summoned the country to a new level of generosity and concern and laid out a series of strong legislative steps and executive actions, including a significant expansion of the food-stamps program.

While campaigning for the White House in 1968, Mr. Nixon did not focus on the existence of a serious hunger problem. His conversion came as public calls to do something about hunger rose—driven, in part, by Senator Robert Kennedy's highly publicized trip to Mississippi in 1967 where he encountered nearly starving children and the Rev. Dr. Martin Luther King Jr.'s focus on hunger as part of the Poor People's Campaign.

During the '70s, another Republican leader, Senator Bob Dole of Kansas, forged a partnership with George McGovern, the South Dakota Democrat defeated by Mr. Nixon in 1972. They helped pass legislation to improve the accessibility and antifraud provisions of the food-stamps program. For example, it eliminated a requirement that recipients buy food-stamp coupons, a prohibitive burden for the lowest-income Americans.

That kind of dedicated bipartisan commitment to ending hunger was light-years ago in American politics—before President Ronald Reagan and, later, Speaker Newt Gingrich made attacking food stamps a prime Republican obsession, and certainly before moderate Republicans, a disappearing breed, lived in fear of making any move that might provoke a primary challenge from a Tea Party-supported candidate. The modern food-stamps program, built with Republican and Democratic support, succeeded in eliminating the most extreme pockets of hunger in parts of the country.

Today, the program remains an immensely important source of support for low-income families and children living below or near the poverty line. Still, some 50 million Americans live in households that cannot consistently afford enough food, even with the food-stamps program, now formally called the Supplemental Nutrition Assistance Program, or SNAP.

Come November, temporary increases for food-stamp aid approved in the 2009 economic recovery act are scheduled to expire, which would result in a loss of about $25 in monthly food stamps for a family of four. If anything, Washington should be allocating more money to address tremendous unmet needs.

Yet, every Republican on the House Agriculture Committee voted to approve an omnibus farm bill containing a $20 billion cut in food stamps over the next decade in the program's $800 billion or so 10-year budget. While less devastating than turning the program into a capped block grant to the states, which the House Republicans have previously endorsed, the cut is nearly five times the reduction approved by the Democratic-controlled Senate Agriculture Committee, which already is too much.

The House bill's cuts would end food-stamp assistance for nearly two million people, with the pain falling mainly on low-income working families with kids and older Americans, according to the Center on Budget and Policy Priorities. And as many as 210,000 children would lose access to free school lunches and breakfasts because eligibility for those meals is tied to their family's receipt of food-stamp benefits.

''It is just not right,'' said Representative Jim McGovern, a Massachusetts Democrat (no relation to George McGovern) before his amendment to strike the cut was defeated. Not a single Republican voted to approve it.

A MORE SECURE ENERGY FUTURE IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, again and again we have heard from this President and this administration that we need to embrace an ''all-of-the-above'' approach when it comes to meeting and supplying our country's energy needs. At the end of the day, this has simply turned into a ''none-of-the-above'' strategy of failure by this administration.

Mr. Speaker, this is not complicated. Approving construction of the Keystone XL pipeline is the first and easiest step that we can take in order to embrace our energy future immediately, build jobs, and gain economic security.

The application to build the Keystone XL pipeline has been gaining dust at the U.S. State Department for more than 4 years awaiting approval. Each subsequent day that decision isn't made further denies this country greater energy security and the creation of over half a million jobs by 2035.

By the State Department's own calculations, the number of potential jobs through construction alone stands at over 42,000. With the unemployment rate being above 7.5 percent for 4 of the years that the Presidential permit has been pending, this just economically is irresponsible.

With over 15,500 pages already produced in its National Environmental Policy Act review over the past 4½ years, under the President's schedule, we must still wait for yet another report and even more pages to determine whether construction of the pipeline would be in the ''national interest.''

At any moment, the President could step in and immediately order approval of the pipeline, yet he continues to sit idly by while more and more people, including a majority of the general public and even members of his own party, come out in support of the XL pipeline.

Mr. Speaker, it is beyond a reasonable doubt that creating thousands of jobs and providing the American people more sources of oil by approving this infrastructure project that costs the American taxpayers no money is definitely in the national interest. So what are we waiting for?

Today, the House of Representatives will take up H.R. 3, the Northern Route Approval Act, which will approve the Keystone XL construction application without a Presidential permit and let the American people know that we will not wait around any longer. At the end of the day, this crude will find its way to foreign markets one way or another, and construction of this pipeline will guarantee our access to it and help secure energy independence in North America.

Today, the average price for a gallon of gas in America is around $3.60, which is nearly $2 more than when President Obama first took office. As the summer driving season approaches, that historically threatens to bring even higher gas prices for American families and businesses. Ensuring that every environmentally safe source of oil is available in order to maintain an adequate domestic supply is absolutely vital.

Because the President, yet again, refuses to act on an issue of such great importance for the Nation, this Congress will lead by sending a clear message to the families of this great Nation that we stand with you, we stand with jobs, and we stand for a more secure energy future here in America.

MEMORIAL DAY

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

Mr. COSTA. Mr. Speaker, this weekend throughout America, in cemeteries across the land, we will celebrate and memorialize those men and women who have served, who are serving, and those who have made the ultimate sacrifice in giving their lives to protect our Nation's freedoms embodied in our Constitution and our Bill of Rights that we hold most dear. While Memorial Day is a time when family and friends gather to be together, we know it is much more than that.

This Memorial Day, we should all give thanks to the sacrifices that our men and women have made who have served in our Nation's military. We should say thanks to our family members, to our neighbors, to all those who have served, and we must always, always remember those who are no longer with us. We in our country, I believe, can never say thank you enough, for this great country we live in is made dear for all of those who have made those sacrifices over 238 years.

So this weekend, as we gather across the land to be with our families and friends, let us pay thanks, let us take evidence of what it means to be an American, knowing that at the end of the day the bonds that we share in common as American citizens are much stronger than whatever differences we may have.

God bless those who are serving and those that have served and those who

are no longer with us. God bless our country.

CLIMATE CHANGE

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

Mr. DEFAZIO. Mr. Speaker, last month, two scientists from Oregon State University, Shawn Marcott and Alan Mix, published a peer-reviewed study in collaboration with scientists at Harvard reviewing 11,300 years of global temperatures. They found that the range of temperature change in the last 100 years is equivalent to the temperature change over the previous 100 centuries.

Climate change is real, it is devastating, and it is accelerating. Most focus is on the terrestrial effects. Other research points to rapid and devastating changes in our oceans—again, a study done by Oregon State University.

Burke Hales, an OSU chemical oceanographer, coauthor with Alan Barton, who works at the Whiskey Creek Shellfish Hatchery, looked into the fact that oysters were failing at an incredible rate to spawn and reproduce. Their study linked the production failures to the CO_2 levels in the water. That has incredible implications for the future of not only the shellfish industry, an important industry in the Northwest and other parts of the country, but also for the whole ocean food chain.

The ocean chemistry is also threatening something called pteropods, who are tiny sea snails, and they're very much at risk. They happen to be a food source for zooplankton, whales, and of course our salmon, who already have a host of problems in terms of their future.

Then from the Arctic Monitoring and Assessment Programme, the Arctic seas are becoming rapidly more acidified. It turns out that cold water is especially susceptible, and as the sea ice in the summer recedes, more and more of the Arctic Ocean is exposed to the increased levels of carbon dioxide, and it is rapidly acidifying, in addition to which the melting of the ice in Greenland and elsewhere is adding fresh water, which further degrades the capabilities of the oceans to deal with the carbon dioxide.

Finally, research in the Northeast shows that the surface temperatures in the northeast Continental Shelf in 2012 were the highest recorded in 150 years of record-keeping. They found that over the last four decades many species of fish stocks have been moving north to escape the warming waters, but there are many species that cannot move or evolve that rapidly, which portends for more disasters.

□ 1040

Back in 1973, there was a science fiction movie called ''Soylent Green,'' sort of a mystery movie, but it was about an overpopulated and polluted world, and the final devastating blow was that the oceans were dying. Now we have evidence that our oceans are very, very much at risk from CO_2 and climate change.

The House Republicans are using their leadership here to stymie efforts to even research and document climate change, let alone just totally denying that it's a problem. Time and time again, they voted to know nothing and do nothing about climate change. They voted to block action on climate change no fewer than 50 times in the last Congress.

Mr. Speaker, it's time to listen to the scientists and get serious about climate change. The evidence is in. The only question now is whether Congress will listen and act.

JOBS AND SEQUESTRATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) for 5 minutes.

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to talk about jobs.

I've served almost 5 months in the Republican-controlled House of Representatives, and I've heard a lot of my colleagues talk about jobs, but we've had little opportunity to actually vote on legislation that would create American jobs.

Just this week, the Albuquerque Journal reported on the unbelievable difficulty that many New Mexicans are having in finding a job. The headline says it all. According to the article, when the Downs Racetrack and Casino in Albuquerque held a job fair last week to fill 400 openings, 6,400 job seekers showed up.

One young man interviewed said, ''I've put in 60 applications in the year I've been unemployed and haven't had a single callback.''

Another job seeker noted, ''This is the first time in my life, in 49 years, I've been without a job. You read about it, you think about it, and then when it happens it's a real awakening.''

But instead of creating an environment that would foster economic growth, Congress has done the exact opposite by allowing the indiscriminate, across-the-board budget cuts, known as ''sequestration,'' to take effect. According to the Director of the nonpartisan Congressional Budget Office, sequestration could result in a loss of 750,000 American jobs this year alone.

If there is one State that cannot afford to lose any more jobs, it's New Mexico. Our State's economy has been barely crawling along since the Great Recession of 2008. Last week, however, we finally got some good news. New Mexico's Department of Workforce Solutions reported that our State's employment growth in April was the best it has been in 5 years. A Department of Workforce Solutions official said, in fact, ''The economic recovery in New Mexico may be gathering momentum as we start a sustained recovery.''

Now, just as New Mexico finally appears to be on the way to the economic recovery our families and businesses so desperately need, the sequester threatens all of this progress; and this week, New Mexico got some really bad news. The Department of Defense announced plans Tuesday to furlough about 680,000 of its civilian employees, including 7,000 New Mexicans, for 11 days through the end of this fiscal year. Some might think that 11 days doesn't sound like much, but let's take a closer look at what 11 days without pay means to individual families.

When furlough notices begin going out at the end of this month, 7,000 hardworking New Mexicans will find out that they will be losing about 20 percent of their salaries for the rest of the fiscal year. Now, these families are trying to pay their mortgages, make their car payments, and put their kids through college. Families are already living paycheck to paycheck and are struggling just to get by. Can you imagine what losing 20 percent of a paycheck means to them? It's devastating. Although New Mexicans may feel the worst of the consequences of the sequester this year, sequester is not just a 1-year problem. It will negatively impact our Nation's economy for the next 9 fiscal years.

We all agree we need to reduce our long-term deficit, but we need a balanced approach that will create jobs. On May 14, the CBO released new projections that the deficit will fall by an extra $200 billion this year than previously expected. The CBO now forecasts that the deficit will shrink to 2.1 percent of the GDP by 2015 from a high of 10 percent of GDP in 2009. The International Monetary Fund has called the pace of deficit reduction ''overly strong,'' arguing that Washington should focus on job creation in the short term and develop a long-term strategy for future deficit reduction. The IMF added that this year's $85 billion in sequester-mandated cuts will negatively impact growth this year and beyond.

It's true that you can't tax your way to prosperity, but you can't cut your way to prosperity either, and draconian, across-the-board budget cuts aren't going to create jobs. I agree with those who say we need to get our fiscal house in order, but to do that we first need to solve the unemployment problem that is plaguing small towns and big cities throughout the Nation. More than half of the deficit stems from a sluggish economy and an unemployment rate that is above 7 percent.

Mr. Speaker, we need more Americans to get back to work. We need more Americans to get back to work so that fewer Americans will need to rely on social safety net programs in order to survive. We need more Americans to get back to work so that they will have more money to spend on goods and services, which will create even more jobs.

It has become clear that the House Republicans' so-called ''plan'' to create jobs was just empty rhetoric, a hollow promise to the American people. If House Republicans were serious about creating jobs, they would vote on the updated Van Hollen substitute—a real plan to replace the sequester with a sensible, balanced approach to deficit reduction that puts job creation first.

IN MEMORY OF ALMERINDO ''AL'' CARVALHEIRA

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. BISHOP) for 5 minutes.

Mr. BISHOP of New York. Mr. Speaker, I rise to recognize the passing of Almerindo ''Al'' Carvalheira, a Vietnam veteran who lived an extraordinary life of service to his country and to his fellow veterans. Al succumbed to cancer on January 21, 2013, at the Veterans Affairs Medical Center in Northport, New York.

Al was born on October 21, 1947, in Portugal. His family immigrated to the United States when he was 10 years old and settled in Nesconset, New York. Al proudly served his country in the United States Army during the Vietnam War and received numerous awards and decorations, including two Purple Hearts, the Bronze Star Medal, and the Air Medal.

Honorably discharged with the rank of sergeant in December of 1969, Al returned to his home on Long Island where he pursued a career in nursing and was hired by the Northport VA Medical Center in 1977. There he dedicated himself to the care and treatment of his fellow veterans as a VA registered nurse and nurse leader for nearly four decades.

Al was known as a highly effective and empathetic caregiver who was never too busy to spend time with his patients, especially the most challenging among them. His own experience gave him a unique understanding of what his patients had endured in combat. In discussions with them, he often cited his favorite book, ''The Things They Carried,'' written by fellow Vietnam veteran Tim O'Brien.

Soon after the start of his career at the VA medical center, Al was promoted to nurse manager, which gave him the supervision of all inpatient psychiatric units and the outpatient treatment program. In addition to these significant responsibilities, Al trained and developed staff in crisis intervention and implemented a crisis response team for the safety of VA patients and staff. In order to provide veterans the best care possible, Al found the time to earn a master's degree in nursing from Stony Brook University.

Dear to Al's heart was the Suffolk County, New York, chapter of the Vietnam Veterans of America, to which he devoted 38 years of service, working day in and day out taking care of ''his boys,'' advocating for the needs of all veterans and raising awareness of the contributions and sacrifices made by our Nation's veterans and their families.

In May of 2009, I had the great pleasure of working with Al and his friends and fellow Vietnam veterans Richie Kitson and Clarence Simpson to rename the Riverhead, New York, Post Office in honor of Suffolk County's only Vietnam War Congressional Medal of Honor recipient, PFC Garfield M. Langhorn.

That same year, Al took the lead in the construction and dedication of the Vietnam Veterans Memorial Garden on the grounds of the Northport VA Medical Center, which recognizes and honors the sacrifices of our Nation's servicemen and -women. The memorial garden's dedication ceremony was held in October 2010 and was attended by more than 300 people.

In 2011, Al and members of the VVA were inspired by Dignity Memorial's replica of the Vietnam Veterans Memorial Wall to expand the Northport VA Medical Center's Vietnam Veterans Memorial Garden for the inclusion of a permanent war memorial known as The Wall of Wars.

□ 1050

It was during this time that Al was diagnosed with cancer. Although Al will not be present at the VA's Veterans Day dedication of the The Wall of Wars, his legacy as a war hero, a VA nurse, and a veterans advocate is and will be forever present on the grounds of the Northport VA Medical Center and throughout Suffolk County's veteran community.

On January 25, 2013, Vietnam veteran and U.S. Army Sergeant Al Carvalheira was laid to rest with military honors at Long Island's Calverton National Cemetery. Al is survived by his beloved wife of 40 years, Geraldine, and their two sons, Almerindo and John, as well as six grandchildren.

Mr. Speaker, on behalf of New York's First Congressional District and a grateful Nation, it is my honor and privilege to recognize Almerindo ''Al'' Carvalheira for his distinguished service and many contributions to our Nation and his fellow veterans. He will always be remembered with our love and appreciation.

CLIMATE CHANGE

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

Mr. BLUMENAUER. Mr. Speaker, recently research has shown that fish populations are not waiting for climate change to make their habitat impossible for them to live. They're moving. That's right: fish all over the globe are migrating to cooler climates.

In a process that's been taking place for decades now, fish are sorting themselves out and leaving areas that no longer sustain their quality of life, their ability to reproduce and to thrive. They've steadily been moving to areas where the effects of climate change are not so pronounced.

Isn't it interesting that fish, without fancy scientific instrumentation or computer analysis, have reacted to the facts in the sea and moved where they can function, where they can live and where they can, at least for the time being, escape the impacts of climate change?

They're also escaping from people who depend on them in their previous habitat to fish, but that's another story on the consequences of climate change and global warming.

Isn't it time that the political process starts responding in ways that even fish can? One would hope. But, instead, today on the floor of the House, we're going to return to debate the Keystone pipeline that would carry oil extracted from Canada's tar sands to the U.S. gulf and short circuit Presidential review.

Given the potential negative environmental impacts, the repeated efforts by some to rush the environmental and public safety review process, the overwhelming number of comments and concerns received from the public and the recent news about the atmospheric levels of carbon dioxide that have reached 400 parts per million, an amount not seen in at least 3 million years, I'm concerned that this sideshow over the Keystone pipeline will make our climate problem worse, rather than better, and poison the ability to make progress in the future.

The simple fact is that this pipeline would facilitate the exploitation of one of the dirtiest sources of energy—tar sands oil—that poses public, safety, and health risks.

In addition to possible worsening of the effects of global climate change, there are serious questions that remain about pipeline safety, spill prevention, and protecting the public from potential health impacts in the wake of the spills that are inevitable.

Tar sand developers are amazingly exempt from paying into the oil spill liability trust fund, making American taxpayers liable for the cost of any spills from the Canadian tar sands oil. This places, I think, an unacceptable and unnecessary risk on American taxpayers, one that we can ill afford to assume today.

This will be the seventh time that we voted and that I will vote against proposals to streamline the building of the Keystone pipeline as some Members of the House continually and repeatedly attempt to circumvent the legislative process and rush its proposal.

The only positive of this project is creating several thousand temporary construction jobs and a few dozen permanent jobs. That's no reason to short circuit the review required by law.

The potential environmental harm done by the pipeline—both from the threat of oil spills to the precious aquifer that it will be passing over and because tar sands emit three times more

global warming pollution than conventional oil—has led me to the conclusion that I hope President Obama does not approve the pipeline.

There are many things we should be doing to rebuild and renew America and create millions of jobs, not a few thousand temporary construction jobs. We ought to be looking at different approaches to revenue and dealing with carbon pollution. For instance, we are discussing a draft that would potentially tax carbon emissions dealing directly with the problem, help provide revenues to lower taxes, pay for what America needs and deal with emerging technologies and level the playing field for technologies of the future.

Now, as we watch climate change begin to have serious impacts on our environment, our fish, our wildlife population, and our seasons and the weather, the least we can do is stop actions that may well make climate change worse.

RECESS

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

Accordingly (at 10 o'clock and 56 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Dr. Ken Whitten, Idlewild Baptist Church, Lutz, Florida, offered the following prayer:

Dear Father in Heaven,

Our heads are bowed because that is the position of humility, a spiritual characteristic that Your Word says brings grace. We fold our hands to express godly fear because You said, ''The fear of the Lord is the beginning of wisdom.'' And we all recognize that is the need of this hour and this day.

Our hearts, Lord, break with the families in Moore, Oklahoma. The loss and devastation leave us speechless, but it is in these heart-wrenching days we find ourselves saying that we are not Republicans, Democrats, or Independents; we are one Nation in need of grace, healing, and salvation.

We pray that the decisions made in this Chamber today will reflect Your heart, a heart for the broken, the bruised, the abused, and the abandoned.

May You help us today to think more about the spiritual than the economical, more about the eternal than the temporal; and Lord, may we echo that Puritan prayer of old:

What we know not, teach us.
What we have not, give us.
What we are not, make us.

In Jesus' wonderful name we pray.
Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. OLSON led the Pledge of Allegiance as follows:

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

WELCOMING DR. KEN WHITTEN

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

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, I rise today to welcome Pastor Ken Whitten before the House of Representatives.

Pastor Whitten serves as the senior pastor at Lutz, Florida's, Idlewild Baptist Church, which has served the Tampa Bay community for almost 80 years.

While originally based out of an old garage building, today it serves a congregation of more than 12,000 members on a 143-acre campus.

Under Pastor Whitten's leadership, the Idlewild family has placed a focus on both local and global missions, a biblical guidance ministry, instructional classes for those who seek to grow spiritually, and activities and ministries for all ages.

Pastor Whitten is a pillar of our community and has guided tens of thousands of people as they develop and grow their personal relationship with the Lord.

Mr. Speaker, I welcome Pastor Whitten to our Nation's capital.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

EXPLOSIVE ORDNANCE DISPOSAL MEMORIAL

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

Mr. CRAWFORD. Madam Speaker, earlier this month, I visited the Explosive Ordnance Disposal Memorial on Eglin Air Force Base in Florida. The memorial wall is located across from the EOD school where men and women from every branch are trained in the elite and specialized skills necessary to locate, identify, render safe, recover, evaluate, and dispose of explosives.

As former Army EOD, I understand the critical role our EOD forces play as the key enablers in the ongoing war on IEDs both at home and abroad. I also understand the omnipresent danger that our EOD warriors face in the battlefield and on civil support missions here in the United States.

The memorial wall contains the names of the brave men and women of the EOD who have given their lives in defense of our freedom. The memorial wall does an excellent job of recognizing the incredible sacrifice that our EOD forces and all of our men and women in uniform make every day on behalf of our freedom.

I would like to take a moment to honor the EOD warriors who lost their lives in the line of duty between World War II and Vietnam but are not recognized on the EOD memorial wall. These men and women served valiantly and lost their lives in the line of duty, but are not included on the memorial wall because they were not physically assigned to an EOD unit at the time of their death. These brave warriors lost their lives performing EOD duties in support of their fellow soldiers, sailors, airmen, and marines and deserve to be recognized for their service.

With Memorial Day approaching, now is an appropriate time to recognize their sacrifice. I would like to submit their names for inclusion in the CONGRESSIONAL RECORD.

God bless our troops and God bless the United States of America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair asks all Members to remove communicative badges prior to being recognized.

THE HARMFUL EFFECTS OF SEQUESTRATION

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, instead of working together to find a compromise to fully reverse the sequester, House Republicans have turned their backs on the American people and are jeopardizing our fragile economy. In fact, sequestration will cost 750,000 jobs this year alone, according to the Congressional Budget Office.

We saw last month how quickly and easily these cuts can be addressed when the Congress passed legislation to address traffic controller furloughs. But we have not been given the opportunity to address the 70,000 children who could lose access to Head Start or any of the

other programs that have been crippled.

Funding for the National Institutes of Health has shrunk by $1.5 billion, cutting into lifesaving medical research for areas that include breast cancer, heart disease, and Alzheimer's. The cuts from NIH alone will result in a loss of more than 20,000 jobs and $3 billion in economic activity.

We can address these cuts, but the GOP's obstructionism has stalled all reasonable efforts.

We need to work on an approach that will fix sequestration while reducing our deficit sensibly.

Mr. Speaker, I urge my Republican colleagues to come to the table to compromise, and help find a solution that will keep our economy on track and growing.

IS THIS AMERICA?

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

Mr. OLSON. Madam Speaker, under the threat of perjury, a Tea Party in Texas' 22nd Congressional District was asked these questions by the IRS:

Have you attempted or will you attempt to influence the outcome of specific legislation?

That activity is protected by the Constitution. Is this America?

Do you directly or indirectly communicate with members of legislative bodies?

That activity is protected by the Constitution. Is this America?

This is not America. House Republicans are going to restore America by giving the people the truth they deserve.

GREAT LAKES RESTORATION INITIATIVE

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

Mr. HIGGINS. Madam Speaker, the Great Lakes Restoration Initiative represents our Nation's commitment to protecting the health of our Great Lakes, the largest source of fresh water in the world, representing $7 billion in economic activity annually.

In western New York, the revitalization of Buffalo's Inner and Outer Harbor areas depends on efforts to restore the health of Lake Erie and the Buffalo River.

The Environmental Protection Agency will soon host a series of public meetings to gain community input to guide the next phase of Great Lakes restoration, and one of the meetings will be held in Buffalo.

Madam Speaker, the Great Lakes are a unique natural treasure with global significance. The Brookings Institution report shows that for every $1 invested in Great Lakes restoration, a $2 return in the form of increased fishing, tourism, and home values is achieved. It is our responsibility to ensure that the restoration initiative is fully funded in this year's appropriations, and also to be an active partner in protecting and restoring our Great Lakes.

□ 1210

KEYSTONE XL PIPELINE

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

Mr. WILLIAMS. Madam Speaker, it's a rare occasion when Democrats, Republicans, the President, his supporters, and the public all agree on something. What doesn't make sense is that, while we all agree it's time to build the Keystone pipeline, President Obama has blocked its construction for over 4 years.

The Keystone pipeline would create over 42,000 jobs. It will invest $7 billion into the U.S. economy, and it will increase U.S. energy security and independence by safely transporting 830,000 barrels of oil per day, which is nearly half of what the U.S. currently imports from unstable, hostile nations.

At a time when gas prices are on the rise and unemployment remains around 8 percent, we cannot afford to delay this project any longer. The President's own Web site says we need an all-out, all-of-the-above energy strategy that develops every available source of American energy.

I would say, Mr. President, you have a lot to worry about currently, so forget about this one, and let the oil flow.

The Keystone project is ready. Congress is ready. The public is ready. Madam Speaker, is the President ready?

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

HONORING OUR WORLD WAR II MERCHANT MARINERS ACT OF 2013

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

Ms. HAHN. Madam Speaker, for over 200 years, the U.S. Merchant Marine has been a pillar in the foundation of our country's national security and economic growth, and so it is fitting that every year on May 22 we celebrate National Maritime Day in recognition of their service and sacrifice across the centuries.

On this day, we reflect on the service of the men and women of the Merchant Marine who served during World War II, many thousands of whom died in delivering the arsenal of democracy over the seas to the battlefields of Europe and the Pacific. Merchant mariners died at a higher rate in World War II than any uniformed service. Unfortunately, the veterans of the Merchant Marine who risked their lives in the service of this Nation and of all freedom-loving nations were never eligible for the provisions of the GI Bill, which helped millions of veterans go to college, secure a home, and transition seamlessly into civilian life.

That's why I have introduced the Honoring Our World War II Merchant Mariners Act of 2013. This bill would provide a $1,000 monthly benefit to the nearly 10,000 surviving World War II mariners. By providing this modest benefit, we will finally be giving our brave merchant mariners the recognition and benefits they deserve.

MEMORIAL DAY

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

Mr. COLLINS of New York. Madam Speaker, I come to the House floor today to honor all of those who died in fighting for our country. This coming Monday, this Nation will observe Memorial Day, a day set aside to pay tribute to the brave men and women who made the ultimate sacrifice for their country in defense of our freedom.

As Members of Congress, so much of what we do on behalf of our constituents touches the military in some way. Recently, my office secured a new Silver Star Medal for the late John Chase, a World War II veteran from Batavia, New York.

Drafted into the Army, Mr. Chase fought bravely in the Battle of the Rhineland in 1945, a critical victory for the Allied Forces. Last month, as he grew increasingly ill, Mr. Chase's family reached out to my office for help in securing a new medal. In the process, we discovered Mr. Chase also qualified for the Bronze Star, which he had never received. We were able to present the medals to Mr. Chase's family on the day he passed, allowing them to be properly displayed at his funeral.

I want to thank Mr. Chase posthumously for his distinguished service and pay my respects to all Americans killed in wars both present and past.

SEQUESTRATION AND THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today to bring awareness to the devastating effects sequestration is having on HUD and those who benefit from the agency's work.

Because of Congress' failure to pass legislation to reduce the deficit, the Federal Government is making across-the-board spending cuts to domestic and defense programs, including HUD and all its related agencies. These cuts are having a profound impact on people, especially in the rental and homeless assistance programs, and families in my district are feeling this firsthand. The housing authorities in my district will soon be forced to consider terminating approximately 1,800 families from housing assistance. Cuts to housing authorities will affect their capacity and their efficiency to serve

low-income individuals and families, the elderly, the disabled—all of whom need these programs to survive.

Our focus in our communities should be to do everything possible to prevent homelessness.

KEEP THE IRS OFF YOUR HEALTH CARE ACT

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

Mr. DAINES. Madam Speaker, like most Montanans, I was appalled to learn that the IRS had deliberately targeted groups for investigation based on their beliefs. Given these events, it would be senseless to empower the IRS to oversee major aspects of the American health care system. Yet that's what ObamaCare calls for.

That's why I've signed on to the Keep the IRS Off Your Health Care Act, which states that the IRS may not be involved in any aspect of President Obama's health care law. In fact, just last night, I held a tele-town hall meeting with thousands of my fellow Montanans, and more than 90 percent of those who participated agreed that the IRS should be stripped of its power to implement ObamaCare.

The American people have every right to demand that their government be accountable and that their government's actions be driven by a desire to serve the American people, not by political motivation. With the IRS' recent abuse of power, it's sadly clear that stopping the IRS from using its power to oversee Americans' health care is a necessary step.

UNIVERSITY OF CALIFORNIA AT IRVINE VOLLEYBALL

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

Mr. BERA of California. Madam Speaker, I'd like to congratulate the 2013 NCAA men's volleyball championship team from my alma mater, the University of California, Irvine. The UC system is one of the best public college systems in the world, and UC Irvine, through its academics, its research and athletics, continues to make me proud.

The volleyball team recently won its fourth championship in 7 years. It's amazing. Congratulations especially goes to Connor Hughes, the tournament's Most Outstanding Player. He joined Chris Austin, Michael Brinkley, Collin Mehring, and Kevin Tillie on the all-tournament team. Hats off to Coach David Kniffin, who is just the second coach in the 44 years of men's volleyball history to coach a team to the championship in his first season.

You've made us all proud. Go Anteaters.

ENERGY II

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

Mrs. BLACKBURN. My constituents are asking me this question: What does this administration have against expanding energy production?

More American energy means more American jobs. We all know that that is true. It also would mean lower energy costs, stronger national security, and a boost to our economy, a boost that we badly need with 12 million Americans out of work. Yet the President has seemed to stymie the energy sector at every single turn. We're going to give him the opportunity to change that record as we bring another bill forward that would approve moving forward with the northern route of the Keystone pipeline.

Now, we all know that burdensome overregulation by this administration has caused energy output domestically on our Federal lands to decrease significantly—about 30 percent. It hampers our ability to be productive.

□ 1220

DISASTER RELIEF

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

Ms. CHU. This week, we saw heartbreaking images of devastation following a tornado in Moore, Oklahoma, that is estimated to have been more than a mile wide.

The scope of the disaster reminds us that we're all at the mercy of nature's whims, but it also reinforces a sense of community that we share as Americans. When the final cloud dissipated, Oklahomans were met by friends, neighbors, and Red Cross aid workers ready to help, the same as the victims of Sandy along the Jersey shore and the same as those who weathered the waters of Katrina in the Ninth Ward.

One thing every American can rely on in the face of disaster is that every other American wants to help. Whether we face tornadoes on the Great Plains or earthquakes in Los Angeles, we face them together. Let's make sure these victims get the Federal disaster aid they need on a timely basis. Whether we endure in a red State or a blue State, we are all equally deserving of each other's assistance.

KEYSTONE XL PIPELINE

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

Ms. FOXX. Mr. Speaker, parents know all too well the sinking feeling that settles in around the kitchen table when it's time to pay bills.

Utilities costs takes up more and more each month and the once-simple task of putting gas in the car has become an act of financial acrobatics.

Heading into a long, hot summer, House Republicans are committed to an all-of-the-above American energy strategy. If there's more American energy, prices will be more affordable, and there will be more American jobs. Period.

Who would stand in the way of that? Apparently, President Obama.

The President continues to play favorites in the energy sector and block domestic energy with onerous regulations. Red tape only makes it harder to capitalize on economic-growth opportunities and harder to achieve energy independence.

If the President were just to sign off on the Keystone XL pipeline today, he'd open up thousands of American jobs, but for 5 years he has refused.

House Republicans are serious about expanding energy production. It's time the President got serious, too.

JOHN LAIRD, THE HARVEY MILK CHAMPIONS OF CHANGE AWARD RECIPIENT

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

Mr. FARR. Mr. Speaker, I rise today to acknowledge and congratulate John Laird, a constituent of mine in Santa Cruz, California.

Today, John is being hosted at the White House as one of the 10 persons to be presented the Harvey Milk Champions of Change award.

John Laird is a committed public servant, counting 23 years in elective office and 40 years in public life overall.

He also happens to be gay. John's years of leadership prove that people are people and they have myriad skills to share. Sexual orientation doesn't somehow change that desire to serve others.

Currently, John serves as the California Secretary of Natural Resources where he does an outstanding job of overseeing the State's vast outdoor resources.

Again, I say congratulations to Secretary John Laird for being true to himself and true to his public calling and all of us in the State of California being the ones who benefit from it.

KEYSTONE XL PIPELINE

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

Mr. MARINO. Madam Speaker, today I rise in support of the Keystone XL pipeline and urge passage of H.R. 3, the Northern Route Approval Act.

In the 1,700 days that TransCanada has been waiting for approval for Keystone XL, the State Department has issued over 15,000 pages of documents analyzing the project's environmental impact. This administration continues to delay and impede efforts to foster oil and natural gas production under an all-of-the-above energy solution.

Recent advances in technology have put America in the center of a booming

natural gas industry, particularly in my area, the PA 10th District. A NATO Parliamentary Assembly report estimates that our shale will provide gas to supply the United States for the next 90 years at least.

If Americans have access to vast and affordable resources, why are we not utilizing them? The same NATO PA report emphasized that the U.S. could lead the world in oil and natural gas production.

It's time to build. Remove the roadblocks preventing construction of the job-creating, economy-boosting Keystone XL pipeline.

THE TUCKERS ON SEQUESTER CUTS

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

Mr. YARMUTH. Madam Speaker, as the reckless across-the-board cuts in Federal spending known as ''sequester'' continue, I want to share a letter I received from my constituents, Leslie and Brian Tucker:

> After being robbed by our home lender during the mortgage modification fiasco, my wife took a job with Jefferson County Public Schools and turned it into a career. She earned a certificate in childhood development and went to work at Duvalle Learning Center in Early Childhood Education as an assistant. After hard work, she rose to a lead teacher position.
>
> I am a union steel worker with bad insurance. We have three children together—the youngest is 13 months, the oldest is 16 years old. My wife recently was diagnosed with hyperthyroidism and will require an expensive procedure to fix it.
>
> The news of her sequester-caused layoff hit us especially hard, as it seems every time we get ahead a step, something knocks us back down.
>
> Middle class life now requires two incomes. Without my wife's job, we will undoubtedly end up drawing some sort of assistance. If Congress can fix travel delays with the stroke of a pen, then helping my wife and the other teachers in Louisville being laid off should be a walk in the park.

Madam Speaker, I urge my colleagues to listen to the Tuckers and end sequestration.

SISTER MONSON

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

Mr. STEWART. Madam Speaker, like all Americans, my thoughts and prayers are extended to the people of Oklahoma this day.

I also rise to pay tribute to a modern-day heroine, Mrs. Frances J. Monson, who passed away last week. Frances, the wife of Thomas S. Monson, president of the Church Jesus Christ of Latter-day Saints, led a life full of service, love, and dedication to her family, friends, and her faith.

Her daughter Ann has remarked of Mrs. Monson:

> Instead of looking for the recognition of the world, she has always received her recognition of worth from such things as the happy smile of a son or the outstretched hand of a grandchild.

In 1998, she was the recipient of the Continuum of Caring Humanitarian award by the Friends of St. Joseph Villa, but she never asked for a lot of attention. Instead, she turned to serve others with a compassionate and caring attitude. Her life was a shining example of one filled with faith, hope, and charity.

On a very personal note, President and Mrs. Monson have always been a source of inspiration to me and my family. I want to thank them for their great example of Godly love, which has served as a model for more than 14 million Mormons around the world. She will be greatly missed; but her devotion to her faith has touched so many, it will undoubtedly leave a lasting impression upon the world.

PAY AS YOU RATE ACT

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

Ms. TITUS. Madam Speaker, I rise today to encourage my colleagues to join me as original cosponsors of the Pay As You Rate Act.

The Veterans Administration currently has more than 1 million backlog cases, and 70 percent of these have been under review for more than 125 days. For some veterans like those in southern Nevada, the average time to process a claim is close to 500 days. This is just unacceptable.

The Pay As You Rate Act will ensure that veterans receive at least some of their benefits in a more timely fashion.

Currently, the VA withholds benefit payments to veterans until their entire claim has been reviewed and processed. This is a serious problem, especially for Iraq and Afghanistan veterans whose average claim contains 8.5 separate components.

The Pay As You Rate Act will require the VA to pay veterans benefits as each element of the claim is reviewed rather than waiting until the entire package has been processed. This is a commonsense change which will put money in veterans' pockets sooner and also address the backlog.

□ 1230

NATIONAL FOSTER CARE MONTH

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

Mr. MESSER. Madam Speaker, I rise today in recognition of National Foster Care Month. All children deserve a safe, loving, and permanent home. Yet more than 400,000 of this Nation's children in foster care are still looking for such a place, a place where safe, supportive, and stable families can help nurture their dreams to reality.

Madam Speaker, our Nation can never forget these amazing young people, and we should all thank the thousands of caregivers already answering the call and working tirelessly to help these children in need. But together, we must pledge to do more. Despite the best efforts of thousands, many foster youth struggle to find a permanent home. We are a Nation good enough and great enough to answer this call.

WHY ISN'T ANYONE TALKING ABOUT THE DEFICIT

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

Ms. HANABUSA. Mr. Speaker, the mantra for at least 4 years has been the Federal budget deficit, but for some reason, it is now rather quiet. The question we should be asking is: Why?

Could it be because last week the CBO readjusted its projections and has determined that the government's annual deficit is shrinking faster than expected—actually shrinking? The deficit which topped 10 percent of the gross domestic product in 2009 and exceeded $1 trillion a year is now expected to shrink to $642 billion this fiscal year. That's $200 billion lower than expected. The deficit is expected to be 2.1 percent of the GDP by 2015, a rate that is deemed manageable by the CBO. So why aren't we talking about this?

Just so we're clear, the $200 billion is not due to the sequestration. Shouldn't we be saying something is going right? Could it just be the implementation of the Obama policies may be working? Imagine if we implemented it all.

Mr. Speaker, let's talk about it so the people can clearly hear.

RECOGNIZING MEMORIAL DAY

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

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to recognize the courage and the bravery of those servicemen and -women who have paid the ultimate sacrifice in defense of our most cherished principles.

This Memorial Day, we honor their lives in the name of freedom, and we owe them our deepest respect and gratitude. But even more, we owe them our allegiance to the principles for which they have given so much. We reflect upon these ideals, as we have on this day for the past 145 years.

Service to one's country is a value that has been deeply ingrained in American heritage and—especially in my home State of Georgia—you would be hard-pressed to find someone who did not either personally serve or has a family member or friend who has served.

My home district has recently lost 37 of these unforgettable heroes, and it is in their memory that I would like to give my deepest regards to the servicemembers who have laid down their

lives and the families whose loved ones have been laid to rest for our great Nation.

HONORING WOMEN IN MILITARY SERVICE

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

Ms. JACKSON LEE. Mr. Speaker, again let me offer my deepest concern and sympathy for our fellow Americans in Oklahoma—what an enormous tragedy and devastation—and also our friends in north Texas. America is embracing them, as we should.

But I rise today to acknowledge, as we look toward this coming weekend, and honor those who have fallen in battle, and to be able to celebrate the experience that Members of Congress, women Members of Congress had this morning in commemorating the war memorial for women, and to salute Brigadier General Wilma Vaught, who was the founder and originator, along with Members of Congress, of this historic memorial.

Today, we ascended to Arlington National Cemetery where we placed a wreath in honor of those women. 154 women have fallen in Afghanistan and Iraq. We had the privilege of honoring five women from the five military branches and to, again, pay tribute to those who are willing to sacrifice.

Men and women sacrifice. They are parents. Mothers leave behind their children and families. Families depend upon women in many different ways, and it is greatly an honor to be able to honor those women and to say as well that we will never, ever forget those men and women who have fallen in battle. And we will be in there on Memorial Day, as I will be in my Heights location doing a flag ceremony and at the Veterans Cemetery, because this is what America does. We never forget those who fell in battle for us.

KEYSTONE XL PIPELINE

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

Mr. SOUTHERLAND. Mr. Speaker, 1,700 days and counting: that's how long it's been since the application to build the Keystone XL pipeline was submitted to the State Department. And with each passing day, every new delay, job creation has been stalled and American energy independence has been pushed to the back burner.

That is why I am pleased to join my colleagues in saying no more roadblocks to American-made energy. No more roadblocks to the 40,000 jobs that will be created during the construction of the Keystone XL pipeline, not to mention the jobs to run and operate it in the future.

The time for the Keystone XL pipeline is now. The time for our energy independence is now. Let's pass this bipartisan legislation and get to work for the American people.

KEYSTONE XL PIPELINE

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

Mr. TIPTON. Mr. Speaker, I would like today to be able to begin with a quote:

> We are tired of waiting, and we believe the time has come to make the final decision on one of the most important projects to unlock the energy future for this country, the Keystone XL pipeline.

Mr. Speaker, this quote is not from an energy titan. It comes from Sean McGarvey of the AFL–CIO.

The time has come for America and North America to be able to seek and achieve energy self-sufficiency. This is part of the solution. Americans are tired of not planning for the future. We need to unleash that potential to be able to put our people back to work. The time has come. The time is now. Let's get America back to work. Let's create energy security right here on this continent.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 22, 2013.

Hon. JOHN BOEHNER,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to Section 3 of the Protect Our Kids Act of 2012 (Pub. L. 112–275), I am pleased to appoint Mr. Robert E. ''Bud'' Cramer of Huntsville, Alabama, to the Commission to Eliminate Child Abuse and Neglect Fatalities.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

MAY 22, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 22, 2013 at 11:08 a.m.:

Appointments:

Military Compensation and Retirement Modernization Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

PROVIDING FOR CONSIDERATION OF H.R. 3, NORTHERN ROUTE APPROVAL ACT

Mr. WEBSTER of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 228 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 228

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 90 minutes equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments in the nature of a substitute recommended by the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–11. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1240

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. WEBSTER of Florida. For the purpose of debate only, I yield the customary 30 minutes to my colleague on the Rules Committee, the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I

may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. WEBSTER of Florida. Mr. Speaker, I rise today in support of this rule and the underlying bill.

House Resolution 228 provides a structured rule for consideration of H.R. 3, the Northern Route Approval Act. The rule makes 10 of the 25 amendments submitted to the Rules Committee in order, nine of which were sponsored by my colleagues on the other side of the aisle, and it provides for a robust debate in the House of Representatives.

The underlying bill was marked up by three committees of jurisdiction, and each committee reported the bill favorably with a bipartisan vote.

Additionally, the U.S. Senate, on March 22, 2013, voted to approve the pipeline by a vote of 62–37.

Mr. Speaker, there are four simple reasons this bill has garnered bipartisan support: it creates American jobs; it increases our energy independence; it strengthens our national security; and it will contribute to lower gas prices.

This bill leads where the President has wavered, and finally approves the northern route of the Keystone XL pipeline, which has been studied for over 1,700 days by 10 Federal agencies and several State environmental agencies.

The U.S. Department of State has issued four environmental impact statements, at a total length of 15,500 pages. These studies prove that the vast majority of the project will not result in a significant environmental impact, and mitigation efforts will be undertaken to reduce any environmental impact.

Additionally, the project includes 57 project-specific special conditions to ensure the maximum level of safety. Due to these conditions, the U.S. State Department's Environmental Impact Statement found that the pipeline will have ''a degree of safety over any other typically constructed domestic oil pipeline system.''

For 4 long years, multiple studies and well over 15,000 pages of environmental analysis, the administration claims that the XL pipeline still cannot be approved. We all hear the echo of the President chiding Congress with his slogan, ''We can't wait.''

I would like to ask, Mr. Speaker, if not now, when?

This bill answers that question, and the answer is today. It is clear that this pipeline will create jobs, increase national security, and contribute to lower gas prices. For this reason, H.R. 3 breaks the Presidential logjam and approves this worthwhile project.

On December 23, 2011, both the U.S. House and the Senate unanimously approved, and the President signed into law, a bill that required the President to approve the pipeline unless the President determined that the project did not serve national interests.

On January 18, 2012, the President said ''no'' to the pipeline, claiming that it did not serve national interests.

By preventing this project from moving forward, he said ''no'' to 42,100 construction and manufacturing jobs at a time when Americans need work. He said ''no'' to cheaper gas prices for goods and services which could result in reduced energy cost.

As you know, Mr. Speaker, lower energy costs lead to lower manufacturing and shipping costs which, in turn, contribute to less grocery, gas and utility bills for the average American family.

He said ''no'' to increased diversification of America's oil supply. He said ''no'' to reduced dependence on foreign oil. All these benefits this generation could pass on to future generations.

By this inaction, the President said ''yes'' to more oil from barges from the Middle East. When the pipeline is finalized, it will transfer 830,000 barrels of oil each day, which totals nearly half of our current daily imports from the Middle East.

The President said ''yes'' to our ally, Canada, taking its business elsewhere, to China, rather than the United States. The oil from the tar sands of Canada will go on the market somewhere, whether we approve the XL pipeline or not. This is our chance to ensure Americans will have the opportunity to benefit from the energy supply, not China.

The State Department acknowledged that the United States would be more secure if we relied more heavily on a non-OPEC source, such as Canada, for our energy needs.

According to the State Department, and I quote:

> Non-OPEC Canadian crude oil supplies advance the energy security of the United States, given Canada's close proximity, our free trade agreements, and our close bilateral relationship with a stable democracy.

Canada is a more reliable and cost-efficient source of energy than the foreign oil that we depend on from the Middle East, Africa, and other regions of the world.

For these reasons, Mr. Speaker, I rise in support of this rule and the underlying legislation. The relevant committees of jurisdiction have provided us with a bipartisan bill that will create American jobs, ensure energy independence, increase our national security, and contribute to the lower gas prices.

I encourage my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying bill.

I reserve the balance of my time.

Mr. POLIS. I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to the rule and the underlying bill, the Northern Route Approval Act.

In the words of Yogi Berra, it's deja vu all over again here in the House of Representatives.

Last week, the House of Representatives repealed the Affordable Care Act for the 37th time. This week, for the eighth time in 2½ years, we're voting yet again on another Keystone pipeline measure that will never become law.

The very decision to sign this law would lie with the same President upon whose desk this decision is currently awaiting approval; and, therefore, this is yet another waste of taxpayer time, taxpayer money, when we have pressing national issues we should be discussing—how to address our budget deficit, how to get our economy moving, how to renew affordable college and low-interest rates for students.

There are so many issues that my constituents are crying out for. Yet another symbolic issue that has nothing to do with whether the Keystone pipeline is approved or not is the last thing we should be spending our time here on the floor of the people's House debating.

Rather than creating a bill that's more viable, instead this bill, by far, is the worst iteration of the bill that we've seen, worst of the eight.

Even my colleagues who support construction of the 875-mile pipeline are having trouble supporting this bill because of its thinly veiled messaging that guts important laws and waives judicial review.

In short, this Northern Route Approval Act is a regulatory earmark, a specific earmark which this House of Representatives has purported to eliminate. Not only is it an earmark; it's an earmark that has a far greater dollar value than any of the earmarks that have been much maligned by Members of both parties and are no longer part of this deliberative body.

At a time where we should be advancing on renewable energy policy, on an all-of-the-above energy policy, this bill would bypass the very system that this Congress has set up under the law for consideration of a project.

□ 1250

This project has nothing to do with gas prices. In the analysis from the Department of State, there is absolutely no indication this would have anything to do with gas prices. This is for the global market. Let's debate it for what it is. Is it a favor to Canada if we do it? Absolutely. Does it have an environmental and health impact on Americans? Absolutely. Weigh the two. Let's look at a cost benefit.

This has nothing to do with lower gas prices. If we want to talk about lower gas prices, let's do it. Let's increase fuel efficiency standards to lower gas prices. Let's look at what we're doing nationally. Let's look at our processing

capacity. Let's look at alternative and public transportation. There's a lot of things we could be doing that actually would reduce gas prices. There is no analysis in the Department of State's thorough vetting of this that this would have any impact on price at the pump. This is 5 to 10 years from now, exporting a majority for the global market.

Instead of voting on this act, there's a number of other great bipartisan bills we could be talking about which would reduce gas prices. Let me give an example.

The Public Lands Renewable Energy Act that I helped coauthor with Representatives Gosar, Thompson, and Heck of Nevada would expand renewable energy development and create jobs while protecting our Nation's public health and environmental resources. And yes, because we expand our renewable energy development portfolio, it would apply downward pressure on gas prices.

This bill is talking about a review process that's already well underway for the Keystone XL pipeline. Congress, itself, set up the process whereby each administration—and the country has the opportunity every 4 years to elect a President. Congress set up the process where each administration has the criteria for approving projects like Keystone. If we don't like the criteria, let's talk about changing those criteria in statute. That's the proper way to do it, not just shortcut the very process that Congress set up.

Until then, we need to keep this process in place. No matter what the administration does, some Members of Congress aren't going to like the outcome; but we establish the ground rules, and the executive branch is administering the law that we created. Rather than interrupting the State Department's review process with this bill, we should allow the Department to take the necessary time to address the impacts, the concerns, the costs, and the benefits of this controversial pipeline.

Although there's many issues that need to be better understood as part of the Keystone XL process, it's critical that we address pipeline safety issues to make sure that tar sands don't spill into our communities. It's not a Republican or Democratic issue. Everybody wants to make sure that America is safe, even if we do a major favor for Canada. There are indications that this pipeline could be more susceptible to oil spills because of the higher pressure that this type of pipeline uses compared to conventional crude. In fact, in the public comment period, many Americans expressed their concern that a spill could impact their property value, their health, their safety, access to clean drinking water, and quality of life. These are the types of things the administration is rightfully weighing in determining the outcome.

While others argue the pipelines are the safest way to transport tar sands crude oil, the 150,000-gallon oil spill in Mayflower, Arkansas, 2 months ago shows an example about the inadequacy of some of our current pipeline safety regulations. I've heard arguments that the pipeline could create economic benefit. Well, communities like Mayflower certainly won't see the benefits of Keystone when their yards, homes, and businesses are buried in the thick black layer of tar sands crude oil, threatening agriculture and local economic development.

I think that we should make sure that tar sands developers adhere to pipeline safety standards that protect the health of Americans and protect our economy and protect jobs to ensure that any project that goes forward doesn't destroy jobs rather than create them.

To address pipeline safety issues, Mr. TONKO of New York has offered a commonsense amendment. He'll be here to speak about that. It would require the Secretary of Transportation to determine whether current pipeline regulations are sufficient to address the special safety concerns that are particular to transporting tar sands crude oil. Unfortunately, however, this rule, which I strongly oppose, as well as the underlying bill, does not allow for the discussion or even the debate about Mr. TONKO's amendment, which I think is a commonsense requirement.

Since this bill doesn't require the pipeline regulations which were requested by Mr. TONKO, I'm pleased that at least an amendment that I offer with Ms. CHU of California and Mr. CONNOLLY of Virginia was made in order. This amendment would require the Government Accountability Office to evaluate the true cost of a potential spill from the Keystone XL pipeline in our communities. The GAO study would look at the impact of tar sands spills on public health, the environment, and the quantity and quality of water available for agriculture to farmers and to municipalities for drinking.

It's inevitable that the Keystone pipeline will have spills and leaks. That much we know. These spills and leaks are not only costly to clean up—and we need to know and understand those costs—but they also take a toll on our communities. Accidents happen. Understanding the cost of spills is also important because the Keystone pipeline is slated to cross over the Ogallala Aquifer. The Ogallala Aquifer lies beneath 8 States, including my home State of Colorado, and supplies drinking water to about 2 million Americans and supplies 30 percent of the irrigation water for our Nation's farmers.

TransCanada stated that it will provide alternative water supplies to affected communities if an oil spill impacts surface or groundwater. But TransCanada's promise to provide alternative water supplies in case of an oil spill is not enough insurance for millions of Americans who rely on the Ogallala Aquifer for drinking water and for farming. We simply need more information about the potential impact and the range of impact that an oil spill would have on the Ogallala Aquifer.

Mr. Speaker, even if my colleagues support the President if he chooses to move forward with the Keystone XL pipeline, there are many reasons not to vote for H.R. 3. Rather than ensuring that we have the proper protections in place for our environment and our citizens, the Northern Route Approval Act mandates approval of the pipeline while waiving nearly all other Federal permitting requirements.

It doesn't even allow a discussion of amendments like Mr. TONKO's that were brought forward in good faith that at least deserve 10 minutes on the floor of the House when, by the way, we're debating a bill that's never going to become law, won't be brought up in the Senate, and goes to the very same President for signature who's considering this project. So the least we can do is spend 10 minutes debating Mr. TONKO's meaningful amendment if we're spending time debating everything else that isn't going to become law.

I encourage my colleagues to oppose this rule, support a more open and transparent process here on the floor of the House, and then move forward with legislation that deals with critical national priorities that all of our constituents are calling upon this Congress to act upon.

I reserve the balance of my time.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana, Dr. FLEMING.

Mr. FLEMING. I thank my friend from Florida.

Mr. Speaker, I rise in support of the rule and the underlying bill. It's very interesting that our colleagues on the other side of the aisle claim that more oil production doesn't affect the price of oil or gasoline. Well, that's the same thing as saying that gravity doesn't exist and the Earth is still flat. Neither one of those are true.

We all know that it's a marketplace, it's a commodity, and the more you produce, the lower the price. How well do I know that? In my own district in Louisiana, we produce more natural gas than we can use, and the price now is so low that we can hardly produce it because of the low reimbursement for the cost. But that will come up over time.

Two cents a gallon in 1 day is how much gasoline prices have recently increased. It has increased 7 cents a gallon just in the last week. It may not sound like much, but the price of gas is going up once again. One headline says, ''Gas Prices Spike Ahead of Memorial Day.'' That's hitting just about every American in the wallet, and yet the President continues to play games with a project that will carry an estimated 830 barrels of oil per day from Canada to the gulf coast for processing.

So what are we waiting for? More studies? This project has been studied

to death. Every State that it would go through has already sent its approval. It's been 1,700 days since TransCanada first applied to the State Department for permission to build the Keystone XL pipeline. TransCanada says pipeline construction will create about 20,000 jobs. And our colleagues on the other side of the aisle say, Why aren't we talking about jobs? Twenty-thousand good-paying jobs, plus lower prices to the consumer.

□ 1300

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

Mr. WEBSTER of Florida. I yield the gentleman 30 seconds.

Mr. FLEMING. I thank the gentleman.

But the Obama administration's State Department has politicized this project and stalled it in order to kowtow to the far-left environmental fringe.

We need the jobs and we need the energy benefits. We need the lower costs for consumers and for manufacturing.

Mr. POLIS. Mr. Speaker, of course quantity affects price—Economics 101. The disconnect here and the failure in the argument from the other side is this quantity is a rounding error in the global supply and the global demand. This has no impact on price. We're not talking about anything that actually moves the bar of reducing gas prices for consumers.

With that, it's my honor to yield 1 minute to my colleague from Michigan (Mr. PETERS).

Mr. PETERS of Michigan. I rise to urge my colleagues to reject this rule and reject H.R. 3.

We've already seen the impact of tar sands oil in my district. Piles of petroleum coke three stories tall and a city block wide are sitting on the banks of the Detroit River. Pet coke, a byproduct of refining tar sands oil, is much dirtier than coal and is often sold to China. In Detroit, it sits uncovered and uncontained, waiting to blow into the air and water. These piles of petroleum coke are a blight on our communities and could pose a threat to the environment and public health.

I offered an amendment to require a study on the environmental impacts of petroleum coke and other byproducts. This amendment was rejected by the Rules Committee despite the study's potential benefits to communities who may become host to their own piles of Pet coke.

The bill—and the rule—is taking us in the wrong direction. Instead of selling dirty energy to China, we should be developing clean energy technology here at home.

For these reasons, I cannot support the rule. And urge my colleagues to reject H.R. 3.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. I rise in support of the rule because I think that this illusion of energy independence has, in any case, been postponed by the very actions that work against this rule would represent because we're talking here about 5 years of postponement. And I think to have real energy solutions here in the United States means, first off, using the energy solutions that are represented in this continent.

I think it is by no means a fix, it's by no means a cure—in deference to my colleagues on the other side of the aisle—but it is an important step in the right direction. I think as well it represents a step toward energy independence, which is also about national security.

I think it's a step toward jobs, which are vital in this country and needed at this time—more than 20,000. And I think ultimately it's a pocketbook issue. Where, as you think about driving time coming this summer and the number of people who will be filling up their tanks, this is a step in the right direction toward energy independence, energy security, and ultimately jobs. For that reason, I rise in support of the rule.

Mr. POLIS. Mr. Speaker, I am honored to yield 2 minutes to the gentleman from New York (Mr. TONKO), whose amendment under this rule was also shut out from even a debate here on the floor of the House.

Mr. TONKO. I thank the gentleman from Colorado.

I oppose the rule and the underlying legislation.

I submitted two amendments to the committee; I regret that neither was made in order. One—rejected by the Republican majority—would have protected private property owners along the pipeline route from being bullied by TransCanada into giving up their land. The other amendment would have required the Secretary of Transportation to provide assurance that current pipeline safety regulations are sufficient to prevent spills of diluted bitumen. I have represented communities that have been impacted by pipeline explosions. I know the price they pay.

Much of this pipeline is going to cross private lands, not public lands. Protection of private property rights is something we hear a lot about whenever government makes a decision to protect unique and valuable public resources. But apparently, if a foreign company wants to build a pipeline to transport oil for export, private property rights can be sacrificed.

What is the rush? There is existing pipeline capacity to deliver this oil. The tar sands are not going to disappear. Our citizens should receive a fair chance to defend their property in State courts. This legislation deprives them of that opportunity.

Ms. Julia Trigg Crawford testified last month before the Committee on the Judiciary's Subcommittee on the Constitution and Civil Justice in favor of limiting the power of eminent domain and in strong opposition to granting an exemption to TransCanada. I will include her testimony with my statement. She is only one of a number of landowners who were bullied by TransCanada, and she is now seeking a remedy in State court.

Ms. Crawford and all other property owners who have gone to the courts should have the opportunity to make their cases. If TransCanada wants access to our land, they should follow our laws—laws put in place to safeguard our resources and our rights.

I urge my colleagues to reject this rule and this ill-conceived and unnecessary legislation.

TESTIMONY SUBMITTED TO THE HOUSE JUDICIARY COMMITTEE SUBCOMMITTEE ON THE CONSTITUTION AND CIVIL JUSTICE HEARING ON THE PRIVATE PROPERTY RIGHTS PROTECTION ACT

APRIL 18, 2013.

My name is Julia Trigg Crawford. I am the third-generation manager of the farm my grandfather bought in 1948. As a landowner along TransCanada's conveniently uncoupled Keystone Gulf Coast Project, I absolutely support measures to limit eminent domain. But I strongly oppose an exemption for TransCanada, its Keystone XL, and any other foreign or domestic for-profit entity that cannot provide proof that their projects are for public benefit.

I believe, as do countless others following my family's legal case, that TransCanada has abused the power of eminent domain in taking our land. When another pipeline asked to come across our place, we said we did not want them here and asked they would find a different route through a willing neighbor. That pipeline company did just that—and eminent domain was never mentioned.

When they came knocking in 2008 we told TransCanada the same thing: we don't want a pipeline here, and asked them to find another route. They said no, then exploited a flawed permitting process in Texas, and used eminent domain to take the easement they wanted across our land.

There are a host of reasons why we don't want a pipeline across our property. First, we don't believe a foreign corporation should have more of a right to our land than we do. Secondly, we need to protect its Caddo Indian heritage, specifically the 145 artifacts TransCanada's archeologists recently found within the proposed pipeline easement. How curious that TransCanada and the Texas Historical Commission concur that my entire 30-acre pasture qualifies for National Registry of Historic Places recognition, EXCEPT for the one sliver of land TransCanada must have on our place to connect the two sections of pipeline they've already build adjacent to our land

We don't want them horizontally drilling under the Bois d'Arc Creek where we have State-given water rights. We irrigate 400 acres of cropland from this creek, and the pipeline would be just a couple hundred yards upstream from our pumps. Any leak from that pipeline would contaminate our equipment, and then our crops in minutes.

Furthermore, the neighbor directly to the west of us owns thousands of acres, and had granted TransCanada an easement anyway. When we politely asked them to seek a way around us, TransCanada could have slightly altered their route and traversed that neighboring land differently, avoiding our property altogether. But instead they just pulled out the club of eminent domain, telling a reporter later it was just too late to make any changes.

As some of you may know, in 2011 the Texas Supreme Court ruled in Denbury

Green that private property rights are far too precious to be taken by simply checking a box on a form. Furthermore, the Supreme Court said that when challenged by a landowner, the burden falls on the pipeline to present reasonable proof it meets the requirements of a common carrier. So we did just that, we asked for the proof.

In challenging TransCanada, we asked them to provide proof they met the qualifications as a common carrier and had the right of eminent domain. And once again they hid behind the skirts of the Texas Railroad Commission, saying in essence, The Railroad Commission believes us, you should too. The embattled Railroad Commission has proven to be nothing more than a rubber stamp, they have never denied anyone common carrier status. So, when we asked for another element of proof, their tariff schedule, TransCanada said in court they would not have that tariff schedule until about the time product started flowing. In other words, they could not produce this particular proof they were entitled to take my land until after my land was condemned, handed over to them, construction was completed and tarsands, the product for which Keystone is being built, was flowing. This is wrong, and is precisely why the Keystone XL should not be granted an exemption from this bill's much needed eminent domain restrictions.

If I read it correctly, this bill's exemptions for pipelines already under construction allow current eminent domain abuses to go unpunished. The bill addresses the problems, and outlines important solutions, yet allows those who exploited the process up until a certain date on a calendar to get off ''scot-free''. And as someone who has lost part of her family farm to this abuse, that's leaves me, and lots of people like me out in the cold. And add insult to injury: our land was taken through abusive means, and the abusers could get off without even a hand-slap.

Two years ago when our family first began our stand against eminent domain abuse, TransCanada was flying below the radar screen. No one seemed to know much about the Keystone XL Pipeline. But now the light is blindingly bright on TransCanada, the tarsands, and the threat to everyone's land and water. People around the world see that TransCanada represents eminent domain gone unchecked and horribly wrong. Why else would there be so much pushback, by so many people, from so many backgrounds, in so many ways, to the Keystone XL project?

If we allow an exception for TransCanada and the Keystone XL, we will be setting a dangerous precedent, leaving the door open for even further misuse of our legal system and more abuse of landowners unwilling to risk their property for foreign profits. The same system that enabled the judge in our case to issue a 15-word ruling from his iPhone would enable TransCanada and other pipeline companies to use the incredible legal and psychological leverage of eminent domain to continue stealing property from American citizens.

We have appealed that iPhone ruling, and look forward to our day in court with an experienced panel of judges in the 6th Circuit Court of Appeals in Texarkana, Texas. And if our legal defense fund holds out, we may take it to the Texas Supreme Court.

Eminent domain abuse at the hands of one greedy corporation is unforgivable, but it is part of something even bigger. While all land is invaluable to its owners, farmland holds a particularly unique position. Rural property rights, like mine, are the ''fundamental building blocks for our Nation's agricultural industry.'' ''The use of eminent domain to take farmland and other rural property for economic development threatens liberty, rural economies, and the economy of the United States.'' And TransCanada is at the heart of these issues right now. Their advertisements in my local newspaper say ''We want to be more than just a pipeline company: we want to be a trusted neighbor''. They've given me no reason to trust them.

I do not believe there has been even one shred of documentation that proves that one single drop of the products transported through TransCanada's pipeline will be refined for use in the U.S. Yet we are supposed to relinquish our family's tradition and the cultural heritage of the families who lived on our land before us, just because TransCanada says, without proof, that their pipeline is for the public good. How can this pipeline be for the public good when so much information about it is not even in the public record? Diluted bitumen, tarsands, whatever you want to call it, is a product we should fully understand before we start pumping it through major waterways, sometimes through 70-year-old pipelines built before tarsands extraction was economically viable. TransCanada has called this product proprietary, refusing to provide specifics. How can we ensure the safety of a substance when we don't even know its ingredients?

Pipeline companies do not deserve a free ride, especially when they can't clean up their own messes, and especially when we taxpayers are subsidizing the cleanup attempts. Look at Enbridge in Michigan. Look at Exxon in Arkansas. This is a spill I went to see for myself. Standing at a culvert, I saw the 5 foot high imprint of the oil rush to the local wetlands. The thought of seeing the equivalent on my creek bank is disheartening. America already subsidizes the oil industry at a monumental disproportion to other industries. Are we to further subsidize pipelines with our safety, our security, and our human dignity?

Corporations may be considered to be people, but dollars do not yet count as votes. TransCanada's money never sleeps, but neither do landowners like me, faced with the threat of losing our property, or seeing our land and identities torn apart.

This bill brings much needed reform to a sometimes flawed system, and a platform where wrong can be made right. But with this exception that includes TransCanada, it is turning a blind eye to the most flagrant abuser of eminent domain today. I urge you to remove that exclusion, and let those who have abused be exposed, and suffer the consequences. TransCanada stole land that has been in my family for 6 decades, and all for a project that will line their pockets. To allow them to walk away from past abuses without penalty is egregious. I will continue to fight these injustices because life, as we know it, depends on it. And I am not alone.

Respectfully submitted,

JULIA TRIGG CRAWFORD.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I rise in support of this rule and the underlying legislation.

Let's be honest: this permit is 5 years old. The average time for authorizing permits in these types of projects is 18 to 24 months. Enough paralysis by analysis.

Now, some may say during this discussion that we're being impatient and we're rushing this through—1,700 days? This delay has taken longer than it took the Greatest Generation to win World War II on both fronts. It's longer than it took Lewis and Clark to do their exploration of the Louisiana Purchase to Oregon and back.

The Keystone XL is a private infrastructure project with no government funds that will create nongovernment jobs—by the way, a $7 billion infrastructure project, 20,000 direct jobs along this route over a 2-year period.

I want to make a very important point. Those who oppose this legislation argue that it's unprecedented. This is not the first time Congress has had to intervene to build a pipeline. Like-minded legislation to this one was necessary 40 years ago to achieve construction of the game-changing trans-Alaska pipeline. That legislation that was passed and signed into law deemed that the environmental studies—NEPA—were sufficient, as this one does; that rights of way across Federal lands—not State, but Federal lands—were processed; and judicial review was also included.

Then again, in 2004, Congress had to act to pass legislation to build the Alaska natural gas pipeline. That legislation was passed and signed into law with a 60-day judicial review. The pipeline was deemed to be in the national interest and, unlike today, it expedited the NEPA. Here, the NEPA process has been finished—complete. The only way you can get more studies is to have amendments requiring more studies because all of the legal requirements have been filled.

Today, we just heard about mistreatment. And there was some misinformation from the last speaker regarding what this bill does. It gives a streamlined judicial process in regard to the Federal permits issued. It has nothing to do with States' eminent domain. But let's hear some facts.

Today, TransCanada has agreements with 60,000 landowners over 32,000 miles of pipeline. Under the original Keystone pipeline that goes through Nebraska, there were over 300 landowners involved in negotiations, four of whom objected. Three of those settled, one went to court; 300 versus four that were upset. And they got their day in court in the State of Nebraska, just like this bill preserves. If there are verifiable crop deficiencies, it's TransCanada's policy to make them whole.

Now, what will compel the State Department to complete this process? They've had it for 5 years. The studies have been completed—the original NEPA, a supplemental, a Nebraska supplemental.

Mr. Speaker, this is the most studied pipeline in the history of mankind.

□ 1310

History is our greatest educator.

In 1973, Congress passed and President Nixon signed the Trans-Alaska Pipeline Act to ''ensure that because of the extensive governmental studies already made of this project and the national interest in early delivery of North Slope oil to domestic markets, the trans-Alaska pipeline be constructed promptly without further administrative or judicial delay or impediment.''

That was 40 years ago we had the same problems; 2004 we have the same problems. And it took Congress to act to resolve them.

This will be the newest, most highly engineered pipeline in our history to resolve some of the questions from the gentleman from Colorado. Again, three separate environmental studies.

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

Mr. WEBSTER of Florida. I yield the gentleman an additional minute.

Mr. TERRY. The point of those is to study the impacts, if there is a spill, to not only the soil, the ecosystem, but the Ogallala Aquifer as well. Three different studies have dealt with that. All have scientifically concluded that there is negligible impact on the ecosystem, or in the artistic term ''not significant.''

The most celebrated geologist in the State of Nebraska has said that it is impossible for the oil to get to the Ogallala Aquifer; but if it did, the water is still and won't move out of that and can be easily remedied.

Now, I'm not being impatient; the Republicans aren't being impatient. Our Nation of builders needs this pipeline, and I urge approval of both the rule and the bill.

Mr. POLIS. Mr. Speaker, the gentleman cited studies that apparently addressed his concerns about environmental impact. I would draw his attention to the fact that there were three draft studies—one that was actually finalized. All of them were on the old routing. The project itself has been revised. There have been zero studies, environmental studies for health and water, with regard to the new routing of the pipeline.

With that, I would like to yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, I rise in opposition to the rule. Whether or not you support the pipeline, you should oppose this legislation. H.R. 3 is a reckless attempt to sideline environmental review and limit public input.

The majority claims that Keystone XL is the most studied pipeline in the history of pipelines. Shouldn't a pipeline that is going to run the length of our country be exhaustively studied? We need to know the environmental impacts and truly weigh all the consequences, intended or not, of H.R. 3; and H.R. 3 would deny the American people and this Congress that opportunity.

Over 1 million Americans commented on the Supplemental Environmental Impact Statement. The President and his administration need time to analyze these comments and evaluate the impacts of this massive project. H.R. 3 shuts that process down and says it's ready to go.

This can't be about making the President look bad or the bottom line of a Canadian corporation. This is about doing what's right for this country.

This is no ordinary pipeline. It will transport dirty tar sands oil from Canada to Port Arthur, Texas. Tar sands oil produces 40 percent more carbon pollution than conventional oils.

Pretending that this pipeline has to be done and has to be done immediately is to hide from the reality of the consequences of this pipeline. We really don't need the oil. It is oil that will be primarily exported out of this country.

A recent study by Cornell University found that Keystone XL will divert more green jobs and contribute to more climate change than any other project. The claims of employment are hugely exaggerated.

We are having the wrong conversation. We should be talking about the future of real energy independence and alternative and renewable energy.

While I don't support H.R. 3 or Keystone XL, I think the decision lies with the President. That's why I am circulating a letter to the President to reject this lack of a Presidential permit.

Mr. WEBSTER of Florida. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, as chairman of the Foreign Affairs Committee, let me make it abundantly clear here: the pipeline is going to be built. The question is whether it's going to be built west to Vancouver, and then we're going to see the product shipped to our economic competitors; or will the pipeline be built south to our refineries in the United States.

There's a second point. We've got the cleanest burning refineries in the world. That is not true in terms of our economic competitors.

So from an environmental standpoint and from the standpoint of energy needs in the U.S., it makes no sense to advance the interests of our economic competitors.

Now, the U.S. energy costs have been declining. China's energy costs have been rising. Our country is becoming a more attractive place to manufacture goods. We are also becoming more competitive, both with Europe and with Asia.

U.S. gasoline prices right now are 30 percent lower than China's, and U.S. electricity prices are 50 percent lower than Europe's. For those of us that have been involved in manufacturing in the past, we understand how important that is. We want energy prices lower here in the United States than they are overseas, not the other way around.

A reliable and efficient energy supply is, frankly, vital to our economic competitiveness; and unless we reverse course, we could squander the advantage we have right now. The Keystone pipeline will have a major positive impact on the economy at a time when millions of hard-pressed Americans are searching for work. Keystone will create an estimated 20,000 new direct jobs and we know hundreds of thousands of indirect jobs, not only in the States where the pipelines will be built and operated, but throughout the entire country.

Keystone is going to enhance our national security. Think about this for a minute. And, frankly, our Foreign Affairs Committee members, 24 of our Republican Members, wrote to the President in February saying that by providing secure access to petroleum from Canada, we would reduce our reliance on energy imports from countries in the OPEC cartel. The U.S. would be less vulnerable to political and security-related disruptions of our energy supply.

Well, that's the point. That's the objective here. And in the same vein, energy from Canada will enable us to reduce our dependence on unstable and unfriendly oil exporters. For example, while the Venezuelan regime remains openly hostile to the U.S., the country is our fourth largest source of oil. By contrast, Canada has long been one of our closest allies.

Our economies are joined together with Canada and our energy sectors are already integrated. We want to spend the money in Canada and have it circulated back over that border. Ninety percent of what Canada buys is made in the United States. We could have no better partner in our effort to ensure our energy security.

By obstructing the approval process, the administration not only prevents the benefits of the pipeline from materializing; it also chills the development for new projects. Think about this. At the present time, Canada and Mexico are major sources of American energy and offer enormous potential for the development of new oil and gas fields and greatly expanded cross-border energy trade.

Yet if our existing Federal bureaucracy is willing to impose excessive costs and continued delays on a project as sound as Keystone, what reasonable business will want to assume similar risks going forward? I tell you what will happen: that pipeline will be built instead to Vancouver, British Columbia, and instead of the imports coming into the United States.

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

Mr. WEBSTER of Florida. I yield the gentleman an additional 30 seconds.

Mr. ROYCE. The role of the State Department in the approval process is to determine whether the project serves the national interest. No one familiar with the facts would deny that it does, but the delays continue based on unfounded claims.

The State Department's own draft Supplemental Environmental Impact Statement on Keystone concluded that, in effect, there was no environmental reason not to approve the pipeline; yet still no action has been taken.

But it appears that not everyone in the administration got the message to slow this project down. This month, the U.S. Fish and Wildlife Service concluded that the proposed Keystone XL pipeline would have no negative impact

on a wide range of threatened species—from the gray wolf, to the whooping crane, to the prairie fringed orchid. While it found that the project was likely to affect the American burying beetle, ABB, it concluded that Keystone XL's conservation measures ''would likely result in a net increase in protected ABB habitat.'' So the one animal affected will actually be better off after the Keystone pipeline.

It is time to stop this charade. All reasonable objections to the pipeline have been fully addressed. Please pass the legislation.

□ 1320

Mr. POLIS. Mr. Speaker, it is my honor to yield 2 minutes to one of our leaders on energy policy, the gentlewoman from Texas (Ms. JACKSON LEE).

(Ms. JACKSON LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE. Let me thank the gentleman from Colorado for his leadership, and I hope that we will continue this debate with my good friends on the other side of the aisle on this issue.

It is just very challenging to have a structure of legislation that deems approval and does not do what I think all of us want it to do, which is to get moving to provide these jobs and to do what America is uniquely noted for—that we cross the T's and dot the I's, that we make sure that the environmental concerns are answered. I rise on this rule to make several points.

Mr. RUSH and I offered an amendment to strike section 4. In this bill, it does not allow for judicial review. It allows for people in Kentucky or in Arizona or in Texas to come to the District of Columbia to file their cases in the Court of Appeals. As a member of the Judiciary Committee, I raised concerns about that. My bill struck the provision that eliminated judicial review so that some burdened individual citizen couldn't just go into his Federal district court.

I had another amendment that is very near and dear to me that wants to give new life to the jobs and businesses in the energy industry, which is to create a report to ensure that women, small businesses, minority-owned businesses get their fair shake and that we have an overall commitment to hiring the new young graduates who are coming out, many of them from the diverse community, which we see the energy industry is still seeking to outreach because there is a great need for increased diversity in many of these fields. Amendment No. 2 would have added a nonseverability clause so that, if anything were found to be unconstitutional, we would go back to the drawing board for this entire bill.

Again, to have a major initiative be deemed approved, the Secretary of State authority deemed approved, the Presidential authority deemed approved, this is something that, my colleagues, we should work together on.

I would finally suggest that I hope my colleagues will support my amendment on extending to 1 year the period for filing. Let's work together and make sure we've got something that will create jobs.

Mr. WEBSTER of Florida. I just want to say that I know there is a desire to have more T's crossed and I's dotted. There are over 450,000 T's and I's in those 15,000 pages. We've done enough. It's time to build this pipeline. Keystone XL will help lower gas prices and will help protect against supply disruptions by putting downward pressure on oil prices by increasing supply to domestic markets.

In a memo from the Department of Energy regarding Keystone XL, it asserted that gasoline prices in all markets served by refiners on the east coast and gulf would decrease, including in the Midwest. Yes, it does do that. There are four things we said. One of them is the major one, which is that it creates jobs immediately; 42,100 were estimated by the Department of State in one of their four studies on this particular bill. I mean, we could go study after study after study with 10 different agencies looking over and over and over. There are no more studies to be done. It's time to make the decision. When should it be made? Now.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Speaker and Members of the House, I rise in opposition to the rule and the underlying bill. I lament that fact because I'm one of those who supports the Keystone pipeline for the many reasons that have been stated here.

I know people have concerns about oil sands, tar sands or oil production processes, but that's a Canadian decision. The fact is that these oils are going to be moved by tens of thousands of railroad cars or trucks through the States or through a pipeline to the west. Pipelines are a proven environmentally safe and sound way to move oil around North America and the country.

I am in opposition to the bill because, in committee, it became apparent that the bill relieves a foreign corporation from all of the same obligations that domestic corporations are expected to honor. They are exempted from having to comply with the EPA, with the Army Corps permits for construction and maintenance. They are relieved of the responsibility to pay taxes on the oil flowing through those pipelines. They are relieved of responsibility for cleanup in the event of accidents. That is a prescription for nothing but trouble and disaster.

Mr. Speaker, those are the reasons that I speak in opposition to this rule and to this bill.

Mr. WEBSTER of Florida. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman from Florida has 9½ minutes remaining, and the gentleman from Colorado has 11 minutes remaining.

Mr. WEBSTER of Florida. I reserve the balance of my time in order to close.

Mr. POLIS. I would like to inquire of the gentleman if he has any remaining speakers.

Mr. WEBSTER of Florida. No.

Mr. POLIS. I would like to inform the gentleman that I have possibly one who, if he comes, I would like to yield to. Other than that, I am prepared to close, and I yield myself such time as I may consume.

Look, it has been talked about as to the impact on gas prices in the Midwest. There is no TAPS on this pipeline in the Midwest. It goes from Canada to the Gulf of Mexico to China and everywhere else. There can't even be TAPS on it in the Midwest because we're talking about unprocessed tar sands crude, which needs to be processed. It's a drop in the bucket in the global supply and has no impact on gas prices.

There are dozens of meaningful policies that we can talk about to reduce gas prices. Let's get to it rather than taking this important decision out of the context of the administration and out of the context of the process that Congress, itself, set up to co-op that very process for purely political purposes.

The Northern Route Approval Act exempts TransCanada from multiple loss, including treaty acts that we've passed, the Clean Water Act, and many others that my colleague Mr. NOLAN pointed out that American companies are subjected to. Yes, it's giving foreign companies preferential treatment over American companies.

Even though we don't know the cost of potential Keystone tar sands spills, we do know that American taxpayers will likely be stuck paying the bill for cleaning up and for the economic costs of these spills. Tar sands developers are exempt from paying into the Oil Spill Liability Trust Fund. Let me repeat that. Tar sands developers are exempt from paying into the Oil Spill Liability Trust Fund. That's a fund that normally collects an 8-cent per barrel excise tax on domestically produced crude oil to pay for spill prevention and mitigation efforts.

So they are exempt. They're not paying in. Like any oil that's pulled out of the ground in Texas or across our country, they're paying in because we know that oil spills happen; we know they have real economic and health costs; we know they affect agriculture and water—but oh, no, this project is exempt. Since tar sands are not considered conventional oil, TransCanada is not required to pay into the trust fund for the oil it transports, while the data indicates that the tar sands crude can actually have a worse economic and environmental impact when spilled than conventional oil. We can't subject more communities like Mayflower to oil spills and then burden the U.S. taxpayers at a time of record deficits with paying for the cleanup.

Approving the Keystone XL pipeline through this bill would simply benefit foreign oil companies at the expense of the health and safety of the American people. There is a process in place to protect the health and safety of the American people, the economic welfare of the American people, jobs. This bill circumvents that process that Congress set up. If we want to change the process, let's have a debate about the process for approval and the statutory framework and work with the administration to come up with a better way to do it. Let's not go around our own process just because we may or may not like what we may or may not think is the outcome.

I urge the majority to stop wasting the American people's time with bills that are going nowhere and to turn towards addressing so many challenges we can agree on—reducing the deficit, improving the economy, improving the efficiency of the delivery of health care. Let's talk about reducing gas prices, the bipartisan bill that I've introduced with Mr. GOSAR and Mr. HECK and others.

□ 1330

Mr. Speaker, if we defeat the previous question, I'll offer an amendment to the rule to bring up H.R. 2070, Representative TIM BISHOP's bill to protect consumers from price gouging at the pump.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment into the RECORD along with the extraneous material immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question, and I urge a ''no'' vote on the rule and the underlying bill.

This rule doesn't even allow for 10 minutes of debate or 5 minutes of debate or 1 minute of debate on the very commonsense amendments that have been brought forward by my colleagues like Mr. PETERS of Michigan and Mr. TONKO of New York.

Don't we have 1 minute to debate these important amendments? What are we doing that's so important? We didn't even go into session until noon today. Why didn't we go into session at 11:59 a.m. and have 1 minute for debate on these amendments? What are we doing here, Mr. Speaker? We have the time to get it right. Let's do it.

I urge a ''no'' vote on the rule and the underlying bill, and I yield back the balance of my time.

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

First of all, the amendments that were talked about are amendments that would add to a process that we have said is very sacred. We don't want to change the process. We don't want to circumvent it.

We're not circumventing any process. Because this crosses a national boundary, there's only one thing left to do: we need the President to okay it. Every study that could be done—this started in 2008 and continued in 2009, 2010, 2011 and 2012, and now here we are in 2013. It's out of opportunities to be studied. It's time.

This rule provides for ample and open debate and makes in order proposals from both sides of the aisle.

As I stated before, this bill represents so much more than the approval of an 875-mile long pipeline. It represents 42,100 jobs, greater energy independence, and will benefit our Nation for generations to come.

The Keystone XL pipeline will allow 830,000 barrels of oil to flow each day to domestic refineries that employ hard-working Americans. This number represents half of our current daily crude oil imports from the Middle East. This will not only diversify our energy sources, but it will reduce our dependence on foreign oil from countries that in many ways do not share or respect our freedom and democracy.

As we speak, the southern gulf coast segment of the Keystone XL pipeline is being constructed. It didn't require Presidential approval for one reason: it didn't cross a national border. It was studied by the requisite State and Federal environmental agencies, it was approved, and now it's approximately 50 percent complete.

Four years and 15,000 pages represent more than enough time and paper to study this pipeline. Any more paper and we'll need an environmental impact statement to study the effects of the environmental impact statement.

Our Nation is crying out for job creation, energy independence, and lower gas prices. Today, we have the opportunity to answer that call and to remove the few remaining barriers that stand between Americans and the relief they desperately need.

I ask my colleagues to join me in voting in favor of this rule and passage of the underlying bill.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman for yielding. I thank Chairman SESSIONS and the Members of the Rules Committee for making in order my amendment that extends the time period for filing a claim arising under the Act from 60 days to 1 year.

Mr. Speaker, the Keystone XL Pipeline project raises several issues important to every Member of this House:

Energy production and independence.

Environmental protection and preservation.

Job creation.

Separation of powers and checks and balances.

Given the importance of these issues, I believe the House would have benefitted from a rule that provided for even more extensive and wide-ranging debate and that made more amendments in order.

For example, an amendment I offered jointly with Congressman RUSH, Jackson Lee Amendment #4, would have struck Section 4 of the bill and restored the right to full judicial review to aggrieved parties.

Another amendment I offered, Jackson Lee Amendment #3, would have required the Secretary of Transportation to submit within 90 days of enactment a report to Congress identifying the procedures and policies adopted to ensure that women and minority business enterprises are afforded the opportunity to participate on an equitable basis in the construction and operation of the Keystone equitable basis in the construction and operation of the Keystone Pipeline. Had this amendment been made in order and adopted Congress would have been provided with helpful information needed to conduct appropriate oversight.

Another amendment I offered, Jackson Lee Amendment #2 Amendment, would have added a non-severability clause to the bill, which states that: ''if any provision or application of the legislation is held to be invalid, the entire act shall be rendered void.''

This non-severability clause simply would have made explicit that the component parts of this bill all fit together, in pari materia, so to speak, such that removing any one part would defeat the intended purpose of the bill.

My amendment would make very clear the Congressional intent that this bill is so delicately crafted, that it is ''all or nothing.''

Each of these provisions would be rendered meaningless if any of the remaining parts is invalidated.

This has been a long standing principle of statutory construction, going back at least to 1936, when the Supreme Court stated in *Carter. v. Carter Coal Co., 298 U.S. 238, 312 (1936):*

> ''[T]he presumption is that the Legislature intends an act to be effective as an entirety—that is to say, the rule is against the mutilation of a statute; and if any provision be unconstitutional, the presumption is that the remaining provisions fall with it.

This presumption becomes conclusive when Congress makes its intention clear, see *Carter v. Carter Coal Co., 298 U.S. at 312,* by including a non-severability clause in the statute.

My amendment would have done just that.

For these reasons, I am opposed to the rule and cannot support it.

We can do better to create jobs, build the pipeline, and protect the environment. I will consider how to move forward.

Mr. Speaker, I have an amendment at the desk. It is Jackson Lee Amendment No. 1.

I thank the Members of the Rules Committee for making the amendment in order.

My amendment is simple and straightforward. It extends the time period for filing a claim arising under the Act from 60 days to 1 year after the date of the decision or action giving rise to the claim.

This amendment is especially needed because H.R. 3, the underlying bill, vests exclusive jurisdiction over any and all claims arising under the Act in a single court—the U.S. Circuit Court of Appeals for the District of Columbia.

Think about that. The Keystone Pipeline is proposed to run from Alberta, Canada through the great States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and my State of Texas all the way to the Gulf of Mexico.

And the only court in the country authorized to hear the claims of any resident of any of these States who seeks justice for a legally cognizable injury is located more than 1,000 miles away from their homes.

This will impose undue hardship and financial burdens on ordinary Americans seeking justice. Instead, the bill requires them to find and retain a high-priced D.C. lawyer that they don't know and may have never met to represent their interests in a court in a far away land.

Another reason for extending the time period in which to file a claim from 60 days to 1 year is because by lodging jurisdiction in the D.C. Court of Appeals, the burden of proof and persuasion is shifted from the governmental and corporate actors involved to the homeowners, small businesses, and individuals bringing the legal action.

This is because the burden that must be shouldered by a plaintiff is very steep. To challenge factual and evidentiary determinations made in an Environmental Impact Statement, for example, a plaintiff must demonstrate that they are "not supported by substantial evidence in the record considered as a whole."

To meet that standard, plaintiffs will have to retain experts, locate and prepare witnesses, and gather and review documentary materials.

That takes time. And that is why my amendment is necessary.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 228 OFFERED BY MR. POLIS OF COLORADO

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

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

Sec. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2070.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

Mr. WEBSTER of Florida. With that, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 223, nays 194, not voting 16, as follows:

[Roll No. 167]

YEAS—223

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

NAYS—194

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Costa
Courtney

Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—16

Clyburn
Cole
Diaz-Balart
Garcia
Hastings (FL)
Herrera Beutler
Markey
Miller, Gary
Nugent
Nunnelee
Ros-Lehtinen
Sarbanes
Titus
Woodall
Young (AK)
Young (FL)

□ 1400

Mr. MCNERNEY and Ms. JACKSON LEE changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

MOMENT OF SILENCE IN REMEMBRANCE OF VICTIMS OF RECENT TORNADOS

Mr. LUCAS. Mr. Speaker, as you're all well aware, it's been a tough week in the Southwest. In particular, it's been a tough few days in the Fourth District of Oklahoma.

Today, I rise to first thank you for your prayers and your thoughts and your good will, but I note also the tornado that rolled through Congressman TOM COLE's district in Oklahoma, from Newcastle through Moore and across the southern part of Oklahoma City. Congressman COLE is not with us today because he is still in Oklahoma, addressing the needs of and working with his fellow citizens and community members as they try to put themselves back together after this strike by an F–5 tornado.

Moore is particularly important to our colleague, Congressman COLE, because not only does he represent the community, but he was raised there, two generations of his family buried in the cemetery there. So it's a community that's important to him in many, many ways.

That said, the good folks in Moore and the other communities will, over the coming days, pull themselves back together. They'll finish sifting through every pile of rubble; they'll have made a determination that there's no one left to be saved, as they work frantically to try to do that; and they'll begin the process of laying to rest those who were lost and put their entire community back together.

While many folks are well aware of the importance of FEMA and the Federal response, Moore is a classic example—and this could be any community in the United States—of where, in the greatest tragedy, the most tragic loss of life, city government, county government, and State government come together to work seamlessly to help those in need and to recover those beyond help.

We in the Oklahoma delegation and our friends in the Texas delegation appreciate everything that you have and you will help do in this effort.

Mr. Speaker, with that, I yield to the gentleman who represents part of that area and just to the north, Oklahoma City, the great Fifth District of Oklahoma, Congressman LANKFORD.

Mr. LANKFORD. In the past week, Texas and Oklahoma have experienced a storm. We lost 6 in Lake Granbury, Texas; 2 in Shawnee, Oklahoma, on Sunday; and 24 in Moore, Oklahoma, including 10 children and 14 adults. We have been overwhelmed with the number of people that have come to us to say, ''We're praying for you.''

I would like to make a request that this body take a moment to pause and pray and experience a moment of silence in honor of those that have been lost and the recovery efforts ahead.

The SPEAKER pro tempore (Mr. WOMACK). Members will rise and the House will observe a moment of silence.

(By unanimous consent, Ms. EDDIE BERNICE JOHNSON of Texas was allowed to speak out of order.)

EXPRESSING SYMPATHY FOR THE VICTIMS OF THE RECENT TORNADOS

Ms. EDDIE BERNICE JOHNSON of Texas. As the Democratic side of the Texas delegation, I want to join the other Republicans that came up with the Oklahoma delegation and simply say that this is not a partisan issue. We stand ready to be of assistance to those people in Oklahoma.

I represent Dallas. That is closer to Oklahoma City than it is to Houston. No matter where tragedies may occur, we stand ready as American people to stand by those people who have been affected, notwithstanding party.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 228, noes 185, not voting 20, as follows:

[Roll No. 168]

AYES—228

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

Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOES—185

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

NOT VOTING—20

Clyburn
Cole
Diaz-Balart
Farr
Garcia
Hastings (FL)
Herrera Beutler
Issa
Jones
Kirkpatrick
Lummis
Markey
Miller, Gary
Nugent
Poe (TX)
Rokita
Ros-Lehtinen
Sarbanes
Young (AK)
Young (FL)

□ 1413

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NORTHERN ROUTE APPROVAL ACT

GENERAL LEAVE

Mr. DENHAM. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 228 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3.

The Chair appoints the gentleman from Arkansas (Mr. WOMACK) to preside over the Committee of the Whole.

□ 1416

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 90 minutes equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources.

The gentleman from California (Mr. DENHAM), the gentleman from West Virginia (Mr. RAHALL), the gentleman from Michigan (Mr. UPTON), the gentleman from California (Mr. WAXMAN), the gentleman from Washington (Mr. HASTINGS), and the gentleman from New Jersey (Mr. HOLT) each will control 15 minutes.

The Chair recognizes the gentleman from California (Mr. DENHAM).

Mr. DENHAM. Mr. Chairman, I yield myself such time as I may consume.

I thank the chairman for the time to express my views on H.R. 3, which will generate numerous benefits to the Nation and its economic growth. This pipeline will create American jobs, enhance our energy independence, and strengthen our national security.

I am proud to say that I'm a cosponsor of this legislation because it represents a significant opportunity to create jobs and spur economic growth in our country. Furthermore, this bill will help the Nation become more energy independent.

According to the Department of Energy, the pipeline will transport 830,000 barrels per day of oil from Canada to the gulf coast, totaling nearly half of our current daily imports from the Middle East. This bill makes these numerous project benefits a reality. What this boils down to is breaking through bureaucratic hurdles and making this project a priority.

The southern leg of the Keystone XL pipeline has already been approved, and this bill finishes the job, allowing construction of the northern route of the pipeline to move forward.

This bill also ensures that the environment and its historic resources are protected, through the 5 years of studies that have already been completed on this project. Indeed, this has been the most studied project in our country's history.

It also ensures that the project's routing through Nebraska, the primary objection with the permit when it was denied in 2012, is the route chosen by the people of that State. Simply put, as President Obama said regarding the southern route, this bill ''cuts through the red tape.''

The project is the most extensively studied and vetted pipeline project in the history of this country. Given the nearly 5 years of study and review of the Keystone XL project—with four State Department environmental impact statements and over 15,000 pages of publicly released documents—we know the ins and outs and all about this pipeline.

I believe in an all-of-the-above energy strategy, and this legislation is one piece of that puzzle to break America's dependency on overseas foreign oil.

□ 1420

Finally, it is important to remember that this project will be built with private dollars and create thousands of private sector jobs. This project has passed through all three committees with bipartisan support, and I urge my colleagues to support this critical legislation.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 17, 2013.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN SHUSTER, I am writing concerning H.R. 3, the ''Northern Route Approval Act.''

As you know, H.R. 3 contains a section on judicial review, which is within the Committee on the Judiciary's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite the House's consideration of H.R. 3, the Committee on the Judiciary will not assert its jurisdictional claim over this bill by seeking a sequential referral. However, this is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on the Judiciary with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the CONGRESSIONAL RECORD during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 20, 2013.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 3, the Northern Route Approval Act. I appreciate your willingness to support expediting floor consideration of this legislation.

I acknowledge that by forgoing a sequential referral on this legislation, the Committee on the Judiciary is not diminishing or altering its jurisdiction with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I appreciate your cooperation regarding this legislation and I will include our letters on H.R. 3 in the CONGRESSIONAL RECORD during floor consideration of this bill.

Sincerely,

BILL SHUSTER,
Chairman.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

Last Congress, I voted for every piece of pro-Keystone pipeline legislation that was brought before this body—every piece of pro-Keystone pipeline legislation. But something has happened along the way between then and now. That something is called a hijacking of this bill by the right wing.

I support the Keystone pipeline project. I believe it will be an important element in our domestic energy infrastructure.

Last Congress, I was pleased to support and vote for Keystone legislation that was considered and passed by the House, including H.R. 1938. However, I am opposed to the pending measure primarily due to section 3 of the bill.

The bill we are considering today is vastly different from H.R. 1938. That was reasonable, responsible legislation. H.R. 3 is absolutely not.

Instead of taking the straightforward approach that H.R. 1938 did, which set a specific deadline for the President to grant or deny a permit for the Keystone pipeline, the pending measure completely eliminates the requirement for a permit. It waives a permit, and it deems a permit application by a foreign company for a major undertaking in the United States to be approved.

As I said, I want to see this pipeline built, but it will not be built under this proposal. Waiving permits? Deeming permit applications approved? For a foreign company? We don't even do that for our domestic companies.

Everybody in this country understands that you need a permit for certain activities. You need a permit to drive. You need a permit to mine coal. You need a permit to build a highway. You need a permit to construct a shopping mall. You even need a permit, a license, to get married.

So what right do the promoters of this bill have to jeopardize this pipeline with such a frivolous proposal? That is exactly what we're doing with this legislation.

Make no mistake about it, this is a bumper sticker bill, ideology driven, born of fancy, not fact. Jobs hang in the balance here, an important supply of energy held hostage. This bill is a mockery.

It boils down to this: right-wing politics trumping what is right, what is correct, and what is just for this pipeline to proceed through the permitting process—to be built, to put people to work.

So let's get serious. Let's dispense with the kindergarten tactics. Too much is on the line here. While the promoters of this bill play politics, I can assure them that this is no laughing matter in the heartland of America.

It is my hope that this bill can be approved during House consideration today and that I will be able to support it by the time we reach final passage. Otherwise, I will vote ''no'' in recognition of what this bill is as currently drafted.

I reserve the balance of my time.

Mr. DENHAM. This is a very serious matter. Thousands of jobs, American jobs, are on the line. Energy independence is on the line. When is enough enough? Five years? six years? ten years? When will we utilize North American oil in North America?

Mr. Chairman, I wish to yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. Mr. Chairman, I rise in support of H.R. 3, the Northern Route Approval Act, which allows construction of the Keystone XL pipeline. I'm happy to say it passed out of full committee in Transportation and Infrastructure on May 16 with a bipartisan vote of 33 to 24.

My good friend from California is right: When is enough time enough?

My good friend from West Virginia asked: What gives us the right? What gives us the right is the Constitution.

The House of Representatives, the Senate, the legislative body, to pass laws, to move things forward, 5 years is way too long. We need to develop the energy in America. We need to bring energy from our good friends from Canada. This all adds to the regulatory burden that this administration has put on us.

This pipeline is the lifeline that powers nearly all of our daily activities.

The hallmark of America's 2.5 million-mile pipeline network continues to be that it delivers extraordinary volumes of product reliably, safely, efficiently, and economically. Pipelines are the safest and most cost-effective means to transport the products that fuel our economy. In fact, pipelines provide more than two-thirds of the energy used in the United States. The Keystone XL project will be a critical addition to this extensive network, increasing our Nation's supply of oil, and thus helping to reduce the cost of fuel used in the transportation sector.

H.R. 3 is a commonsense bill that allows construction, maintenance, and operation of the Keystone XL pipeline to move forward. The pipeline has been subject to extensive environmental reviews already conducted. In fact, it is the most studied pipeline in the history of America.

The bill would require no Presidential permit process for the approval of the pipeline, and therefore avoids further political delays of this project.

Of particular interest to taxpayers, this pipeline doesn't require one Federal dollar.

Further, the very nature of infrastructure creates jobs, and the Keystone is no exception. In fact, the U.S. State Department estimates that Keystone XL will produce 42,000 jobs—jobs that will not be created unless this project goes forward.

The CHAIR. The time of the gentleman has expired.

Mr. DENHAM. I yield the gentleman an additional minute.

Mr. SHUSTER. This project will have a significant positive economic impact, including an estimated $3.3 billion in direct expenditures for construction and materials and $2.1 billion in earnings.

Finally, as noted throughout the process, the Keystone XL will be the safest pipeline ever constructed. Let me repeat that: the safest pipeline ever constructed. It should be approved without further delay.

I urge all of my colleagues to vote for this pipeline to help secure America's energy independence.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to the ranking member on our Transportation Freight panel, the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in opposition to the Northern Route Approval Act, which would deem the Keystone XL pipeline approved.

The National Oceanic and Atmospheric Administration just measured almost 400 parts per million of atmospheric carbon dioxide, well beyond the 350 parts per million many scientists warn is the level we must not cross to avoid severe climate impacts. Any rational person who doesn't want more Hurricane Sandys or more Oklahoma hurricanes would recognize that we must focus on developing renewable energy sources and reducing our dependence on fossil fuels, and yet this bill mandates the approval of a pipeline that will allow Canada to deliver 830,000 barrels per day of tar sands oil to gulf coast refineries.

Tar sands oil is difficult to extract, and the process is destructive and toxic. Producing tar sands oil results in at least 14 percent more greenhouse gas emissions than conventional oil. For those concerned about climate change, the Keystone pipeline is a nonstarter. We cannot allow such a gigantic and irreversible step backward in the fight against global warming.

H.R. 3 goes well beyond the merits of the pipeline itself. This bill sets a dangerous precedent, undercutting our environmental laws and short-circuiting the review process. It deems the pipeline approved by Congressional mandate. It locks in the administrative

record as of a date certain, eliminates the requirement for a Presidential permit normally required for cross-border pipelines, and it mandates the issuance of permits, not just for construction of the pipeline, but for operation and maintenance as well, or, in other words, in perpetuity. It deems all the environmental and safety laws satisfied regardless of the facts.

It also manages to undermine a citizen's fair access to judicial review. The bill appears to grant the right of judicial review by giving the D.C. Circuit jurisdiction to hear any challenge to the adequacy of the environmental impact statement. But the bill also states that the EIS ''shall be considered to satisfy all requirements'' of the National Environmental Policy Act. So, the court is told, you have jurisdiction, but here is what you are going to find; never mind your own judgment.

The bill also states as a matter of law that section 404 of the Clean Water Act, section 10 of the Rivers and Harbors Act, the Mineral Leasing Act, the Federal Land Policy and Management Act of 1976, the Migratory Bird Treaty Act, and the Endangered Species Act are all satisfied. So the fix is in before you ever get to court. I'm not sure what would be left for a court to review.

□ 1430

Mr. DENHAM. Mr. Chairman, I wish to yield 1 minute to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Thank you to the gentleman from California for yielding.

Many of my colleagues are correct. We do need a permitting process, but this bill is what needs to happen when the permit process breaks down. Keystone is going to create the tens of thousands of jobs that many of us in this Chamber go back to our home districts and talk about being created; but a piece of paper, with the lack of signature, is holding this up. Just this past week, our President stood and said he wanted to make sure that we shortened the time that permits like this take, that we shorten the process so that America can begin to put our trades and labor folks back to work again.

This, Mr. President, is your time in history in which you can sign this permit, create tens of thousands of jobs, and really prove to us that you're serious about reining in this regulatory process.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to a valued member of our committee, the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. I thank the ranking member for the time. I also thank him for his longtime commitment to American energy independence.

I, too, share that. I have been the supporter of a bipartisan energy bill that brought environmental groups and The Heritage Foundation together and said maybe we can find some solutions to this. I have been a supporter of this project from the beginning. The problem is, today, this bill has nothing to do with that. It has to do with politics. Today is an example of why this body is less popular than hepatitis amongst the American public. It's not only not going to do anything; it's going to set us back.

Many of us want this project done, but I have to tell you that the worst thing we can do is build this and have a problem with it. We hear about the number of pages of regulations that are there. Maybe we needed a couple more with BP, and we wouldn't have been cleaning up after that mess. You don't have to choose between building it and compromising safety. You do it right if we're going to do it. Unfortunately, that's not what we're doing. You deem it, and you give away those rights.

It's personal for me. I grew up in the Nebraska Sandhills. It was the good people of Nebraska and the Republican Governor who told us to step back, to slow down, and to pick a different route—and finished it in January of this year. So when you hear about all of the process, process gets it right. I have to tell you—and I do agree with my colleague on this—that there are jobs to be created here. We send $1 billion a day for oil to countries that hate us. They'll hate us for free. Keep it here. We don't have to do this. There have also been delays in this project. This bill is a bridge way too far.

Be honest with the people—this is not by building it is going to lower gas prices. It's not the long-term solution to our energy needs. There is no guarantee we'll even get the oil in this country. But we can come together, build a piece of it, and expand our portfolio.

We shouldn't be muddying it up with wedge issues. The last time we had this vote, I voted with it all these times; but one time the political arm of my friends sent a notice out to my hometown newspapers asking why TIM WALZ wants to raise your gas prices and isn't with America. They forgot and got it wrong. I voted with them. That press release today is already written, and they're sending it back. It's not going to do anything except to hurt the American people's faith in our democracy. You're not going to get cheaper gas prices. You're not going to have this thing built overnight; you risk danger.

The American people aren't stupid. Don't treat them that way.

The CHAIR. The time of the gentleman has expired.

Members are reminded to heed the gavel.

Mr. DENHAM. Mr. Chairman, I wish to yield 2 minutes to the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I thank Chairman DENHAM for yielding me this time, and I want to commend Chairman SHUSTER and the gentleman from Nebraska (Mr. TERRY) for bringing this bill to the floor at this time.

This is a very important bill. As Speaker BOEHNER said on the floor yesterday, it would create 20,000 direct jobs and about 100,000 indirect jobs. The State Department estimated 42,100 direct jobs, and these are American jobs. We have millions of people—too many millions—who are unemployed, Mr. Chairman, and many millions more who are underemployed, who are having to work at jobs far below their skills, talents, and abilities. This will create good American jobs. There would be 830,000 barrels of oil a day being piped down. By itself, maybe it wouldn't bring down gas prices, but it certainly would keep OPEC and some of these other foreign energy producers from raising their prices as fast as they surely would like to and have done in the past.

I can tell you that, if we don't pass this bill and similar bills to increase energy production in this country, all we're going to be doing is helping OPEC and other foreign energy producers. It's time we start putting our own people, our own workers first, start putting our own country first again; and we need to pass this bill to help in that process.

Mr. RAHALL. Mr. Chairman, may I have a time check.

The CHAIR. The gentleman from West Virginia has 8 minutes remaining. The gentleman from California has 7¼ minutes remaining.

Mr. RAHALL. I yield 1½ minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. I thank the gentleman for yielding and for his leadership on this and in so many other areas.

I rise in opposition to H.R. 3. It is a very bad deal. It's bad for our environment, our energy policy, American workers, and a bad deal for America in general.

In the way this bill is written, a foreign company pumping a very dirty form of oil all the way across this country would not have to pay a dime into our oil spill liability trust fund the way that American companies have to do. Under this bill, the highly polluting tar sands that the pipeline carries would produce over 40 percent more carbon pollution than conventional oil and would increase America's dependence on one of the single dirtiest petroleum products there is just as the predictions of climate change catastrophes grow more dire each and every day, and that is just not right for America's future.

H.R. 3 leaves Americans with all of the risk of spills, environmental damage, and air and water pollution, but none of the lasting rewards. It's a bad idea and it's bad policy, and I urge my colleagues to vote against it.

Mr. DENHAM. There is a lot of confusion out there, obviously, on this very important issue.

Some would say, Canada oil? We currently bring 590,000 barrels per day from Canada through the current Keystone pipeline. Keystone XL just gives us an opportunity to have another 830,000 barrels.

Some would say, Why are you going to do this as this has never been done before? But my colleague has already voted for a piece of legislation like this dealing with the Alaskan pipeline in which they expedited the NEPA process, and it was affirmed by a voice vote of the entire House. When the project is right to get it done, it's right. These are American jobs that we need.

Mr. Chairman, I wish to yield 1½ minutes to the gentleman from Florida (Mr. RADEL).

Mr. RADEL. Gas and groceries. Ask yourself: Is there anything else that eats more into your budget day in and day out?

When we talk about your family budget, wouldn't it be great if your dollar could go further? Better yet, at least the prices could stay normal instead of changing every week.

Think about it: gas and grocery prices are all over the place. One week, you go pay for your gas and buy your groceries and maybe have some extra money in your pocket for date night on the weekend; but the next week, the prices shoot up, and you barely have enough money to pay for your rent.

But I've got great news—cheaper prices at the pump and a less expensive grocery bill start right here and right now with the approval of the Keystone pipeline.

This issue is really as bipartisan as you can get. Why? Because it means jobs, jobs, jobs. We're not talking Republican or Democrat, red or blue. We are talking about green, meaning more money in your pocket. In that bipartisan spirit, even union members support this pipeline because they know how many jobs will be created. With Republican leadership, we are going to get this done.

Union members, this is about you. This is about your opportunity, your job.

Not only is this about jobs; it's about our national security here in the United States.

Ask yourself: Do you really want to continue sending money to countries that really don't have the best intentions for us in mind, or do you want energy independence, meaning a safe and secure United States for you and your family for generations to come?

Of course, it's more money in your pocket the next time you go to get some gas in your car or buy your groceries. This is about you, your family, your dreams.

Mr. RAHALL. I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I wish to yield 1½ minutes to the gentleman from South Carolina (Mr. RICE).

□ 1440

Mr. RICE of South Carolina. Mr. Chairman, I rise today to express my support for this legislation. American competitiveness is my primary focus. The nameplate on my desk says: jobs, jobs, jobs.

We've created a regulatory morass in this country that stifles progress on all fronts. We've got to get the government off the backs of our job creators.

When I hear that this project has been studied for more than 1,700 days—5 years, that it would create more than 40,000 jobs at a time when jobs are so desperately needed, and that it would drive down the cost of energy and cut our oil imports from OPEC in half, and that the State Department has reviewed it and found that it exhibits no significant environmental hazards, and yet the administration still refuses to issue the permits, I'm appalled.

We can study this project forever, and we will never resolve every possible question. This used to be a can-do country. If the administration will not make a decision, Congress should. Let's stop wringing our hands, approve this project and move forward.

Mr. RAHALL. Mr. Chairman, I'm pleased to yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN), who, like me, is a supporter of the Keystone pipeline.

Mr. GENE GREEN of Texas. Mr. Chairman, I thank our ranking member from the Transportation and Infrastructure Committee for allowing me to speak.

I've been a longtime supporter of the Keystone XL pipeline. I'm frustrated that the pipeline has still not been approved after four favorable environmental impact statements. It's time for the administration to approve the project.

I actually represent the refineries where most of the oil sands product will go. The fact is that these refineries will continue to seek supplies of heavy crude oil whether the Keystone XL pipeline is approved or not. The problem is that if the President does not approve the Keystone pipeline, he will force these facilities to continue to purchase oil from unstable, foreign countries with very few environmental regulations.

I want my Democratic colleagues to understand that even if we made all the investments we want to in alternative energy—and I support that—we still need to rely on oil for the next 25 or 30 years. This number comes from our administration. So if we have to purchase oil from somewhere, doesn't it make sense to purchase it from a province that regulates carbon?

I plan to support the bill this afternoon. But let me be clear about a couple of things: I support the bill because it's a message bill, and it's time for the administration to stop stalling and make a decision.

There are provisions of the bill I don't like. I do not support the precedent and policies laid out in section 4 through section 8. I also don't know why we continue to send bills that don't have a chance in the Senate except to tell them the House again will support the pipeline.

I hope this vote will put this issue behind us because I have 5 refineries in east Harris County that are ready to use that heavier crude because they're importing it from other countries like Venezuela. I would rather import it from Canada, our closest neighbor.

Mr. DENHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. I rise today as I think of this as a great opportunity for Oklahoma and the rest of the States.

In Oklahoma, we know the value of hard work, dedication to one another and making commonsense decisions when we're given the opportunity.

Common sense tells us that the Keystone pipeline should be approved. However, during my short time in Washington, I've found that common sense is one thing this town lacks.

My congressional district is one of the hardest-working in the Nation. The southern leg of the Keystone pipeline is a significant job creator and economic developer directly to our local communities.

Listen to these figures. The southern leg of the project is bringing in $5 million a month in construction and other expenses, plus 1,000 jobs, into my State alone. Approving the northern leg will bring similar economic benefits to areas along the northern route. Every cup of coffee those workers buy in a small town adds up.

Completion of the pipeline would result in 830,000 barrels of oil a day from Canada and the Bakken oil fields in North Dakota and Montana. These are friendly and reliable North American sources. With the approval and completion of the Keystone pipeline, we will significantly reduce our dependency on crude oil from regions such as the Middle East and Africa.

Pipelines are a proven safe way to transport crude oil.

Our country is at a crossroads. Will we take the path that leads to energy independence, job growth, and prosperity, or will we continue to delay?

The Keystone pipeline is an opportunity for America to lead. The time has come to put the interests of the country first, not the party, and approve the Keystone pipeline.

Mr. RAHALL. Mr. Chairman, I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, how much time is remaining?

The CHAIR. The gentleman from California has 2¾ minutes remaining, and the gentleman from West Virginia has 5 minutes remaining.

Mr. DENHAM. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Chairman, 5 years and still no decision.

What does 5 years mean? Well, World War II, where we mobilized America, we went to war, we fought for our liberty and our national security on two fronts, thousands and thousands of Americans worked in our factories, went off to win a war in less than 5 years, but yet we can't get a decision out of the White House for 5 years on this project? Are you kidding me?

If we had to wait for the environmentalists to make up their mind, we

never would have built the Panama Canal.

This pipeline needs to go down to Texas near my district, 20 percent of the Nation's refineries. It's a national security interest.

Some of my friends on the other side have been bad-mouthing Canada. Let me tell you something. If the United States and Canada and Mexico can work together on an energy policy and make a North American energy policy, we can make Middle Eastern politics irrelevant. This pipeline will bring in as much crude oil as we get from Saudi Arabia.

Mr. President, pick a horse and ride it. Sign the deal.

The CHAIR. The Chair reminds Members to address their remarks to the Chair.

Mr. RAHALL. Mr. Chairman, I'm prepared to close, although I do have a couple of Members lurking in the hallway here somewhere threatening to come to speak. So maybe I'll slowly close unless the gentleman from California wants to use his time.

Mr. DENHAM. Mr. Chairman, I'm ready to close as well, and I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield myself such time as I may consume.

We've had a short debate here, and I'm sure it will continue during the amendment process. My concerns are as I stated in my opening comments. The fact that we are deeming a foreign company the outright right, giving them a permit, without any further requirements or actions needed, is of deep concern to me.

As I said, I have many coal companies that mine in a responsible way in West Virginia. They've gone through the responsible processes of obtaining a permit. Granted, they're having trouble in some areas. At least they know that they have to obtain a permit to mine.

They're not asking to outright be deemed to have a permit without having to show how responsible they are in their operations. But in this legislation, to give a foreign company an outright application, is truly concerning to this particular Member who supports the pipeline project.

We had some discussion in committee last week about what I and others view as preferential treatment for a foreign company, and some on the majority side of the aisle refused to concede that TransCanada is a foreign company or even that Canada is a foreign country. You know what? The last time I checked, you do need a passport to enter Canada.

That's really beside the point, but I did want to raise it since I'm sure it will come up before this debate is concluded.

The point is that this bill waives a permit for such a major undertaking. And these companies that are producing these tar sands in Canada like Exxon, Shell, Valero, CNRL, Conoco for TransCanada, I daresay that they have to obtain a permit from the Canadians to undertake such operations to build this pipeline, and now we're saying they don't have to in our country. For a foreign country, it is troubling that we would grant such a permit outright, to deem that they have met all safety and environmental requirements when we don't even do that for our own domestic companies.

With that, I would urge a ''no'' vote on H.R. 3 today, unless of course during the amendment process my amendment, which is to strike section 3, were to miraculously be adopted by this body. Then, perhaps, I could support the legislation. But other than that, I urge a ''no'' vote on the legislation.

So I yield back the balance of my time.

□ 1450

Mr. DENHAM. Mr. Chairman, I yield myself the balance of my time.

A lot has been talked about here, but let me get back to the facts. This legislation, if passed, would be passed in the same way as in 2004 when the Alaskan natural gas pipeline was passed by the entire body on a voice vote. Members who are complaining about this bill voted for that very same type of legislation. The thing that gets talked about is the pipeline was deemed. That legislation was deemed. The pipeline was deemed to be in the national interest. This is in our national interest—energy independence, American jobs. There is a reason to expedite this, let alone waiting 5 years. We can't afford to wait another 5 years to have an expedited NEPA process like it was that the gentleman had supported in the past.

It has been talked about that this is a Republican bill; it's a Republican end-around. Yet the AFL–CIO is supporting the bill; the National Brotherhood of Teamsters; the International Union of Operating Engineers; the National Electronic Contractors Association; as well as the U.S. Chamber and National Taxpayers Union.

This is about American jobs. Whether you are union or nonunion, whether you're a member of the Chamber of Commerce or not, this is about getting people back to work and being energy independent.

This is a bipartisan bill that simply cuts through the very red tape that the President continues to complain about and helps this Nation realize the benefits of this project, the energy independence of our Nation. Mr. Chairman, I encourage all Members to support this bill.

I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of the Keystone pipeline and in strong support of the Northern Route Approval Act, which will finally make this project a reality for the American people.

There may be a few of my colleagues who are tired of Keystone bills, but the American people are also tired. And they're tired of $3.70 a gallon of gasoline. They're tired of unemployment above 7 percent. They're tired of 4 years of delays that continue to block this critical jobs and energy project. Remember that the President said only last year that he would do ''whatever it takes'' to create U.S. jobs.

Every stated reason for previous delays has now been addressed—most recently, a reroute of a portion of the pipeline through Nebraska. In fact, you can count Nebraska's Governor among the many Americans who want to see the Keystone pipeline built. And while some may try to make this a partisan issue here in the Congress, it is not a partisan issue across the country, with a majority of Americans—Democrats, Republicans, Independents—supporting the pipeline, including a vote last March on the Senate budget.

I give credit to President Obama for saying some of the right things as of late. Just last week during a visit to Baltimore manufacturer Ellicott Dredges, at that factory the President declared:

> One of the problems we've had in the past is that sometimes it takes too long to get projects off the ground. There are these permits and red tape and planning and this and that, and some it's important to do, but we could do it faster.

Those are his words.

Well, guess what, the very day before, the president of that same company was here on Capitol Hill testifying in support of the Keystone pipeline and how it would help his business. The President has it exactly right, and Exhibit A is the Keystone pipeline.

Some are trying to claim this bill is an unprecedented attempt to rush the process. Give me a break. In truth, the only thing that is unprecedented is the lengthy delays we have already encountered for a project that has been the subject of over 15,000 pages of Federal environmental review and, yes, found to be safe.

Congress faced much of the same dilemma 40 years ago when the Federal red tape was holding up a project called the Alaska pipeline. At the time, Congress realized that the bureaucratic process had gotten out of hand and that a pipeline that was clearly in the national interest was being subjected to never-ending delays. But thanks to the bipartisan 1973 Trans-Alaska Pipeline Authorization Act, the red tape was cut, the ground was broken, and the project was built. It became an incredible success story, a game-changer for American energy policy, providing thousands of jobs, billions of barrels of oil while safeguarding Alaska's environment. Guess what, H.R. 3, this bill, takes much of the same approach for the Keystone pipeline.

Unfortunately, while the delays over the Keystone grow longer, so do the excuses. Some argue that Keystone won't create very many jobs and most of them would be temporary. Tell that to the labor unions and the American

workers who are begging for this pipeline to be built. Even the administration's own State Department found that Keystone would support over 40,000 jobs during the pipeline's construction. That's a lot of jobs to me. And the paychecks created by the Keystone pipeline would be paid for by the private sector, not taxpayer dollars.

Some also claim that Keystone won't impact gas prices. Well, the law of supply and demand still stands. Keystone is going to deliver up to a million barrels a day of Canadian oil to American refineries. And remember, already today, we're getting 1.5 million barrels from Canada from the oil sands.

So if the pipeline isn't built, guess what, the oil is going to come by truck or by rail, certainly a riskier form of transport, not nearly as cost efficient as the Keystone pipeline would be. This will be the most technically advanced and safest pipeline ever constructed. It will cost probably $4 million to $5 million a mile, adhering to the new pipeline safety standards that we worked together on on a bipartisan basis, signed by the President last year, adding 57 additional safety standards specific to the project. So for that reason, Mr. Chairman, we need to support the bill.

I reserve the balance of my time.

Mr. WAXMAN. Mr. Chairman, I yield myself 3 minutes.

Today, the House Republicans are making their fourth attempt in 2 years to grant special treatment to TransCanada's Keystone XL tar sands pipeline. That's what happens when you let the oil companies set the agenda.

Rather than tackling the real problems facing American families, we're passing legislation to exempt a foreign company from the rules that every other company in America has to follow. And, of course, last week we voted for the 37th time to repeal the Affordable Care Act. We're trampling our rule of law to speed Canada's dirty tar sands oil to the gulf, where it can be refined and sent to other countries tax free.

That's great for the tar sands developers and refiners, like the Koch brothers and Valero, but this bill will hurt American families. It won't lower gas prices by a single penny, and it may even raise them. It will lock us into more global warming and risk our farmlands and our water supplies. No wonder Americans are cynical about Congress.

I oppose the Keystone XL tar sands pipeline because it will worsen climate change.

Keystone XL will lock the United States into decades of dependence on dirtier tar sands crude, reversing the carbon pollution reductions we have been working so hard to accomplish. Experts tell us that this Keystone XL will triple production of the tar sands, and that's simply not consistent with any future scenario for avoiding catastrophic climate change. We don't need it. We have our own sources of oil here in the United States, and we're using less oil because of our efficiency in new cars that are getting better mileage.

So I oppose this bill for these reasons; but even if you support the pipeline, you should oppose this bill.

□ 1500

H.R. 3 is an extreme bill. It grants a regulatory earmark to TransCanada, exempting it from all environmental requirements. It's also unnecessary. The State Department is carrying out their review of this highly controversial project.

H.R. 3 would approve the pipeline by fiat, lock out the public, eliminate the President's authority to balance competing interests, and stop Federal agencies from ensuring that, if the project does go forward, we do it as safely as possible.

The Keystone XL tar sands pipeline is a bad deal for America. We get all the risks, while the oil companies reap the rewards.

But even if you support it, this bill is harmful and unnecessary, and I'd urge my colleagues to vote ''no'' on H.R. 3.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, at this point I yield 2½ minutes to the gentleman from Nebraska (Mr. TERRY), the sponsor of the bill.

Mr. TERRY. Mr. Chairman, I rise in support.

Let me quote the President from his speech last week: ''Today, I'm directing agencies across the government to do what it takes to cut timelines for breaking ground on major infrastructure projects in half. And what that will mean is construction workers will get back on the jobs faster. It means more money going back into local economies. And it means more demand for outstanding dredging,'' the particular business that he was visiting that day.

The President's right. But look at the Keystone project that he has purposely denied at one time, and now is delaying ad infinitum.

So the nearly 1,705 days is more than double the time that the traditional transborder pipelines have taken. What this is is a $7 billion privately funded infrastructure project that puts, immediately, 20,000 workers, 2,000 of which come from my State of Nebraska, downstream. With the new expansion of refineries, that could go up to 118,000.

You have to ask, when there's been two other times in history, two of them both supported by the Democrats, sponsored by the Democrats, that were doing the same thing that this bill is, this isn't breaking new ground. These were the Alaska natural gas pipeline and the transatlantic pipeline. Both are doing the same things that are here.

So you have to ask the question, why, Mr. Chairman, has it taken 5 years to get to the point where all of the studies are done and completed, but yet they're still finding ways to delay?

We know what it is. The agenda has been taken over by the left-wing extremists. The NRDC and the extreme environmental groups are dictating the delay here in the hopes of killing it. They have stated that their hope is to kill. That's their number one issue, to kill this pipeline, and then they're going to go after other things after this is done.

So that's what the real agenda is here. So let's stop saying that this is just an extraordinary piece of legislation. This is modeled on past pieces of legislation where delays and bureaucratic morass has delayed them, and it's time, after almost 5 years, to get the Keystone pipeline working and the people working.

Mr. WAXMAN. Mr. Chairman, I'm pleased now to yield 3 minutes to the gentleman from Illinois (Mr. RUSH), our ranking member on the Subcommittee on Energy.

Mr. RUSH. I want to thank the ranking member for yielding.

Mr. Chairman, I strongly disagree with the majority side's process of trying to usurp President Obama's authority by immediately approving the Keystone XL pipeline, even before the State Department of the United States of America completes its due diligence, as our laws require.

Mr. Chairman, this is not an issue about jobs for Americans, but, rather, it is a question of whether this Congress should exempt one foreign company from the laws of America.

This bill is about seizing power from the President of the United States. This bill is about curtailing all Federal and environmental permitting requirements. This bill is about limiting the ability of average U.S. citizens to seek justice through the court system of our Nation.

Mr. Chairman, H.R. 3 will remove the Keystone pipeline out of the jurisdiction of State and local courts and will give only one court, the D.C. Circuit Court of Appeals, exclusive jurisdiction over this project, causing undue hardship on ordinary American families, small businesses, and landowners who may or may not have the resources to retain a D.C. lawyer, to travel to Washington, D.C., in order to have their American legal rights heard by this American justice system.

Mr. Chairman, I sought to amend this atrocious bill. My amendment would have struck section 4, the judicial review clause, so that ordinary American citizens could keep their legal rights intact, but my Republican colleagues wouldn't allow us to vote on that amendment here today in full view of the American people.

Mr. Chairman, as the White House notes in its Statement of Administration Policy, and I quote: ''H.R. 3 conflicts with longstanding executive branch procedures regarding the authority of the President, the Secretaries of State''——

The CHAIR. The time of the gentleman has expired.

Mr. WAXMAN. I yield the gentleman 30 more seconds.

Mr. RUSH.——''the Interior, and the Army, and the EPA Administrator. In addition, this bill is unnecessary because the Department of State is working right now diligently to complete the permit-decision process for the Keystone XL pipeline. The bill prevents the thorough consideration of complex issues that could have serious security, safety, environmental, and other ramifications.''

Mr. Chairman, I share these concerns of the President and, for that reason, I urge all of my colleagues to vote against this egregious bill.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. WHITFIELD), the chairman of the Energy and Power Subcommittee.

Mr. WHITFIELD. Thank you very much for yielding. And I would reiterate, once again, that the application to build the Keystone pipeline was filed on September 19, 2008. Since that time, over 15,500-and-some-odd pages of environmental studies have been conducted.

As a matter of fact, the Secretary of State, who is involved because this pipeline crosses international boundaries between Canada and America—and by the way, if this pipeline was to be built only in America, it would have been approved a long time ago. The only reason it has not been approved is because President Obama has made a decision not to approve it.

Labor unions support it. Every time we've had a hearing, the four international labor union presidents have come and said, We want this pipeline. Not one dime of Federal or taxpayer dollars will be in this pipeline, a $8 billion project, 20,000 jobs.

We have the opportunity to be independent for our energy needs in America. The International Energy Agency said just recently that more oil will be produced in America by 2020 than even in Russia today. And with this pipeline coming in, the additional pipeline oil that will be coming from Canada, we have an opportunity to be independent even more quickly perhaps.

□ 1510

Our friends on the other side of the aisle say, Well, one reason we are opposed to this is because this oil, when it gets to Port Arthur, Texas, will be exported. The head of the Department of Energy's Office of Policy and International Affairs wrote a letter just recently saying that there's no economic incentive for any of this oil to be going anywhere other than in America.

They've also said that it will not reduce gasoline prices. In this same letter, the gentleman says, We expect Midwest gas prices to go down if we build this pipeline.

So the American people support this pipeline. It'll produce jobs, it'll help control gasoline prices, and it won't be exported. I would urge everyone to support this important legislation today and pass the Keystone pipeline legislation.

Mr. WAXMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentlelady from the State of Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, we are privileged to be Members of the single legislative body in the entire world that has the greatest opportunity to actually address the biggest challenge humankind has ever faced: the warming of our tiny planet and the devastating consequences that will follow.

I'm not asking anyone to agree that humans are the cause. I'm only asking that, regardless of the cause, adding more carbon to the atmosphere does put our lifestyles and, ultimately, the lives of generations at peril. No one will view this notion as radical in the near future, and we will all be judged.

We can choose now to shift toward cleaner fuel sources that will make our country forever energy independent, or we can continue to leave American consumers subject to unpredictable oil prices and severe public health and climate change. Our atmosphere can only absorb about 565 gigatons more of carbon dioxide before global temperatures rise 2 degrees Celsius. If that happens, the planet faces catastrophic consequences. Keystone XL would push us toward that cliff.

TransCanada's application is to run a pipeline filled with the dirtiest oil through the middle of our country, refine it, and then export it on the world OPEC market. Even those who support the pipeline should agree to examine the consequences of its construction. This bill would prevent that from even happening.

I ask my colleagues to take your heads out of the tar sands and let's all work together to collaboratively address the crises that we face. We can meet our energy and environmental challenges together.

Mr. UPTON. Mr. Chair, may I ask how much time we have remaining?

The CHAIR. The gentleman from Michigan has 6 minutes remaining. The gentleman from California has 6½ minutes remaining.

Mr. UPTON. I yield 1 minute to the chairman emeritus of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

(Mr. BARTON asked and was given permission to revise and extend his remarks.)

Mr. BARTON. Let me say before I rise in support of this particular piece of legislation that if we want to have a debate on global warming, let the record show that the greenhouse gas emissions in the United States are at the lowest level since 1995. That's without cap-and-trade. That's without command and control. It's based on the ingenuity of the American people and the market at work here in the United States.

The Keystone pipeline would simply make it possible to take oil from Canada and transport it down to the gulf coast of the United States to be refined into products that would either be sold in the United States or, in some cases, perhaps exported overseas. It would create tens of thousands of jobs in the construction phase and maintain, and probably increase, the number of jobs in our refinery and petrochemical complex on the gulf coast of the United States.

It's a good piece of legislation. Only in America would this be controversial. It's a win for the Canadians, it's a win for the consumers in America, and it's a win for the workers in America that would be able to do the construction and also work in the refineries in those particular industries.

So I would rise in strong support, and I hope that we support Mr. TERRY's bill and send it to the other body.

Mr. WAXMAN. Mr. Chairman, I am pleased at this time to yield 1½ minutes to my colleague from the State of California (Mrs. CAPPS).

Mrs. CAPPS. I rise in strong opposition to H.R. 3. The Keystone proposal itself is a bad idea. This bill simply makes it worse.

It's no secret that we are dependent on oil and other fossil fuels for our energy needs. But it's also no secret that this dependence is polluting our planet, harming public health, and threatening our national security. But rather than reduce this dependence, H.R. 3 and the Keystone pipeline just make this problem worse.

We have the greatest innovators and entrepreneurs in the world and they're eager to build a sustainable energy future, but they can't do it on their own. Instead of doubling down on fossil fuels, we should be encouraging development of clean, renewable energy resources and technologies. These investments protect our planet for future generations and they improve the health of our friends and our family. And they create permanent, local jobs that can't be shipped overseas.

Finally, there's no denying that construction of this pipeline would create jobs, but they're mostly temporary jobs. And while we're facing estimated job losses of 750,000 due simply to sequestration, creating a few thousand temporary jobs, though helpful, does not constitute the comprehensive jobs legislation our Nation really needs. This Congress needs to take steps to move to a clean energy economy and create millions of permanent jobs right here in the USA that cannot be shipped overseas.

Mr. Chairman, H.R. 3 is a giant step in the wrong direction on both counts. I urge my colleagues to vote ''no.''

Mr. UPTON. Mr. Chair, I yield 1 minute to the gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Chairman, it has been 1,706 days since the

Keystone XL application has been submitted to our State Department. Instead of moving towards energy independence and job creation by approving this pipeline, we've learned that this administration has been spending its time wiretapping journalists and targeting conservative groups for their political beliefs.

Within the past 10 days, the Obama administration has spent much more time defending its violations of the First Amendment than seeking to add 830,000 barrels of product per day. The White House seems to care more about their own jobs than the 20,000 direct jobs and 100,000 indirect jobs created by the Keystone XL pipeline. This behavior is simply unacceptable.

Mr. Chairman, it is time that this body take action to bolster our economy, move our Nation towards energy independence—areas where this President has failed miserably.

I urge my colleagues to support H.R. 3.

Mr. WAXMAN. Mr. Chairman, I yield 1 minute to another Member of the House from Georgia, the very distinguished gentleman, a member of our committee, Congressman JOHN BARROW.

Mr. BARROW of Georgia. I thank the gentleman for yielding.

Mr. Chairman, I'm a proud cosponsor of this bill with my colleague from Nebraska (Mr. TERRY). These are the main reasons why:

First, this pipeline will move an estimated 840,000 barrels of oil per day. That's about how much we import every day from Venezuela. Any policy that allows us to bid good riddance to countries like Venezuela is a good policy in my book.

Critics say that it will increase our dependence on oil as our primary source of transportation energy, but we're already totally dependent on oil for our transportation energy. This pipeline will only make us less dependent on hostile rivals and more reliant upon friendly allies for the transportation energy that we need.

Critics say it will increase CO_2 emissions, but this oil is going to be produced and refined and consumed by somebody. The only question is whether we get first dibs on it or whether or not we move to the back of the line behind countries like India and China for our own North American oil.

For all these reasons, I urge my colleagues to support this legislation today and once and for all make the Keystone XL pipeline a reality.

Mr. UPTON. Mr. Chair, I yield 1 minute to the vice chair of the Energy and Power Subcommittee, the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I want to thank the gentleman from Michigan for yielding. I thank Congressman TERRY from Nebraska for bringing this bill forward.

I rise in strong support of the bill to green-light the Keystone XL pipeline. Look at the facts about what this means to America: 20,000 jobs immediately and energy security. We're going to be getting 830,000 barrels of oil a day from a friend in Canada that we don't have to get from Middle Eastern countries who don't like us.

Of course, what's the answer by President Obama? For 5 years now, he said ''no.'' He said ''no'' to American jobs and he said ''no'' to American energy security just because some radical environmental extremists have told him that they don't want this. But even the labor unions say they want this.

□ 1520

Of course, who's to benefit by the United States not doing the Keystone XL pipeline? China. China wants those jobs. And if President Obama gets his way, China will get those jobs. We don't want China to get those jobs. We want America to get the 20,000 jobs and the $7 billion of private investment.

How can this happen? With the stroke of a pen. Today, President Obama can approve the Keystone pipeline, but he won't. So if he won't, then here Congress is taking action to get those 20,000 jobs. Instead, we ought to approve this bill and get the Keystone XL pipeline built.

Mr. WAXMAN. Mr. Chairman, I now yield 2 minutes to our colleague from New York (Mr. TONKO), the ranking member of one of our Energy Subcommittees.

Mr. TONKO. I thank the gentleman from California.

Mr. Chairman, we are once again debating a bill that, thankfully, will go no further than this House.

Even if you support the pipeline, this bill is the wrong approach to build it. This bill elevates the financial needs of tar sands developers and the pipeline's builder above the needs and concerns of the citizens who live along the pipeline's path.

I regret that my amendment on pipeline safety was not made in order. We now have ample evidence from the disastrous spills in Kalamazoo, Michigan, and Mayflower, Arkansas, that concern about pipeline safety is well justified.

Cleaning up a spill is an expensive and difficult task. Three years after the spill in Kalamazoo, the oil is still not cleaned up. Families evacuated from their homes in Mayflower are still living in temporary housing. The spill is not just messy; it is dangerous. The fumes, liquids, and the solids are a toxic brew. The resources damaged by these spills will take years—probably decades—to restore.

Congress recognized the unique nature of diluted bitumen and asked the National Academy of Sciences to examine questions related to its safe transport and to assess the adequacy of current pipeline safety regulations. This information would be valuable, especially in light of these recent spills; but we are not waiting for it. And if the proponents have their way, we will have no opportunity to act on any recommendations that NAS may provide.

This bill promotes reckless development of a pipeline that provides little public benefits to our citizens while increasing the risk to their communities, their property, and to our natural resources. We should not bypass our laws and the administration's process for evaluating this project.

With that, I urge my colleagues to reject H.R. 3.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. OLSON), a member of the Energy and Power Subcommittee.

Mr. OLSON. I thank the chair of the Energy and Commerce Committee, and I rise today in strong support of H.R. 3, which would approve the Keystone XL pipeline.

The Keystone XL pipeline has been studied ad nauseam. It's now been 1,706 days since the application to build the Keystone XL pipeline was submitted to the Obama administration.

The Keystone XL pipeline is nearly 1,200 miles long. At the average speed a human being could walk—three miles an hour—it would take 393 hours to walk the pipeline's route. That means you could walk through the entire pipeline route round trip about 53 times in the days since the application was submitted for approval. At least walking would be some sort of action.

America needs action. America needs 20,000 jobs. America needs 800,000 barrels a day coming from Canada. America needs national security that comes from energy security. America needs the Keystone XL pipeline. Let's pass this bill now.

Mr. WAXMAN. Mr. Chairman, I continue to reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. GARDNER), a member of the Energy and Power Subcommittee.

Mr. GARDNER. I thank the chairman for yielding time and leading this great debate.

You know, we've heard a lot of talk today about job creation, about the number of jobs that would be created by the Keystone pipeline.

As somebody who actually lives above the Ogallala Aquifer, I hate to break it to people in this Chamber who apparently don't believe it, but we actually have pipelines already above the Ogallala Aquifer.

We have jobs being created right now because of energy opportunity in the United States and Canada. The fact that we can create 20,000 jobs is a good thing, the fact that the National Federation of Independent Businesses support this pipeline; The U.S. Chamber of Commerce, manufacturers, the labor unions support the construction of this pipeline.

It saddens me to think that this debate has come down to a debate over job snobs, people who believe that these aren't the kinds of jobs that we want, the kind of people that we want working on these jobs. It's not about whether this is a pipeline that is good

or bad for the environment. It's people who believe that these aren't the kinds of jobs that we want in this country. I think it's a shame that we're having that debate on the House floor right now.

These jobs are good enough for America. These are the kinds of jobs that we want—high-paying jobs to put people to work, to feed families, to present opportunities for the American people in a country that has seen unemployment far too high for far too long.

It's time the hijacking of this agenda ends. Let's develop our own energy in North America.

Mr. WAXMAN. Mr. Chairman, may I inquire as to how many speakers there are on the other side.

Mr. UPTON. Mr. Chairman, may I inquire as to how much time we have left on our side.

The CHAIR. The gentleman from Michigan has 1 minute remaining. The gentleman from California has 2 minutes remaining.

Mr. UPTON. We have two speakers—unless you'd like to yield some of your time to us. We still have two speakers. Do you just have one speaker left? Why don't you do one speaker, then we'll do one—one-one-one, and finish up.

Mr. WAXMAN. I reserve the balance of my time.

Mr. UPTON. I yield 30 seconds to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Chairman, I rise in strong support of H.R. 3.

Construction of the Keystone XL pipeline is a significant element of America's all-of-the-above energy policy that will help lower energy costs, create jobs, and reduce our dependence on dangerous sources of foreign oil. It's supported by business and labor alike.

Mr. WAXMAN. Mr. Chairman, I yield myself the balance of my time.

Killer tornadoes in Oklahoma, Hurricane Sandy in New York and the Northeast, droughts in the southwest part of this country, record heat waves are now the new normal. We've seen floods; we've seen wildfires. Haven't you noticed that we've been experiencing a change in the climate? And it hasn't been good.

We don't know if all of this is because of greenhouse gases. We do know enough, however, that we don't want tar sands oil to take a chance with the only planet we live in.

We want jobs. Of course we want jobs. And we don't say jobs are not good enough if they're working in the pipeline construction. But we also want to protect this country and this planet; it's the only one we have.

The tar sands are the dirtiest oil we can possibly get. We don't need it. We shouldn't go after it and put ourselves at a greater dependence on a source that will pollute this planet with more greenhouse gases, more carbon emissions, and more climate change. That will not be something we can look at with pride.

I urge my colleagues to vote against this bill.

I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield the balance of my time to the gentleman from Ohio (Mr. JOHNSON).

The CHAIR. The gentleman from Ohio is recognized for 45 seconds.

Mr. JOHNSON of Illinois. I thank the chairman for yielding.

It's coincidental that here we are talking about the environmental concerns that have been overexaggerated about the Keystone XL pipeline.

I stand in strong support of H.R. 3. The President himself has acknowledged that the environmental concerns have been overexaggerated. This is the right thing to do for America. This is a job-creating opportunity. This is an opportunity to take energy resources from a friendly ally in Canada, use it here in America, or make sure that it goes to our friends and our allies rather than our competitors, like the Chinese.

Mr. Chairman, H.R. 3 is an important step forward in bringing energy independence and security to America, and I urge my colleagues to support it.

□ 1530

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I rise in support of H.R. 3, the Northern Route Approval Act. This important legislation would remove roadblocks to allow for the approval and construction of the Keystone XL pipeline—a project that is vital to America's energy future.

The Keystone XL pipeline has been tied up in red tape by the Obama administration for nearly 5 years. Just over 1,700 days ago, the application to build this important energy project was submitted to the State Department, and for 1,700 days the American people have been waiting for the Obama administration to stop leading from behind.

This bill will create tens of thousands of American jobs, it will lower energy prices, the building of it will invest billions of dollars into our economy, and it will make America more energy secure. The Keystone XL pipeline will transport over 800,000 barrels of oil per day from Alberta, Canada, down to American refineries in the Gulf of Mexico. That's half the amount that the U.S. imports from the Middle East.

This bill was approved by the Natural Resources Committee with bipartisan support. The provisions under our jurisdiction will help ensure that the construction of this pipeline takes place in a timely manner without threat of lawsuit or unnecessary delay by the Secretary of the Interior.

This important project has gone through extensive environmental reviews, including two separate EIS's and over 15,000 pages of NEPA reviews. President Obama's own State Department has stated that this project will have no significant impacts on the environment. There is no credible reason for the President to continue holding up this project.

That is why this project enjoys bipartisan support in both the House and the Senate. This is not a Democrat issue; this is not a Republican issue. Energy security and job creation is an American issue. This administration is the only roadblock that's standing in the way of American jobs, lower energy prices, and increased American energy security.

The Northern Route Approval Act makes the Keystone XL pipeline a reality. It declares that no Presidential permit shall be required to approve this pipeline and prevents the Obama administration from imposing further delays.

I urge my colleagues, Mr. Chairman, to support this important legislation, and I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I yield myself such time as I may consume.

Let me begin where the gentleman from California (Mr. WAXMAN) completed his remarks.

We are experiencing climate change. It is very expensive in lives and dollars. It is the result of the way we produce and use energy. We must make these points clear. What we are talking about with this legislation is going further down this dangerous, deadly road.

Now, beyond that, this legislation we are considering today represents a complete disregard of the effect of tar sands oil on our environment and our economy. This bill would ask the United States to bear all of the environmental risk without any appreciable rewards.

Less than 2 months ago, in Mayflower, Arkansas—a typical American small town—the 2,234 residents of that Arkansas River town learned what we mean by ''risk'' from an oil pipeline. As much as 7,000 barrels of oil spilled into neighboring communities and the environment.

This oil was tar sands oil. This pipeline was part of this Canadian pipeline system that we are talking about today. But rather than ensuring that, if we're going to build the Keystone pipeline to transport this dirty, particularly dirty, oil across the United States, that we first ensure that we have proper protections for our environment, this bill would take us in completely the opposite direction, while doing nothing to ensure that Keystone oil would enhance our energy security. There's nothing whatsoever in this bill to require that the Keystone oil actually stay in the United States.

The jobs that will be created by this, according to the Environmental Impact Statement prepared by the U.S. State Department, the jobs that would be created over the long term number in the few dozen—like 35—not in the thousands. Yes, there will be some construction jobs—and I want to assure our working Americans that we want jobs for them—but we want sustainable jobs that come from clean energy. They are available—they are available today—if we would stop going down this mistaken road.

The proposed pipeline would transport tar sands oil from Canada through the United States to free trade zones in Texas for export. All risk, no reward. We are just a bypass. This is not oil that's coming to improve the lives of Americans, to give us energy to power our cars or our industries. No. This is just passing through us, with the risk of a spill, with the problems to the environment that might result. It ignores the lessons of the recent Exxon pipeline spill in Arkansas and the tar sands spill in Michigan. It does nothing to close a loophole that currently allows tar sands oil to avoid paying taxes into the oil spill cleanup fund—that's right—because this bitumen, this product that comes out of the tar sands, is defined as ''not oil'' for the purposes of paying into the oil spill liability trust fund. So, it gets a free ride through the United States on its way to foreign countries.

If we're going to consider this bill, at least let's use it as an opportunity to close the tar sands loophole and ensure that when the oil spills occur—I'll grant to the other side that this may be a safe pipeline, but there is no such thing as a perfectly safe pipeline—and when the oil spills occur, let's have the money there to clean it up.

This bill goes on to declare that a Presidential permit is not required for a trans-border project and that all requirements of the National Environmental Policy Act, the National Historic Preservation Act, the Endangered Species Act, and the Migratory Bird Treaty would be deemed to have been satisfied, even if they haven't been satisfied.

This is a bad deal for our country. This legislation does nothing to guarantee our energy security. All risk, no reward.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 3 minutes to the chairman of the subcommittee dealing with this legislation, the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the chairman for yielding.

Mr. Chairman, I rise in strong support of this legislation. From day one, the Obama administration has inexplicably put up roadblock after roadblock to prevent the construction of the Keystone pipeline, a pipeline that would create tens of thousands of American jobs and securely bring 800,000 barrels of oil a day to American consumers. These numbers are according to the administration's own Departments of Energy and State. This project also would lead to billions of dollars of investment into the U.S. economy.

Besides obstructing the construction of the northern portion of the pipeline, President Obama had no shame in taking credit for construction of the southern section of the pipeline, which did not require his approval. Sadly, Canadian Prime Minister Stephen Harper has announced that due to delays by the Obama administration, Canada has no choice but to consider alternative options for bringing its oil to market, including constructing a pipeline from Alberta to the Pacific coast for export to China. If we don't take advantage of this opportunity, somebody else will—probably China.

After four Environmental Impact Statements, all of which have concluded that there will be minimal environmental impacts, the administration continues to stall construction of the pipeline.

□ 1540

It would lessen our dependence on foreign oil from dangerous parts of the world by integrating our friendly northern neighbor into our energy economy. With each day that passes, we slowly lose one of the best opportunities this country has had in a generation to secure our energy independence. Since the President refuses to act, Congress will. The Northern Route Approval Act removes the President's veto and will ensure that, after years of extensive studies, construction of the pipeline can move forward so America can begin to benefit from this tremendous opportunity.

I urge the adoption of the act.

Mr. HOLT. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO), a senior member of the committee and one who understands that this pipeline does not help our energy security and puts our environment at risk.

Mr. DEFAZIO. I thank the gentleman for yielding.

Repetition has become sort of the cause celebre here in the House of Representatives. Last week, we totally repealed ObamaCare for the fourth time, and 33 other times we partially repealed it. Of course, none of those things have come true or have happened.

This will be the seventh attempt by the House of Representatives to expedite—in this case, they've gone one step further—or to mandate the building of the XL pipeline. That's right, mandate. We're going to deem that an Environmental Impact Statement done on a very different route is good for this pipeline. Now, if you follow that logic, we could just have one generic Environmental Impact Statement for any project anywhere in the United States of America, and Congress could just deem it to have met the law and the environmental requirements. That's incredible to go that much further in this political dealing here.

Now, what's going to happen?

The Canadians, sadly, apparently, are going to destroy their boreal forests, which are irreplaceable, to extract one of the dirtiest fossil fuels. They're then going to ship this tar sands oil through a pipeline crossing the United States of America, which, as the gentleman said, will be exempt from the excise tax that all other oil companies and pipeline companies pay—American companies and some foreign companies, but everybody else pays it. They will be exempt. They will not contribute to the oil spill liability trust fund. It's going to go to a refinery located in a foreign trade zone that is not paying export taxes, and that refinery is half owned by the Saudis.

And this is going to give us energy independence and lower prices. I mean, is it April Fool's Day? Really? Come on.

This is not going to give any American a single penny off per gallon at the pump. Right now, we are in the annual traditional Memorial Day price gouging by the oil industry. It just happens magically every May that they're up to do a little periodic maintenance or unexpected maintenance on their plants. Gasoline has gone up 50 cents a gallon on the west coast in the last 3 weeks. This is not a free market. It is a manipulated market. We pay the so-called ''world price.'' So even if this refinery does produce—and it will export—this product, it's not going to lower the world price because the Saudis over the last couple of years have tracked our increased oil production with decreases in their oil production to keep the prices high.

There are things we could do to bring real relief to American consumers—get the speculators out of the market and a number of other things—that would provide more immediate relief. This will not provide relief. It will not be a boost for our economy. Yes, there are temporary construction jobs, but guess what? We could create a heck of a lot more construction jobs in this country if we met our obligations to better fund the Surface Transportation Trust Fund and began to deal with the crumbling infrastructure in America. Those would be real jobs that would really benefit this country.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to a member of the Natural Resources Committee and a subcommittee chairman, the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, ever since the Arab oil embargoes of the 1970s that ravaged our economy and produced mile-long lines around gas stations, an avowed goal of our Nation has been to reduce our reliance on Middle Eastern oil.

In addition to the thousands of jobs and billions of dollars of economic activity, the Keystone pipeline will bring up to 830,000 barrels of Canadian crude oil a day into the American market—about half of what we currently import from the Middle East. Now, that bears repeating. The Keystone pipeline could cut our reliance on Middle Eastern oil by half all by itself. The left makes much of the fact that our markets are international and that some of that oil might enter that market. Well, that's possible, but I think it is far more likely that it will push Middle Eastern oil out of the American market.

The fine point is this: In the next international crisis, would you rather rely on Canada or Iraq to meet our petroleum needs?

Mr. HOLT. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. HUFFMAN), who understands that oil passing through this country on the way to other countries does not improve our energy independence.

Mr. HUFFMAN. I thank the gentleman.

What a wonderful bill if you happen to be the Canadian oil company that reaps all the benefits, but it comes at the expense of the American economy and the global environment. We should reject this bill out of hand.

This sweetheart deal approves the northern route of the Keystone XL pipeline and exempts it from the rigorous public analysis and scientific standards that American companies are held to, including the National Environmental Policy Act, the Clean Water Act, and the Migratory Bird Treaty Act, among others. Bear in mind that tar sands oil is already exempt from paying into the trust fund that covers oil spill cleanup.

So with this bill, my colleagues are saying we should have no front-end environmental protection for this project and no backstop funding for when things go wrong—and things will go wrong. You just have to look at what happened at the Mayflower, Arkansas, spill a month ago. When that happens, American taxpayers are going to be on the hook for cleanup, and where is the offset for that? Meanwhile, TransCanada, the Canadian corporation proposing to build this pipeline, is on record before the Canadian energy board as saying that this project will increase the price of oil in the United States.

So let's be very clear about what we are doing. This House is considering a bill to cut corners for a foreign corporation to transport dirty fuel and raise gas prices for Americans. Why would we spend our time on this? Well, we're told it's about jobs, but the fact is we don't even know how many jobs this pipeline project will create. The estimates are all over the map. You could believe Fox News, which says it will create a million jobs, or TransCanada, which says around 13,000 construction jobs, or the State Department, which says it will directly create fewer than 4,000 jobs, and fewer than three dozen of those will be permanent jobs.

We don't even know the massive security risks and security costs that this project will foist upon the American taxpayers. At a minimum, we should approve the Connolly amendment to, at the very least, generate a threat assessment if this bill is to move forward.

This bill, colleagues, is a betrayal of our priorities as Members of the United States Congress.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 1 minute to another member of the Natural Resources Committee, somebody who understands the oil industry well, the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. I rise today as a proud Oklahoman, calling for this body to act on a commonsense bill that will put this country on the path to energy independence.

The Keystone XL pipeline's southern route, which runs directly through my congressional district, is already creating good-paying jobs back in Oklahoma. I have seen with my own eyes how it is putting millions of dollars directly into the economies of small towns in my district.

Mr. Chairman, this is a time for Congress to act. This project has been delayed long enough. We have studied the environmental impact of Keystone over and over again. We know that we can safely transport crude oil from our friends in Canada and sources in the U.S. to our refineries along the gulf coast. EPA's latest opposition to the State Department's recent environmental impact review of this project is more of the same from this administration, which continues to claim it supports an all-of-the-above approach but fails to follow through when it's time to act.

Let's put our country on the path to energy independence and off foreign oil from those countries that do not have our best interests in mind. I urge my fellow Members to do what is right, not for the party, but for this country and to vote for H.R. 3.

□ 1550

Mr. HOLT. Mr. Chairman, I'm pleased to yield 1½ minutes to the gentleman from Florida (Mr. GRAYSON).

Mr. GRAYSON. Mr. Chairman, I urge the Republicans on the other side of the aisle to stop faking it. We have a bill here that deems this, deems that, and deems the other thing.

This is a bill that deems that the Environmental Impact Statement required by the National Environmental Policy Act is deemed approved. It's not.

This is a bill that says that the requirements of the Endangered Species Act are deemed satisfied and opinion deemed issued. They're not.

This is a bill that says that the required right-of-way and temporary use permit under the Mineral Leasing Act is deemed issued. Not.

This is a bill that says that the requirements of the Water Pollution Control Act and the Migratory Bird Treaty Act are deemed approved and issued. Not.

Why are we doing this? While we're at it, why don't we deem a balanced budget? Why don't we deem full employment? Why don't we deem world peace?

It's farcical. It's a violation of the separation of powers under the Constitution. It's not our job to deem things. It's our job to pass laws of general application, not favors to foreign oil companies.

The CHAIR. The time of the gentleman has expired.

Mr. HOLT. I yield the gentleman an additional 30 seconds.

Mr. GRAYSON. And having been lectured endlessly by the other side about the profundity of earmarks, we come across a bill here where, in fact, it's an earmark for a foreign oil corporation. We are issuing to a foreign oil corporation a right-of-way that's valued at millions and millions of dollars when the other side tells us they're not in favor of earmarks.

Stop the hypocrisy.

Mr. HASTINGS of Washington. Mr. Chairman, I'm very pleased to yield 1 minute to the gentleman from Montana, another member of the Natural Resources Committee, Mr. DAINES.

Mr. DAINES. Mr. Chairman, it took Canada just 7 months to approve the Keystone XL pipeline; meanwhile, Americans have been waiting 4½ years for President Obama to act.

Montanans understand how important this project is for our economy and for our energy future.

In eastern Montana, we've seen the tremendous potential for jobs and economic growth that comes with oil production in the Bakken field. In fact, this pipeline will transport up to 100,000 barrels per day of Bakken oil—that is Montana and North Dakota oil—through a connecting on-ramp in Baker, Montana. And in Glasgow, Montana, the NorVal Electric Co-op is slated to supply electricity to one of the Keystone XL pump stations.

Let me tell you what this means to middle class, hardworking Americans. If this pipeline is built, this rural electric co-op will be able to spread their cost burdens with the pipeline and, consequently, hold rates steady for their 3,000 customers. But if the pipeline is not approved, NorVal customers will see upwards of a 40 percent increase in their utility rates over the next 10 years.

Mr. Chairman, if the President isn't willing to listen to the voice of the people, the House will. It's time to build the Keystone XL pipeline.

Mr. HOLT. Mr. Chairman, may I ask the time remaining?

The CHAIR. The gentleman from New Jersey has 3¼ minutes remaining, and the gentleman from Washington has 7½ minutes remaining.

Mr. HOLT. Mr. Chairman, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I'm very pleased to yield 1 minute to the gentleman from Virginia (Mr. HURT).

Mr. HURT. Mr. Chairman, I rise today in support of the Northern Route Approval Act, another House initiative to pave the way for construction of the Keystone pipeline. I support this measure because approval of the pipeline will lead to lower fuel prices and it will create jobs.

As I've traveled my rural Virginia Fifth District, I have spoken to our

small business owners, our small farmers, our volunteers, our students, and our parents, and there can be no question that the energy policies coming out of Washington under this President are hurting our local communities. That is why the immediate approval of the Keystone pipeline is so important, because it will reduce our dependence on foreign dictators, it will give us affordable energy, and it will create the jobs that we desperately need.

After 4 long years, this bipartisan plan to create jobs and lower fuel prices should wait no longer. It is high time for the President to heed the wishes of the American people. Stop the excuses and approve the Keystone pipeline.

Mr. HOLT. Mr. Chairman, I continue to reserve the balance of my time until the other side is ready to close.

Mr. HASTINGS of Washington. Mr. Chairman, if I may inquire, did I hear that my friend from New Jersey has only one speaker left?

Mr. HOLT. Yes, I believe that is correct, Mr. Chairman.

Mr. HASTINGS of Washington. I hope that belief is true, then. You're waiting, I guess.

So if the gentleman is prepared to close, I reserve the balance of my time, as I have one more speaker left.

Mr. HOLT. Mr. Chairman, I yield myself the remaining time.

As we've heard, this is a bill that gives a Canadian company a sweetheart deal. It deems that all the conditions have been met, even if they haven't been. It takes a very dirty product, ships it through the United States, where we bear the risk of an oil spill. It's shipped to other countries. The U.S. consumer, the U.S. businessperson, the U.S. economy derives little to no benefit from this. All risk, no reward.

The TransCanada Keystone pipeline, the existing part of it, which would be connected to this proposed pipeline, experienced 12 separate oil spills in 2010. In the United States, there are typically more than 3 million gallons spilled from pipelines, so don't tell me that this is without risk.

As for helping the economy, we would like to have good, long-lasting jobs for Americans. This is not the way to do it. It does not do it. The long-lasting jobs number in the dozens, not the thousands.

So this very dirty oil will not increase U.S. energy security. It certainly will not lower energy prices, which are determined on the world market and through various manipulations here.

This clearly is not in the interest of the American consumer or American business. There's nothing in this bill to require that oil from this pipeline stay in the United States. There's nothing to close the tax loophole that allows tar sands oil to avoid paying for oil cleanup. In fact, I note with some irony here that some members of the majority who have spoken today in favor of this legislation to expedite the pipeline construction have asked the chairman of the Ways and Means Committee to fix this oil spill liability trust fund loophole, in other words, to see that this is not exempt from paying into the oil spill trust fund. But the irony is they don't want to fix it now; they want to fix it sometime in the future in an as-of-yet imaginative or conjectural tax reform.

If they really wanted to fix it, this would be the time to do it, rather than to take a bill and ask for streamlined, no-questions-asked approval: take the executive branch out of the decision, give the sweetheart deal to the Canadian company, and close the books. We would regret it if that happened.

With that, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR (Mr. HOLDING). The gentleman from Washington has 6½ minutes remaining.

Mr. HASTINGS of Washington. I'm very pleased to yield the balance of my time to the majority whip, the gentleman from California (Mr. MCCARTHY).

□ 1600

Mr. MCCARTHY of California. Mr. Chairman, I rise today in support of this bill. Now, if you're like me and you go across the country, you want to listen to the American people. The two things they talk about when you tell them you're a Member of Congress, the first thing is: Where are the jobs? The second thing they say: Why can't you work together? Why can't you solve this problem together?

It's not often that we get to mesh those two together on the exact same day. But, you know, today is that opportunity.

Last week, I watched our President of the United States go to a small business. I love it when he goes to a small business. I was a small business owner. He went to a small business to talk about job creation. He wants to move America forward. And I'll be frank, lots of time my philosophy isn't the same as the President, but I want to work together, especially when we agree. So I listened to his words and I listened to him closely because he talked about what was holding back job creation in America. The President said:

> One of the problems we've had in the past is that sometimes it takes too long to get projects off the ground. There are all these permits and red tape and planning, and this and that, and some of it's important to do, but we could do it faster.

You know what? I agreed with those words of President Obama. And I looked for what could make that change. And you know when he spoke at that small business, it just so happened that the CEO of that small business was there with him. But you know where he was 24 hours before? He was right here in Congress. He was here testifying, as that small business, about what could get America moving. You know what he talked about? Build the Keystone pipeline. Build it.

So when the President said that sometimes projects take too long to get off the ground, I think he was referring to if it was more than 1,700 days, that was too long. So when the President said that there's too much red tape, some is important, but we could do faster, I think the President probably meant that 15,000 pages of review that we've done for Keystone is probably too much.

So there's a unique ability that, yes, we can move something that can create 20,000 jobs in America today. You know what? We could be less reliant on the Middle East for our energy as well.

But you know what is more important when we listen to the American people and they ask, Why can't we do this in a bipartisan manner? You know what? It will come off this floor in a bipartisan vote. But you question, can it come off the Senate? Well, you know what? A majority of the Senators have voted for it, 17 Democrats on the other side as well.

So I stand today as the majority whip saying I agreed with President Obama's words. The only thing that is missing is the action. Today we will do our job. We'll send it to the Senate, and it will be the start of a new beginning, to put people before politics and jobs and bipartisanship forward, and I look forward to the opportunity to do it.

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

Mr. CONYERS. Mr. Chair, I rise today to oppose H.R. 3, which is quite simply a waste of this chamber's time. Like the 37th vote to repeal the Affordable Care Act last week, we are again wasting Americans' time and money doing the bidding of corrupt, private industry—selling jobs that will never materialize, while exposing American land, air, and water to dangerous pollution.

I understand my friends across the aisle have water—or oil—to carry for the energy industry, but this bill is not going to bring the environmentally damaging pipeline they support to fruition. Regardless of the outcome of this vote, the decision to approve or reject the Keystone XL pipeline will rest with the president.

Unfortunately for my friends across the aisle, President Barack Obama knows the dangers of not going far enough or fast enough to stop the climate crisis. History will celebrate his decision to lead us toward a clean energy economy that solves climate change and creates long-term, sustainable jobs for Americans. We understand then, that achieving this awesome goal requires that the United States reject the TransCanada Corp.'s proposal to build the Keystone XL pipeline, which would cut through the heartland of America.

Returning our economy to stable growth requires Americans to move forward toward the future, not back toward the past. We must put Americans to work building, implementing and maintaining a clean energy infrastructure that

will power the economy of tomorrow. The Keystone pipeline is dirty energy infrastructure, reflecting a generations-old approach to energy and environmental questions.

TransCanada Corp. is a Canadian company that wants the Obama administration to provide it with a permit to build the pipeline, which would run oil from Canadian tar sands all the way through our country to the Texas Gulf Coast. According to the Natural Resources Defense Council, tar sands oil is an environmental catastrophe—creating three to five times the global warming pollution of traditional oil.

After refining the oil here in the United States, TransCanada plans to export this oil for sale to other countries, enriching Canadians and oil companies but doing little or nothing to decrease America's dependence on foreign oil. In the meantime we get to store dirty energy waste products like petroleum coke in our neighborhoods while we wait for billionaires like the Koch brothers to ship the global-warming byproduct overseas to China.

Common sense demands that the president reject this pipeline. Most Americans want our country to be investing in energy solutions for the future—not outdated, polluting infrastructure that will do nothing to solve our energy problems.

According to the State Department, the total number of jobs projected to result from Keystone is 3,900 direct temporary construction jobs over a one- to two-year period, but only 35 permanent and 15 temporary jobs will remain after those two years of construction.

Those who are making the case for the pipeline—TransCanada, oil lobbyists and special interest advocacy groups funded by the oil lobby—are spreading misinformation about the numbers of jobs that would be created. TransCanada claims that the project will create 9,000 construction jobs and 7,000 manufacturing jobs; meanwhile, their spokesmen and advocates have been quoted in the media suggesting that ''tens of thousands'' or ''over a hundred thousand'' direct and indirect jobs would be created.

This willful misrepresentation about jobs numbers speaks to how little these oil industry leaders, and those who they are funding, actually care about Americans who need jobs. They are selling a jobs pipe dream, so they can build a polluting pipeline.

Consider the struggles of those who have lost their jobs in the recession. Consider the families who cannot pay their bills, who cannot access health care, who cannot send their children to college and who have lost their homes. Then consider how irresponsible it is for oil company lobbyists and their friends to sell this pipeline using inflated job estimates.

According to a national study from the Political Economy Research Institute at the University of Massachusetts Amherst, every dollar put into clean energy creates three times as many jobs as putting that same dollar into fossil fuels. Further, median wages are 13 percent higher in the green energy sector than those in other parts of the economy. Over the past two years, jobs in the solar industry have grown nearly 10 times faster than jobs in the rest of the economy, with only modest investment from federal and state governments. If we were to commit fully to supporting clean energy and putting an end to global warming, then we could create even more jobs. Research from the Brookings Institution has found that job quality is better in the clean energy sector, which is creating medium- and high-credential jobs at twice the rate as the fossil fuel industry.

I urge my colleagues on both sides to vote against this bill, and turn their efforts instead to developing energy solutions for 2050—not 1950. Sludge from tar sands is not going to get America moving again; it will simply mire us in the past. Lets' move forward—and put a plug in Keystone XL once and for all.

Mr. DINGELL. Mr. Chairman, as the House prepares to once again vote on legislating approval of a presidential permit to construct the Keystone XL pipeline, I find it disappointing that the Majority refuses to work with Democratic supporters, like myself, of the pipeline. By attempting to legislate a process set in place by President George W. Bush, the Majority has succeeded in making the pipeline a political issue instead of one of unifying national energy independence. As a supporter of the Keystone XL pipeline, I oppose H.R. 3, the Northern Route Approval Act, and ask the Majority to instead work with the Administration to approve this project and legislate issues that can further enhance our energy independence rather than playing partisan politics.

The intent of the National Environmental Policy Act (NEPA) is to provide transparency so communities can know the impact of projects on their neighborhoods. However, H.R. 3 circumvents that transparency by simply deeming approved the NEPA review. H.R. 3 also deems approved permits under the Clean Water Act and Endangered Species Act. When these laws were passed, they were not revolutionary, they were commonsense, and were passed on an overwhelmingly bipartisan basis. One could even say these environmental laws were so important that they were, in fact, nonpartisan. Allowing those processes to run their courses is also commonsense and should be nonpartisan.

This pipeline will eventually be built either south from Canada to the Gulf Coast or west to the Pacific where the Canadian oil will be sent to China. As a supporter of the pipeline and American energy security, I, for one, would prefer to see those manufacturing, construction, and other jobs created here in the U.S.

Allowing the process provided under these laws to unfold does not mean you have to be opposed to the construction of the Keystone XL pipeline. The majority claims that this bill is necessary to ''address continued regulatory uncertainty.'' However, this bill does exactly the opposite; it circumvents the established process and potentially opens the project to lawsuits that will ensure the pipeline is kept in the court system for years to come.

I oppose this bill, which gives special treatment to a foreign company not afforded to domestic companies. The House should be doing more to secure our country's energy independence instead of playing political games with our nation's energy future. As a supporter of the Keystone XL pipeline, I urge you to oppose H.R. 3.

Ms. BROWN of Florida. Mr. Chair, this is America, and I fully believe it's possible to build the Keystone pipeline in a way that improves our access to crude oil and puts thousands of people to work, while still protecting citizens from hazardous spills. But we have to hold the industry's feet to the fire and make sure they are taking every possible precaution in building this pipeline.

There are members on both sides who support construction of the pipeline and we could work together to move this project forward, but the Keystone XL has become totally political, with people using it to score points rather than address some of the problems that could arise from its construction. Today's bill is dead on arrival, but here we are once again wasting the House's time on partisan bills the Senate will never take up.

When I chaired the Railroad, Pipelines, and Hazardous Materials Subcommittee we held five separate hearings concerning pipeline safety and found significant problems with reporting and inspections, as well as an unhealthy relationship between the pipeline industry and the agencies regulating them. We really need more scrutiny over the construction and operation of the Keystone Pipeline, not less. Deeming permits completed and suspending the Clean Water Act is a very dangerous precedent and will certainly make communities more vulnerable to the death and destruction that pipeline ruptures cause.

With the high unemployment rate this country is currently facing, we should be hiring and training inspectors and putting contractors to work replacing this aging pipeline infrastructure in this country. Gas and oil companies have profited by over $1 trillion dollars over the last decade, while the infrastructure that brings their products to market becomes more unstable and more dangerous.

Every day in America we see our infrastructure crumbling around us. The Association of Civil Engineers gave the nation's transportation infrastructure a grade of D.

That is unacceptable, and the American people deserve better. Let's put people back to work on improving our entire nation's infrastructure. That's a win for the economy and a win for America's workers.

Ms. JACKSON LEE. Mr. Chair, I thank the gentleman for yielding. And I rise to speak about the Keystone XL Pipeline Project and the legislation before us, H.R. 3.

Mr. Chair, the Keystone XL project proposed by TransCanada, a Canadian company, would build new pipeline to transport Alberta oil sands crude and crude oil produced in North Dakota and Montana to a market hub in Nebraska, and from there to Gulf Coast refineries. The proposed pipeline would deliver an estimated 830,000 barrels of oil per day. One of the most appealing aspects of the project is the positive economic impact it is expected to have on the economy.

Let me just take one State's economy and realize what would happen with this particular effort. There would be a $2.3 billion investment in the Texas economy, creating more than 50,000 jobs in the Houston area, providing $48 million in State and local taxes, increase the gross State product by $1.9 billion.

Although I favor the job creation potential of the Keystone XL Pipeline project however, the legislation contains several provisions that are of great concern to me.

First, because the pipeline would cross an international border, construction requires a presidential permit and would be subject to applicable State laws and permitting requirements.

To issue a presidential permit, the State Department, after consulting with other federal agencies and providing opportunities for public comment, must determine that the project would serve the national interest.

Because the Keystone XL project would constitute a major federal action with a potentially significant environmental impact, it is also subject to environmental impact statement requirements of the National Environmental Policy Act, NEPA.

The bill declares that a presidential permit is not required for approval of the Keystone XL pipeline's northern route from the Canadian border through Nebraska even though the project crosses an international border. This is unprecedented.

Second, H.R. 3 deems that environmental impact statements issued to date would be considered sufficient to satisfy all requirements of the National Environmental Policy Act and the National Historic Preservation Act, and the Interior Department and the U.S. Army Corps of Engineers are deemed to have granted all the necessary permits for the pipeline to proceed, including permits under the Migratory Bird Treaty Act.

As a senior member of the Committee on the Judiciary, I have a problem with ''deeming'' something done that has not been done in fact. I believe we should determine whether, under the Constitution, this alters the power of the office of the President.

Third, the bill vests exclusive jurisdiction regarding legal disputes over the pipeline or the constitutionality of this bill in the U.S. Court of Appeals for the District of Columbia and requires claims regarding the pipeline to be brought within 60 days of the action that gives rise to the claim. My amendment would have extended the time to one year.

It is unduly burdensome to require aggrieved parties to bear the considerable expense and hardship of traveling from their homes in North or South Dakota, Nebraska, Kansas, Oklahoma, or Texas to Washington, D.C. to vindicate their legal rights.

Mr. Chair, I also believe the bill before could have been improved had more amendments been made in order.

For example, an amendment I offered jointly with Congressman RUSH, Jackson Lee Amendment No. 4, would have struck Section 4 of the bill and restored the right to full judicial review to aggrieved parties.

Another amendment I offered, Jackson Lee Amendment No. 3, would have required the Secretary of Transportation to submit within 90 days of enactment a report to Congress identifying the procedures and policies adopted to ensure that women and minority business enterprises are afforded the opportunity to participate on an equitable basis in the construction and operation of the Keystone Pipeline. Had this amendment been made in order and adopted Congress would have been provided with helpful information needed to conduct appropriate oversight.

Another amendment I offered, Jackson Lee amendment No. 2, would have added a non-severability clause to the bill, which states that: ''if any provision or application of the legislation is held to be invalid, the entire act shall be rendered void.''

This non-severability clause simply would have made explicit that the component parts of this bill all fit together, in pari materia, so to speak, such that removing any one part would defeat the intended purpose of the bill.

My amendment would make very clear the congressional intent that this bill is so delicately crafted, that it is ''all or nothing.''

Each of these provisions would be rendered meaningless if any of the remaining parts is invalidated.

This has been a long standing principle of statutory construction, going back at least to 1936, when the Supreme Court stated in *Carter* v. *Carter Coal Co., 298 U.S. 238, 312 (1936):*

[T]he presumption is that the Legislature intends an act to be effective as an entirety—that is to say, the rule is against the mutilation of a statute; and if any provision be unconstitutional, the presumption is that the remaining provisions fall with it.

This presumption becomes conclusive when Congress makes its intention clear, see *Carter* v. *Carter Coal Co., 298 U.S. at 312,* by including a non-severability clause in the statute.

My amendment would have done just that.

Had these amendments been made in order and approved, the bill before would be improved markedly. It is my hope that there will be additional opportunities to improve this legislation as it moves forward. The Keystone Pipeline should be built following all the necessary rules and laws that protect the American people.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendments in the nature of a substitute recommended by the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–11. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 3

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Northern Route Approval Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) To maintain our Nation's competitive edge and ensure an economy built to last, the United States must have fast, reliable, resilient, and environmentally sound means of moving energy. In a global economy, we will compete for the world's investments based in significant part on the quality of our infrastructure. Investing in the Nation's infrastructure provides immediate and long-term economic benefits for local communities and the Nation as a whole.

(2) The delivery of oil from Canada, a close ally not only in proximity but in shared values and ideals, to domestic markets is in the national interest because of the need to lessen dependence upon insecure foreign sources.

(3) The Keystone XL pipeline would provide both short-term and long-term employment opportunities and related labor income benefits, such as government revenues associated with taxes.

(4) The State of Nebraska has thoroughly reviewed and approved the proposed Keystone XL pipeline reroute, concluding that the concerns of Nebraskans have had a major influence on the pipeline reroute and that the reroute will have minimal environmental impacts.

(5) The Department of State and other Federal agencies have over a long period of time conducted extensive studies and analysis of the technical aspects and of the environmental, social, and economic impacts of the proposed Keystone XL pipeline.

(6) The transportation of oil via pipeline is the safest and most economically and environmentally effective means of doing so.

(7) The Keystone XL is in much the same position today as the Alaska Pipeline in 1973 prior to congressional action. Once again, the Federal regulatory process remains an insurmountable obstacle to a project that is likely to reduce oil imports from insecure foreign sources.

SEC. 3. KEYSTONE XL PERMIT APPROVAL.

Notwithstanding Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, and any other Executive order or provision of law, no Presidential permit shall be required for the pipeline described in the application filed on May 4, 2012, by TransCanada Keystone Pipeline, L.P. to the Department of State for the Keystone XL pipeline, as supplemented to include the Nebraska reroute evaluated in the Final Evaluation Report issued by the Nebraska Department of Environmental Quality in January 2013 and approved by the Nebraska governor. The final environmental impact statement issued by the Secretary of State on August 26, 2011, coupled with the Final Evaluation Report described in the previous sentence, shall be considered to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and of the National Historic Preservation Act (16 U.S.C. 470 et seq.).

SEC. 4. JUDICIAL REVIEW.

(a) EXCLUSIVE JURISDICTION.—Except for review by the Supreme Court on writ of certiorari, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction to determine—

(1) the validity of any final order or action (including a failure to act) of any Federal agency or officer with respect to issuance of a permit relating to the construction or maintenance of the Keystone XL pipeline, including any final order or action deemed to be taken, made, granted, or issued;

(2) the constitutionality of any provision of this Act, or any decision or action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this Act; or

(3) the adequacy of any environmental impact statement prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), or of any analysis under any other Act, with respect to any action taken, made, granted, or issued, or deemed to be taken, made, granted, or issued under this Act.

(b) DEADLINE FOR FILING CLAIM.—A claim arising under this Act may be brought not later than 60 days after the date of the decision or action giving rise to the claim.

(c) EXPEDITED CONSIDERATION.—The United States Court of Appeals for the District of Columbia Circuit shall set any action brought under subsection (a) for expedited consideration, taking into account the national interest of enhancing national energy security by providing access to the significant oil reserves in Canada that are needed to meet the demand for oil.

SEC. 5. AMERICAN BURYING BEETLE.

(a) FINDINGS.—The Congress finds that—

(1) environmental reviews performed for the Keystone XL pipeline project satisfy the requirements of section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) in its entirety; and

(2) for purposes of that Act, the Keystone XL pipeline project will not jeopardize the continued existence of the American burying beetle or destroy or adversely modify American burying beetle critical habitat.

(b) BIOLOGICAL OPINION.—The Secretary of the Interior is deemed to have issued a written statement setting forth the Secretary's opinion

containing such findings under section 7(b)(1)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1536(b)(1)(A)) and any taking of the American burying beetle that is incidental to the construction or operation and maintenance of the Keystone XL pipeline as it may be ultimately defined in its entirety, shall not be considered a prohibited taking of such species under such Act.

SEC. 6. RIGHT-OF-WAY AND TEMPORARY USE PERMIT.

The Secretary of the Interior is deemed to have granted or issued a grant of right-of-way and temporary use permit under section 28 of the Mineral Leasing Act (30 U.S.C. 185) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), as set forth in the application tendered to the Bureau of Land Management for the Keystone XL pipeline.

SEC. 7. PERMITS FOR ACTIVITIES IN NAVIGABLE WATERS.

(a) ISSUANCE OF PERMITS.—The Secretary of the Army, not later than 90 days after receipt of an application therefor, shall issue all permits under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and section 10 of the Act of March 3, 1899 (33 U.S.C. 403; commonly known as the Rivers and Harbors Appropriations Act of 1899), necessary for the construction, operation, and maintenance of the pipeline described in the May 4, 2012, application referred to in section 3, as supplemented by the Nebraska reroute. The application shall be based on the administrative record for the pipeline as of the date of enactment of this Act, which shall be considered complete.

(b) WAIVER OF PROCEDURAL REQUIREMENTS.—The Secretary may waive any procedural requirement of law or regulation that the Secretary considers desirable to waive in order to accomplish the purposes of this section.

(c) ISSUANCE IN ABSENCE OF ACTION BY THE SECRETARY.—If the Secretary has not issued a permit described in subsection (a) on or before the last day of the 90-day period referred to in subsection (a), the permit shall be deemed issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (33 U.S.C. 403), as appropriate, on the day following such last day.

(d) LIMITATION.—The Administrator of the Environmental Protection Agency may not prohibit or restrict an activity or use of an area that is authorized under this section.

SEC. 8. MIGRATORY BIRD TREATY ACT PERMIT.

The Secretary of the Interior is deemed to have issued a special purpose permit under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.), as described in the application filed with the United States Fish and Wildlife Service for the Keystone XL pipeline on January 11, 2013.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 113–88. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. WEBER OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 113–88.

Mr. WEBER of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 18, strike ''pipeline.'' and insert ''pipeline, and—

(A) the Department of State assessments found that the Keystone XL pipeline ''is not likely to impact the amount of crude oil produced from the oil sands'' and that ''approval or denial of the proposed project is unlikely to have a substantial impact on the rate of development in the oil sands'';

(B) the Department of State found that incremental life-cycle greenhouse gas emissions associated with the Keystone XL project are estimated in the range of 0.07 to 0.83 million metric tons of carbon dioxide equivalents, with the upper end of this range representing twelve one-thousandths of one percent of the 6,702 million metric tons of carbon dioxide emitted in the United States in 2011; and

(C) after extensive evaluation of potential impacts to land and water resources along the Keystone XL pipeline's 875 mile proposed route, the Department of State found that ''The analyses of potential impacts associated with construction and normal operation of the proposed Project suggest that there would be no significant impacts to most resources along the proposed Project route (assuming Keystone complies with all laws and required conditions and measures).''.''.

Page 2, line 21, strike ''of doing so.'' and insert ''of doing so, and—

(A) transportation of oil via pipeline has a record of unmatched safety and environmental protection, and the Department of State found that ''Spills associated with the proposed Project that enter the environment expected to be rare and relatively small'', and that ''there is no evidence of increased corrosion or other pipeline threat due to viscosity'' of diluted bitumen oil that will be transported by the Keystone XL pipeline; and

(B) plans to incorporate 57 project-specific special conditions related to the design, construction, and operations of the Keystone XL pipeline led the Department of State to find that the pipeline will have ''a degree of safety over any other typically constructed domestic oil pipeline''.''.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Texas (Mr. WEBER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman.

Mr. WEBER of Texas. Mr. Chairman, thank you for recognizing me to speak in favor of my amendment on this very important legislation.

I want to thank Mr. TERRY for leading on an issue that is crucial to our economic recovery and our energy future. Rather than wait around for further delays—1,700 days and counting—and excuses from the President, Mr. TERRY has taken action to deliver the jobs and energy security that this administration so frequently promises to the American people.

Last week marked 1,700 days, that's 4.65 years, since the first permit application was filed for Keystone. Let me put that in perspective. I have a granddaughter who will be 2 years old in July. Had she been born when this permit was filed, she would be entering kindergarten this coming fall. Her name is Kate Liberty, by the way. She's the cutest thing this side of the Atlantic.

During that time, the State Department has produced, as the whip said, over 15,000 pages of environmental impact assessment, which have been endlessly discussed, debated, and deconstructed. Hundreds of thousands of public comments were made on these documents, and public meetings were held across the country in multiple States.

However, in 2012, President Obama rejected the first permit application for the Keystone XL pipeline, claiming that the deadline which required him to make a decision prevented a ''full assessment'' of the pipeline's impact. I would conclude, and I'm sure most of you would agree, that the State Department study of Keystone XL has gone far above and beyond the threshold required of a ''full assessment.'' In fact, this unprecedented degree of scrutiny has led many to conclude that the Keystone XL is the most studied pipeline in our Nation's history.

Despite this exhaustive environmental review, the administration has yet to make a decision on a project that will create American jobs, stimulate the economy, and enhance our energy security. In the meantime, opponents of the project continue to rely on false assumptions and misconceptions to urge its rejection.

My amendment simply sets the record straight on these accounts by adding findings from our own State Department that attest to the safety and environmental soundness of this project.

There are those who oppose the project who say it hasn't been studied enough—that's laughable. That we are proceeding hastily—4½ years and 15,000 pages prove otherwise. Others allege that the pipeline is a safety risk. The State Department findings prove these allegations unfounded. In fact, the State Department concluded that it has 57 extra safety features, and with that, the Keystone XL would have a degree of safety over any other domestic pipeline.

There are those who try to argue that the pipeline would threaten water resources, wildlife, and the communities along the route. However, the State Department disagrees, concluding there would be ''no significant impacts'' to resources along the proposed route.

Some insist that the pipeline will lead to increased greenhouse gas emissions and that halting the project will somehow combat global warming or reduce carbon emissions. However, the State Department's estimates of incremental emissions associated with the project are marginal, and they would have negligible impact on climate change, if any. Moreover, the State Department concluded that Canadian oil sands production will continue regardless of whether or not we build the Keystone. A global oil market and the statements of Canadian officials reinforce this reality.

The science supports approval of Keystone XL, and I agree. Given the facts, I see no reason the administration should make the American people

wait any longer for a project whose construction will support up to 40,000 jobs and generate $2 billion in earnings.

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

Mr. WAXMAN. Mr. Chairman, I rise to claim the time in opposition to this amendment.

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

Mr. WAXMAN. This amendment selects some statements from the State Department's draft supplemental Environmental Impact Statement to try to suggest that the Keystone XL tar sands pipeline poses no threat to the environment. I only wish that were the case.

This is a matter of basic chemistry. Tar sands don't contain oil. It takes a lot of energy to melt and process the tar sands into something that we can use like oil. That extra energy means more carbon pollution.

The State Department estimated that a gallon of gasoline from tar sands is responsible for about 17 percent more carbon pollution than the average U.S. gallon of gasoline. And it estimated that shifting to tar sands crude could add as much U.S. carbon pollution as 4.5 million more vehicles. Not surprisingly, these findings are not in this amendment.

□ 1610

But the real problem with this amendment isn't what it leaves out. The real problem is that it tries to argue that the Keystone XL tar sands pipeline does not pose real and serious environmental harm, and that's dangerously wrong.

The fact is we may be able to avoid the worst consequences of climate change or we may be able to fully develop the tar sands without capturing the carbon, but we can't have both. And building Keystone XL is critical to oil companies' plans to triple production of the tar sands.

The State Department's review rests on a key assumption. They assumed that if Keystone XL isn't built, the additional tar sands production would be moved by rail. They also assumed that the extra costs of rail wouldn't be high enough to affect investments in new tar sands projects.

With all due respect to the State Department, this is one case where many experts think they have just got it wrong. A recent Reuters report found big flaws in the State Department's analysis. Among other things, State assumed that rail shipment would cost about $10 per barrel, but current costs are closer to $30 per barrel.

The former Alberta Energy Minister said, ''If there's something that kept me up at night, it would be the fear that before too long we're going to be landlocked in bitumen.''

A Deloitte report said, ''Unless key transportation challenges are overcome, that new oil will have nowhere to go.''

And here's TD Economics: ''Production growth cannot occur unless some of the planned pipeline projects out of Western Canada go ahead.''

And here's what AJM Petroleum Consultants have said: ''Unless we get increased market access, like with Keystone XL, we're going to be stuck. Our production is going to be the one backed out of the system.''

And here's what the former editor of Oilweek said: ''Essential to diminishing hopes for an oil sands bonanza are three proposed pipelines.''

The Canadian Energy Research Institute said, ''with Keystone XL in place and operating at capacity, bitumen production could increase substantially.''

Keystone XL Pipeline is the key to enabling a massive increase in tar sands production and locking in our dependence on this very dirty oil. This would be catastrophic for the climate.

This amendment tries to downplay the climate impacts of Keystone XL, but even under the State Department's flawed analysis, there isn't another project in America with bigger climate impacts.

I urge a ''no'' vote on this Weber amendment and on H.R. 3.

I reserve the balance of my time.

Mr. WEBER of Texas. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Texas has 1 minute remaining.

Mr. WEBER of Texas. Well, I appreciate the gentleman from California's comments. It's interesting that we are going to belie the State Department's assessment when it's not advantageous to the argument, but we're going to try to rely on it when it's advantageous.

It's admirable that he's concerned about the cost per barrel of bitumen. I own a small business and, by golly, the oil companies that produce jobs and wealth for this company will decide on whether it's too costly.

The previous gentleman from New Jersey said there was no proof that even the oil would stay here in this country. Well, I submit this to you, Mr. Chairman, and esteemed Members. To what company do we say, We don't want you exporting your products? Do you tell Nike that? Do you tell Ford that? Who do you tell that?

And then to his statement that it's going to increase greenhouse gases, the experts have done the math, and they've come up with, if at all, it raises 1/100,000th of a degree Fahrenheit in global warming.

And finally, we heard testimony from the experts in our hearing, saves 400 to 500 trucks a day off the highway.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Chairman, and my colleagues, the issue is, if we don't build this pipeline, can that tar sands oil be trucked? Can it be taken to market? And I submit that if it's not, if we don't build this tar sands pipeline, they're not going to be able to afford to truck it anywhere else.

They're trying to get us to help bail them out with this dirty tar sands oil so they can use the United States to help Canadian oil production, and we ought to say ''no.''

I yield back the balance of my time.

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

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

Mr. WEBER of Texas. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 113–88.

Mr. WAXMAN. Mr. Chairman, I seek recognition in support of the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 2, insert the following new paragraph:

(8) The Draft Supplemental Environmental Impact Statement for the Keystone XL Project issued by the Department of State on March 1, 2013, finds that ''the reliance on oil sands crudes for transportation fuels would likely result in an increase in incremental greenhouse gas emissions'' in comparison to the greenhouse gas emissions from the crude oils used in the United States, as measured over the full life-cycle of the fuels. The Draft Supplemental Environmental Impact Statement finds that based on the quantity of tar sands crude to be transported by the Keystone XL pipeline, there could be up to 20.8 million metric tons of carbon dioxide-equivalent emissions additional per year, which is equivalent to the annual emissions from 4,312,500 passenger vehicles.

At the end of the bill, add the following new section:

SEC. 9. OFFSETTING CLIMATE CHANGE IMPACTS.

This Act shall not become effective unless the President finds that the additional greenhouse gas emissions from the increased use of tar sands crude referenced in section 2(8) will be fully offset by TransCanada or tar sands producers through an equal quantity of additional greenhouse gas emissions reductions each year.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from California (Mr. WAXMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. WAXMAN. Mr. Chairman, this month we passed a grim milestone. Scientists recorded atmospheric concentration of carbon dioxide of more than 400 parts per million. The last time carbon dioxide concentrations were at that level was 3 million years ago. Seas were 60 feet higher, and human beings did not even exist. This milestone is yet another urgent reminder that we need to take immediate action to build a clean energy, low-carbon future.

The Keystone XL pipeline takes us precisely in the wrong direction. This

pipeline will expedite production of the dirtiest and most carbon-intensive crude oil on the planet and lock in our dependence on this dirty fuel for decades to come. I'm strongly opposed to the Keystone XL pipeline for that reason.

But if the House is going to pass a bill that approves the Keystone XL pipeline, the least we can do is try to minimize the harm. That's the point of this amendment.

Tar sands don't contain oil. It takes a lot of energy to melt and process the tar sands into something that we can use like oil. That extra energy means more carbon pollution. This isn't in dispute, although we hear arguments that it is, but it is not in dispute.

The State Department has estimated that a gallon of gasoline from tar sands is responsible for about 17 percent more carbon pollution than the average U.S. gallon of gasoline. Other studies suggest that numbers could be even higher.

To protect our Nation from droughts, wildfires, and extreme weather, we need to be reducing carbon pollution. But, according to the State Department, using tar sands crude from Keystone XL could increase U.S. carbon pollution by up to 20 million metric tons per year. That's why the Keystone pipeline is a huge step in the wrong direction.

My amendment simply holds TransCanada and the tar sands producers accountable for their carbon pollution. It says that they have to reduce other carbon pollution to offset the extra pollution from Keystone XL. This won't get us closer to meeting our climate goals and building a clean energy future, but at least we won't be increasing the U.S. carbon pollution.

This amendment is not a cure-all. Approving Keystone XL will allow the oil industry to triple tar sands production. During the Energy and Commerce Committee hearing on this bill, we heard testimony that there's no plausible scenario in which tar sands production triples and we don't avoid a catastrophic level of climate change.

So make no mistake; even with this amendment, the Keystone XL pipeline would be a disaster for the climate, but this amendment would help. It would minimize extra carbon pollution. It would send a message to the tar sands producers and Alberta that they need to do a lot more to address climate change, and it would signal that the United States Government takes the threat of climate change seriously.

□ 1620

We need to start holding oil executives accountable for the pollution that is threatening our health and welfare. We need to make the polluters accountable for the damage they are inflicting on our children and our grandchildren. Our generation has an obligation to protect the Earth for future generations. This amendment is at least a small step in that direction.

I urge my colleagues to support this amendment and to vote ''no'' on the final bill.

I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I rise to claim the time in opposition.

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

Mr. TERRY. Mr. Chair, I reserve the balance of my time.

The Acting CHAIR. The gentleman form California has 1 minute remaining.

Mr. WAXMAN. Mr. Chairman, who has the right to close on this amendment?

The Acting CHAIR. The gentleman from Nebraska has the right to close on this amendment.

Mr. WAXMAN. My colleagues, I think this amendment says if you're going to go ahead with this pipeline, at least look for other ways to reduce carbon emissions. Put the burden on the Keystone XL pipeline producers and Alberta, Canada. Don't just accept all the pollution if it can be minimized by our carbon reductions. That will help reduce the harm that this whole project will cause for the climate change that's threatening us and that we're seeing today throughout this country everyday in the news. It will help minimize aggravating that problem.

It's not a solution, but it's a way that we can say that if we're going to have the XL pipeline, at least get some offsets on carbon so that we're not just increasing it to the maximum levels possible of all the greenhouse gases that are going into the air.

I urge support for this amendment, and I yield back the balance of my time.

Mr. TERRY. There are two realities here. Number one is that on the process of obtaining the bitumen, the crude that comes and will be put into the pipeline, that process is becoming more efficient all the time and decreasing its carbon footprint. But what's produced is equal to a heavy crude. That's what the State Department, under the appropriate rules, stated or concluded, based on the environmental impact studies. It is, in essence, equal to what we're importing from Venezuela today. In essence, it's neutral. That's the State Department's own conclusions and analysis—that it would have no real impact on climate change. So the study has been completed and this amendment is not necessary. It's just another way to keep delaying.

I would request a ''no'' vote.

Mr. WAXMAN. Will the gentleman yield for a question?

Mr. TERRY. I yield to the gentleman from California.

Mr. WAXMAN. How will this delay the project? It simply says, as they develop this pipeline, they have to look for other ways. They can then start figuring that out without delaying the project, as I understand it.

Mr. TERRY. We interpreted that requesting that information could be used as a tool to further delay it. That's how we've reached that conclusion. They've used so many things to delay this already that we're just suspicious that this would be another opportunity.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 113–88.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 4, insert ''(a) IN GENERAL.—'' before ''Notwithstanding Executive''.

Page 3, after line 21, insert the following new subsection:

(f) REQUIRED STUDY.—Notwithstanding subsection (a), final approval of construction and operation of the Keystone XL pipeline shall not occur until the President has determined that the appropriate Federal agency has completed a study of the health impacts of increased air pollution in communities near refineries that will process up to 830,000 barrels per day of tar sands crude transported through the Keystone XL pipeline, including an assessment of the cumulative air pollution impacts on these communities, many of which already experience unhealthy levels of air pollution.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. This bill is about profits over people. This bill puts the Koch brothers' profits above people's health.

No one knows how much air pollution this pipeline will cause or how the pollution will impact public health. My amendment, which has been endorsed by the National Resources Defense Council and by the Sierra Club, is common sense. I'm simply requesting a thorough analysis of the potential health risks. I am essentially asking that that analysis be completed before any decision is made on the pipeline.

Even though the State Department has submitted two Environmental Impact Statements on the Keystone XL pipeline, the Environmental Protection Agency has found that neither statement included a satisfactory evaluation of the increased air pollution that would come as a result of the pipeline's

operation. Communities surrounding the oil refineries that would be transporting raw tar sands crude through this proposed pipeline are already exposed to dirty air. Approval of the Keystone XL pipeline will only make it worse.

The raw tar sands crude is more toxic and acidic than other types of crude, Mr. Chairman. Raw tar sands crude produces significantly more harmful pollutants and greenhouse gas emissions than conventional crude oil due to the complex refining process it must go through before it reaches the gas pumps.

As this type of crude has only been exported to the United States from Canada for a relatively short period of time, there has not been a thorough study on how its transport would affect air quality in our Nation. It is troubling that the construction of the Keystone XL pipeline, which would transport 900,000 barrels of this crude oil daily, should take place before such a study that would evaluate its effects on health has ever been done. We have a responsibility to the American people to properly assess what risks the construction of this pipeline may pose to our health. It would be irresponsible of us to sweep these concerns under the rug just to rush this project to the finish line.

Valid questions have been raised about the health risks associated with the increased air pollution this pipeline will produce. These questions deserve legitimate answers. For this reason, I'm requesting a study on the health impacts of raw tar sands crude pollution in our communities surrounding the refineries where the Keystone XL pipeline will operate. I urge my colleagues to share my commitment to safeguarding Americans' health, and I ask that you approve my amendment and allow for such a study to be done before we make any decision on the pipeline's construction.

I reserve the balance of my time.

Mr. TERRY. Mr. Chairman, I rise to claim the time in opposition.

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

Mr. TERRY. And I reserve the balance of my time.

Mr. JOHNSON of Georgia. I yield back the balance of my time.

Mr. TERRY. I rise in opposition to the study. It requires another additional study around the refineries. Keep in mind that the refineries have already been through extensive research and studies to obtain their permits. Yes, many of the refineries are expanding right now, also under the tutelage and permitting processes of the EPA.

□ 1630

They're already being studied. It's not necessary to then include it as a condition precedent to the construction of the Keystone pipeline, which is the essence of what this bill does.

The gentleman from Georgia mentioned that the two entities that are encouraging this amendment are the two entities that have been at the forefront of causing most of these delays, so it's no surprise to me that the Sierra Club and the NRDC are throwing another tool out there to continue these delays. That's the whole purpose.

After 1,700 days, almost 5 years, three major environmental studies on this pipeline, it's time to just get this done. Enough is enough.

I yield back the balance of my time.

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

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

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 113–88.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 4, insert ''(a) IN GENERAL.—'' before ''Notwithstanding Executive Order''.

Page 3, after line 21, insert the following new subsection:

(b) THREAT ASSESSMENT.—Subsection (a) shall not apply until the Pipeline and Hazardous Materials Safety Administration, in consultation with the Department of Homeland Security, conducts a study of the vulnerabilities of the pipeline to terrorist attack and certifies that the necessary protections have been put in place so that the pipeline would withstand such an attack and a spill resulting from such an attack.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I rise in support of this commonsense amendment that seeks to protect the pipeline from a possible terrorist attack and to ensure our national security.

This simple amendment requests that the Pipeline and Hazardous Materials Safety Administration, in consultation with the Department of Homeland Security, consistent with its existing MOU, conduct a study of the vulnerabilities of the Keystone XL pipeline to a terrorist attack and certify that necessary protections have been put in place.

Across the United States, more than a half million miles of pipelines transport natural gas, oil, and other hazardous liquids. Within this network, nearly 180,000 miles of pipeline carry hazardous liquids, including more than 75 percent of our country's crude oil and 60 percent of all of its petroleum products. This important network connects our power plants, ports, refineries, airports, and military bases.

While these pipelines are no doubt critical to the U.S. energy supply, we must also recognize the potential threat. Sadly, as the recent bombing in Boston—my hometown—demonstrated, America must always be on the alert to a terrorist attack on our own soil, sometimes even a native-born one. All it takes is a few bad actors to inflict terrible damage. Unfortunately, our Nation's pipelines remain an easy target.

Both domestically and globally, pipelines have been a favorite of terrorists. There have been attempted attacks on pipelines throughout the world, including in Colombia, Canada, London, Nigeria, and Mexico, to name a few. The Cano Limon oilfield in Colombia has been bombed more than 950 times since 1993, for example.

Here in the United States, fortunately, we don't face that kind of threat every day, but the threat is still real. Since September 11, Federal authorities have continued to acknowledge that our pipelines are a possible target.

In June of 2007, the Department of Justice actually arrested members of another terrorist group planning to attack jet fuel pipelines in storage containers at JFK Airport in New York; in 2011, a U.S. citizen was arrested for planting an improvised explosive device under a pipeline in Oklahoma; and in June of 2012, a man was arrested for trying to blow up a pipeline in Texas.

Even a single individual with a grudge can wreak havoc with a pipeline and cause substantial harm. In 2001, a vandal armed with a high-powered rifle shot at a section of the trans-Alaska pipeline, causing extensive economic and environmental damage.

Recognizing that this threat is real, my simple amendment asks that the Pipeline and Hazardous Materials Safety Administration work with Homeland Security to study the vulnerabilities of the Keystone pipeline and certify that protections are put in place to withstand such attacks.

If constructed, the Keystone will represent a 1,700-mile target. The very least we can do, if we're going to do that, is to ensure we have protections in place to protect both the source of our energy and our national security.

I reserve the balance of my time.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to this amendment.

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

Mr. SHUSTER. I do rise in opposition to the amendment.

My good friend from Virginia, I understand his need to make sure that our pipelines are safe, but this amendment is redundant of existing Transportation Security Administration guidelines. It's unnecessary and simply attempts to further delay the project.

TSA guidelines bring a risk-based approach to the application of the security measures throughout the pipeline industry. As stated in the National Infrastructure Protection Plan, DHS assesses risk as a function of threats, vulnerabilities, and consequences. With this in mind, the most effective security programs employ a risk management process that facilitates protective planning and decisionmaking to mitigate the risk for pipeline assets.

The operator's risk assessment methodology is subject to review by the TSA. Therefore, risk and vulnerability to pipelines are already covered under current guidelines. There is no need to specifically single out this pipeline for further study.

Clearly, this is intended to delay the Keystone pipeline from being built, so I urge a ''no'' vote and yield back the balance of my time.

Mr. CONNOLLY. I would simply say in response to my friend from Pennsylvania, for whom I have great respect, that this is not redundant because the review process looks at a lot of things—stress, corrosion, improper operation, weather-related disaster, even vandalism. It does not, however, address acts of terrorism. That is why I do not believe that my amendment is redundant.

Frankly, in light of recent events in this country, we must double-check and be double sure that that which we build as sensitive as a pipeline is secure. I think Americans are entitled to that extra security. I don't consider it a redundancy, and I urge passage of the amendment.

With that, I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 5 OFFERED BY MR. RAHALL

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 113–88.

Mr. RAHALL. Mr. Chairman, I have an amendment at the desk designated as amendment No. 5 in the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3 of the committee print (and redesignate subsequent sections accordingly).

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, I'm offering this amendment on behalf of myself and PETER DEFAZIO of Oregon.

This amendment simply strikes section 3 of the bill. This is the section which states that the Keystone XL pipeline does not require a permit to cross the international border between Canada and the United States. Under this amendment, all other provisions of the bill remain intact, including those relating to judicial review, rights-of-way, and the Clean Water Act.

I believe that getting into the business of waiving permits for a foreign company to do business here in the United States is not the way to facilitate the construction of this pipeline. American interests are at stake here, and to allow this extremely massive pipeline project to proceed without a permit is ludicrous. As I said in comments earlier today, we do not even do that for domestic companies here in this country.

Section 3 also creates a very convoluted and confusing regime. It references a final Environmental Impact Statement issued on August 26, 2011, as satisfying NEPA for the project. Yet that EIS was done for a different permit application than the one currently pending.

□ 1640

I repeat: that EIS was done for a different permit application than the one that's currently pending.

In February 2012 TransCanada split the project into two pieces—the northern route and the southern route. The company then on May 4, 2012, reapplied for a permit for the revised route, limiting it to the northern route that is the subject of H.R. 3.

Yet the pending legislation references an EIS from August 2011—again, for an entirely different permit application.

As a supporter of the Keystone pipeline, I find it difficult to see how this convoluted process set forth in section 3 would facilitate its construction.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I rise to claim time in opposition to the amendment

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

Mr. DENHAM. I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I want to clarify that that was done for a different permit. The study that was done—that's referenced in there—is the environmental study and the requested supplemental for the route, except for the State of Nebraska.

There's another sentence in there that he didn't mention and that is in the now second supplemental for the State of Nebraska new review. There was an earlier statement that there was never one done under Nebraska. That's just absolutely false.

The reality is we've done all of the environmental statements on this route for this permit that were required. So I want to make that clear.

And the other point that I would like to make is the language that's taken in this bill about deeming it in the national interest and deeming the environmental studies—as they've been done for this route in total—have been done before, including the language taken out of a bill that the gentleman that's speaking right now supported in 2004.

Mr. RAHALL. Mr. Chairman, I appreciate the gentleman from Nebraska's comments. I understand the EIS to which he refers was done for the State of Nebraska, but not for the current pending application.

I yield the balance of my time to the cosponsor of the amendment, the gentleman from Oregon (Mr. DEFAZIO).

The Acting CHAIR. The gentleman from Oregon is recognized for 3 minutes.

Mr. DEFAZIO. I thank the gentleman for yielding on this.

I spoke earlier today. This is the seventh attempt by this House to expedite, or now in this case, we are not expediting permitting, we are mandating permitting.

The gentleman just said that there's some disagreement here. The bill clearly states that it's the 2011 DEIS which is deemed to be sufficient which does not contain the current routing for the line.

We could create somewhat of an extraordinary precedent here. We could just have one generic national pipeline EIS that was done somewhere for something and went through the process and was approved and then deemed that any other pipeline that wants to be built can use that generic pipeline permit. That would certainly expedite things.

Mr. TERRY. Will the gentleman yield on that point?

Mr. DEFAZIO. No, I'm sorry, I don't have enough time.

We would just deem that pipelines anywhere and everywhere met national interest, public safety, and that.

I also raised the point earlier that this will transport tar sands oil through a pipeline which the IRS has deemed not to be oil, so it won't pay the normal excise tax to go to the trust fund which takes care of leaks, like the one we just recently had in Kansas. It will go to a tax-free export zone to a refinery half owned by Saudi Arabia and this will bring us energy independence. Independence from whom?

Every time we pump another barrel, the Saudis and OPEC drop a barrel. They're keeping the price up. There is no free market in oil. You guys all know that. This is not going to save Americans one penny at the pump.

If you want to save Americans money at the pump, let's go after the speculators on Wall Street who are adding 75 cents or $1 to the price of a gallon of gas. Let's go after the collusion by the oil companies that shut down all the refineries all at once every year at the

beginning of the refining season for periodic maintenance, which they couldn't predict was going to happen, or sometimes there's a little accident. Except it turned out last year with an investigation they weren't really shut down—they just jacked up the price 50 cents a gallon like they always do.

So to pretend that somehow by deeming this to be sufficient, mandating that it happen, allowing a foreign company to build this pipeline across the United States of America, transport tar sands oil to a refinery half owned by the Saudis to be exported out of the United States, perhaps to China—over there you are saying, oh, we don't want to go to China. Well, it may well go to China and go through the Panama Canal. You're not going to stop that, and it's going to save the American taxpayers money at the pump and put people to work. Yes, there will be temporary construction jobs.

But we can do better, particularly as this committee. If we made the investments we need to make in our water infrastructure, our port infrastructure, our roads, bridges, highways, and transit systems, we can put millions of people to work permanently in this country and rebuild our infrastructure and once again claim world leadership there. We've got better things for this committee to be doing.

Mr. RAHALL. I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, I yield myself the balance of my time.

The Acting CHAIR. The gentleman from California is recognized for 4 minutes.

Mr. DENHAM. This amendment guts the bill by eliminating the section that, one, declares that no Presidential permit is needed for TransCanada's Keystone XL pipeline; and, two, deems the lengthy environmental reviews already completed as satisfying the requirements of the National Environmental Policy Act and the National Historic Preservation Act.

Given that this project has already had 5 years of studying, section 3 is necessary to ensure the Keystone XL project is done in a timely manner, and we need these American jobs.

I yield the balance of the time to the chairman of the full Transportation and Infrastructure Committee, the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

Mr. Chairman, my good friend from Oregon is right about this committee building infrastructure, but there is nothing more important right now than making sure our pipelines are in place to bring the energy safely to millions of Americans, and efficiently to millions of Americans. This is a core of what this committee does. That's why we have primary jurisdiction. That's why we're here debating this issue today.

This bill simply takes back congressional authority—constitutional congressional authority—for us to be able to pass legislation to move things forward, and in this case to move this pipeline forward. This permit as processed will set up an executive order taking away congressional authority. So I am very, very proud and pleased to stand here today and to urge my colleagues to take a vote today to take back part of our constitutional congressional authority, move this pipeline forward, creating jobs, giving us more energy security in the world.

Mr. DENHAM. Mr. Chairman, I urge a ''no'' vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

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

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

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

AMENDMENT NO. 6 OFFERED BY MS. ESTY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 113–88.

Ms. ESTY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 6, strike ''or maintenance''.

Page 5, line 23, strike ''or operation and maintenance''.

Page 6, beginning on line 18, strike '', operation, and maintenance''.

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from Connecticut (Ms. ESTY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. ESTY. Mr. Chairman, I yield myself 2 minutes.

My amendment would strike the words ''operation and maintenance'' from section 7 of the bill.

This section requires the Army Corps of Engineers to approve all permits under section 404 of the Clean Water Act and section 10 of the River and Harbors Act, within 90 days of receipt of a permit application.

The mandate to approve all permits would apply regardless of whether the project meets the needs of the law or not and would cover not only the initial construction of the project, but takes the unprecedented step of applying to all future operation and maintenance, in perpetuity.

Not only is this unprecedented; it is unwarranted and reckless.

Each time the House has debated the Keystone XL pipeline, the focus has always been on expediting the construction. This amendment does not affect or delay construction. I repeat: this amendment does not affect or delay construction of the pipeline.

Whether you support the pipeline or not, section 7 goes far beyond that. It would require the Corps to grant any permit request for operation and maintenance of the pipeline for all eternity.

We do not provide this special treatment to any other pipeline operator in the U.S. Domestic companies are required to go through the proper process for obtaining permits for construction, operation, and maintenance activities.

□ 1650

Why would we treat a foreign company differently and give it a free pass through a multidecade lifespan of the pipeline?

My amendment would eliminate this reckless loophole and a few others to ensure that all operations and maintenance activities on this pipeline, should it be built, are subject to the same review and mitigation requirements that the other 2.6 million miles of pipeline in the United States must meet.

I urge Members to support this amendment, and I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

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

Mr. DENHAM. This amendment would further delay the Keystone XL pipeline and create additional uncertainty for the project. This amendment would basically gut the bill by allowing the construction but not the operation of the pipeline. It makes absolutely no sense for the Federal Government to permit a project to be constructed but not operated. This would be like getting a building permit to construct a house but not being able to certify the occupancy to actually live in the house. This pipeline will be subject to continued oversight by the Pipeline and Hazardous Materials Safety Administration, the Corps, and other regulators to ensure that the operators are complying with the project's permit requirements.

I reserve the balance of my time.

Ms. ESTY. I now yield 1 minute to my colleague, the distinguished gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. I thank Ms. ESTY for yielding and for offering this amendment.

I have always been a supporter of the Keystone XL pipeline. I have voted for it every time it has come to this floor in any form in which it has come here.

This bill, however, goes beyond simply completing the environmental review and Presidential approval of the pipeline. This bill mandates that the Army Corps and other agencies approve permits not just for construction but for all future maintenance activities on the pipeline. The Army Corps review of permits is important to limiting environmental damage and other impacts like flooding. The southern portion of

this pipeline, which I'm very happy is underway, is currently being constructed without having to waive laws and automatically approve permits like this.

I urge Members to support this amendment so we can really come together in a strong bipartisan fashion to approve the Keystone XL pipeline and get this done and get these jobs created in America.

Mr. DENHAM. Mr. Chairman, I continue to reserve the balance of my time.

Ms. ESTY. I yield myself such time as I may consume.

When a version of this amendment was offered in committee, the majority opposed it, claiming that the Corps permits are intended to cover both the construction and the ongoing operations and maintenance of a project. This is simply not accurate.

Following the markup, I consulted with the Army Corps, which stated very clearly that ongoing operations and maintenance activities beyond the initial 5 years are not authorized under the initial permit for the construction of the project. In fact, according to the Corps, operations and maintenance activities that occur in the future beyond the initial 5 years need to be authorized under a separate permit at the time the activity takes place. In addition, any permit that is issued today by the Corps for construction or maintenance would expire in 5 years and would need to be renewed.

I would like to submit for the RECORD a copy of the Army Corps' explanatory decision document nationwide permit 12, which describes the permitting procedures.

So the language in the underlying bill would give construction and all future operations and maintenance under the Clean Water Act and the Rivers and Harbors Act a free pass from review by requiring the Corps to approve them regardless of whether they minimize or mitigate the impacts.

In addition, this amendment would eliminate another loophole to ensure that operations and maintenance activities comply with the Endangered Species Act, just like all other pipelines.

Further, the amendment will strike ''maintenance'' from section 4, on judicial review, to prevent a small family farmer or a property owner from being forced to travel to a D.C. court to seek redress from future harm to their land or to their children's rights for the duration of the lifespan of this pipeline.

Regardless of your views on the construction of the Keystone XL pipeline, I urge my colleagues to vote ''yes'' on my commonsense amendment to prevent new loopholes and, quite possibly, to prevent the creation of a regulatory earmark for one foreign corporation.

I urge a ''yes'' vote on my amendment, and I yield back the balance of my time.

Following is the link to the full document referred to earlier: http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2012/NWP__12__2012.pdf

Mr. DENHAM. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

Once again, this amendment does nothing more than to delay or gut the bill. It is correct what the gentlelady from Connecticut says in that this amendment does not impact the construction at all—and it does not. Yet, as the gentleman from California pointed out, the analogy here is, if you build a house, this amendment would say you can't live in the house, that you can't operate in the house. Again, this amendment does nothing more than gut the bill. It's a delay tactic.

As I said earlier, this bill allows Congress the ability to regain its constitutional authority. Congress has the express authority under article I, section 8 of the U.S. Constitution ''to regulate commerce with foreign nations and among the several States.''

So this bill does that. I urge all of my colleagues to vote ''no'' on this amendment and ''yes'' on the underlying bill.

Mr. DENHAM. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. ESTY).

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

Ms. ESTY. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 113–88.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 21, strike ''60 days'' and insert ''1 year''.

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. I thank the respective authors of this legislation because I know that their intent is a purposeful intent.

I have made public statements that I believe that moving forward with the right approach, ensuring that the necessary protections are in place, the necessary environmental protections are in place and the permitting is in place, will create an enormous number of jobs. In fact, I opposed the rule because I've offered amendments that would provide opportunities for minority contractors, women-owned contractors, opportunities for the recruitment of a new generation of workers in the energy industry, which I thought would be a contributing factor to this legislation.

I offer a very simple amendment that has nothing to do with stopping any aspect of the construction. I would hope, however, that the regular order would proceed with the State Department's permitting process and the President's approval, but my amendment does not speak to that. My amendment is an amendment that seeks to simply be fair, Mr. Chairman. My amendment is simple and straightforward.

It extends the time period for filing a claim arising under the act from 60 days to 1 year after the date of the decision or action giving rise to the claim. This amendment is especially needed because H.R. 3, the underlying bill, vests exclusive jurisdiction over any and all claims arising under the act in a single court, the U.S. Court of Appeals for the District of Columbia, which is thousands of miles from many of those who may be impacted.

Think about that. The Keystone pipeline is proposed to run from Alberta, Canada, through the great States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and my State of Texas, all the way to the gulf. Maybe there is some collateral impact as well, but the only court in the country authorized to hear the claims of the residents of any of these States who seek justice for a legally cognizable claim or injury is located more than 1,000 miles away from their homes.

Mr. Chairman, they cannot go to a district court. They cannot go to the southern district. This will impose an undue hardship and a financial burden on ordinary Americans seeking justice. Instead, the bill requires them to find and retain a high-priced D.C. lawyer whom they don't know and may have never met to represent their interests in a court far, far away.

Another reason for extending the time period in which to file a claim—remember, this is after the passage and construction of this particular entity—from 60 days to 1 year is that, by lodging jurisdiction in the D.C. Court of Appeals, the burden of proof and persuasion is shifted from the governmental and corporate actors involved to the homeowners, small businesses, and individuals bringing legal rights. Grandma and Grandpa and all of those individuals will have to travel 1,000 miles.

□ 1125

This is because the burden that must be shouldered by a plaintiff is very steep. To challenge factual evidentiary determinations made in an Environmental Impact Statement, for example, a plaintiff must demonstrate that

they're not supported by substantial evidence in the record considered as a whole. To meet the standard, plaintiffs will have to retain experts, locate and prepare witnesses, and gather and review documentary materials.

I hope in a bipartisan way we can get to where all of us would like to be, ensuring that we have a constructive project for all Americans.

With that, I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR (Mr. MARCHANT). The gentleman from California is recognized for 5 minutes.

Mr. DENHAM. I reserve the balance of my time for my personal close.

Ms. JACKSON LEE. Mr. Chair, again, I would have hoped, having worked with the gentleman from Nebraska, the proponent of this legislation, that we would continue to work on a bipartisan pathway.

This amendment is to relieve the burden on some of the very people many of us represent, and that is, of course, those individual claimants who happen to be in faraway places who now have to go to the D.C. Court of Appeals and to actually bear the burden of responsibility dealing with the fact that when you challenge the factual evidentiary determinations made in an EIS statement, an Environmental Impact Statement, for example, the plaintiff must demonstrate that they're not supported by substantial evidence in the record considered as a whole.

That's an extreme burden that will have to be carried by plaintiffs. They'll have to secure lawyers here in the D.C. area. They'll have to travel here, bear extra expenses. It will be necessary to get experts, locate and prepare witnesses, relocate themselves, and gather and review documentary materials. I would suggest that it is obviously a stress and a burden.

In section 4, this bill has no right to judicial review. So in essence, it means that you have one track to go in for a number of issues that might come forward. I am concerned that that would be the case. And for that reason I think that our amendment has the strength of purpose that is necessary.

Let me also add again, as I want to be very clear, why should we burden the individual plaintiffs, Mr. Chairman, with financial burdens that are excessive? My amendment gives them a fair amount of time to get a response and to participate in this process.

I ask my colleagues to support the amendment, and I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, this amendment seeks to undermine an important streamlining provision in the bill that sets firm deadlines for filing claims.

In order to cause maximum delays, opponents of projects often wait until the final possible day to file claims. Setting firm reasonable deadlines has no impact on legal rights.

This bill is limited in the types of claims that receive the expedited review to just three: validity of final orders, constitutionality of the act, and adequacy of the Environmental Impact Statement.

These claims must be filed within 60 days of the final order or action giving rise to that claim. No other claim is affected by the 60-day filing deadline.

Because of the limitations on types of claims covered by the deadline, 2 months is more than ample time to file with the D.C. circuit. Extending to a new year is simply one more delay tactic.

With that, I urge a ''no'' vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 8 OFFERED BY MS. CHU

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 113–88.

Ms. CHU. I rise to offer amendment No. 8, the Chu-Polis-Connolly amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 23, insert the following:

SEC. 9. POTENTIAL IMPACTS OF PIPELINE SPILL.

(a) STUDY.— The Comptroller General of the United States shall conduct a study of the Keystone XL pipeline project to determine—

(1) the total projected costs of cleanup activities that would be required in the event of a discharge of oil and hazardous substances from the project; and

(2) the potential impacts of such a discharge on—

(A) public health;

(B) the environment; and

(C) the quantity and quality of water available for agricultural and municipal purposes.

(b) REPORT.—The Comptroller General shall submit to Congress a report containing the findings of the study required under subsection (a).

The Acting CHAIR. Pursuant to House Resolution 228, the gentlewoman from California (Ms. CHU) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. CHU. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an important amendment, along with Congressman POLIS and Congressman CONNOLLY, to H.R. 3, the Northern Route Approval Act, which would authorize construction of the highly controversial Keystone XL pipeline.

Our amendment calls for the Government Accountability Office to conduct a study on the cost of cleaning up oil spills from this pipeline. We need to know how much it's going to cost taxpayers to decontaminate our cities, towns, and farmlands when the pipeline leaks. We need to know how a spill will harm residents and the environment. Will it make Americans sick, pollute our water, and contaminate our farms? Americans have the right to know the full cost and harmful impacts that a spill would have.

There are many serious questions and inadequacies in some of the analyses of the project, if not glaring holes. Take greenhouse gas emissions, take pipeline safety and spill response, take alternative pipeline routes—there is too much we don't know. What we do know, though, is that the pipeline will transport oil that is heavily corrosive, making spills more likely and also more difficult and costly to clean up.

Tar sands pipelines in the U.S. have some of the worst spill records. Pipelines in North Dakota, Minnesota, Wisconsin, and Michigan spilled nearly four times as much crude per mile than the national average in the last 2 years. Yet, the Keystone XL pipeline, as planned, will cut across America's heartland. It will run above the Ogallala Aquifer, which is a main source of drinking and farm water for nine States, endangering hundreds of thousands of people.

That is why I oppose the bill. We cannot rush a decision that could have so many harmful impacts on the health of thousands of Americans. And that is why I urge the House to support our amendment.

Join me in asking the GAO to study the cost of spill cleanup and its impact on our health, environment, and water. The American people deserve to know.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I claim time in opposition to the amendment.

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

Mr. DENHAM. These issues have already been the subject of the study by the State Department. The environmental review process, which included four different Environmental Impact Statements, analyzed oil spills of varying size, the types of releases, and the impacts of oil spills. Additional studies would just waste taxpayer dollars.

I reserve the balance of my time.

Ms. CHU. Mr. Chairman, I yield 1½ minutes to Representative POLIS.

Mr. POLIS. Mr. Chair, I would like to thank my colleagues, Ms. CHU from California and Mr. CONNOLLY from Virginia.

This amendment would require that the Government Accountability Office, which is independent, evaluate the true cost of potential spills from the Keystone XL pipeline. Americans want to know. We want to know what the impact of tar sands spills are on public health, on the environment, on the quantity and quality of water that's available for agriculture and farmers

and for municipalities and for drinking.

We all know that tar sands crude oil can be dangerous. We saw the recent spill in Mayflower, Arkansas. It's critical that we address the true cost of oil pipeline spills and their true impact. It's inevitable that the Keystone XL pipeline will have costly spills and leaks.

Spills are especially concerning because the pipeline is slated to cross over the Ogallala Aquifer, one of the world's largest aquifers that supplies drinking and irrigation water to millions of Americans.

□ 1710

Instead of trying to rubber-stamp the Keystone XL this week and short circuit the very process that Congress established, instead we should be working to ensure that spills won't impact the health of our communities and the quality of our water. I thank the gentlelady for yielding me time.

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Ms. CHU. I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Chairman, I thank my friend from California, Ms. CHU, for her leadership and my colleague, Mr. POLIS, from Colorado. I couldn't be in more congenial company on an amendment that I think is very simple and straightforward.

The American people are entitled to transparency. As Mr. POLIS indicated, leaks are inevitable, and any pipeline corrodes. Especially with this kind of crude oil, which is highly corrosive, you're going to have leaks. The American people are entitled to know the cost of cleanup and the dangers to the environment. I think that's fairly straightforward. I know my colleagues share in the value of transparency in government, and I think that we should be doing that here with the pipeline. I support the amendment and urge its adoption.

Ms. CHU. Mr. Chairman, I urge the House to support our amendment. The American people deserve to know.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, the American people have had 5 years of studies, the longest studies that have happened on any pipeline in our Nation's history. What the American public are waiting for are the jobs that go with this.

U.S. pipeline operators have safely transported oil sands crude for over 40 years. This is not a new concept. The 2011 Pipeline Safety Act further strengthens safety by increasing penalties for violations, authorizing additional safety inspectors, and granting new authorities to enforce the oil spill response plan. That was a bipartisan bill that we passed out of here just last session.

TransCanada has agreed to 57 PHMSA conditions on the pipeline's construction and operation, which is expected to make it one of the safest ever constructed. I urge a ''no'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. CHU).

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

Ms. CHU. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 9 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 113–88.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, after line 23, insert the following:

SEC. 9. OIL SPILL RESPONSE PLAN DISCLOSURE.

(a) IN GENERAL.—Any pipeline owner or operator required under Federal law to develop an oil spill response plan for the Keystone XL pipeline shall make such plan available to the Governor of each State in which such pipeline operates to assist with emergency response preparedness.

(b) UPDATES.—A pipeline owner or operator required to make available to a Governor a plan under subsection (a) shall make available to such Governor any update of such plan not later than 7 days after the date on which such update is made.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. This amendment would require that TransCanada and any future owner-operator of the Keystone XL pipeline, if there be one, submit its oil spill response plan to the Governor of each State in which the pipeline operates.

I'm well aware that current law requires the Department of Transportation to maintain on file current copies of oil spill response plans and provide any person a copy of that plan. However, those copies are allowed by law to exclude certain information like specific response resources, tactical resource deployment plans, and information on worst-case scenario discharges.

I understand there are concerns about broad distribution of these plans and this proprietary information, but those concerns should not apply to Governors of the States—people like Mary Fallin and Nathan Deal, who many of us have served with—States that this very pipeline would run through. These States have the right to evaluate oil spill response plans in detail, integrate it into their respective emergency management systems, and then provide the necessary resources for appropriate emergency response plans. Reliance upon some redacted plan they would receive from the Federal Government is not adequate. People's lives and livelihoods are at stake, and locals work together on these situations.

Nor should those Governors be expected to wait until a spill has occurred when they are already in the process of sending first responders into harm's way to receive a copy of the full plan from TransCanada, which is, by law, the only time the company is required to share that unredacted version with the State government.

South Dakota was wise enough to realize the problems with these regulations. The State enacted legislation to mandate receipt of the plan prior to operation of the pipeline. The other States should not have to jump through any hoops just to obtain the information they need in order to provide appropriate emergency response to dangerous situations to protect their citizenry.

When I offered this amendment in the Transportation and Infrastructure Committee, my esteemed colleague, the Honorable Chairman SHUSTER, recognized the need to balance access to these response plans with the need to protect sensitive information from becoming public, and I think this amendment strikes that proper balance by limiting access to the Governors. He offered to work with me on the issue on a future appropriation bill, and I appreciate that kind offer. While I look forward to that partnership, and I commend the chairman for his work to address the issue on the Pipeline Safety Act of 2011, this amendment would improve this Keystone pipeline situation today. We can't wait for some possible future legislation when the likelihood of a spill and the risk to public safety is so great now.

Potential effects of a Keystone XL spill could be devastating. The truth of the matter is that this pipeline is unprecedented, it's dangerous, and there will be spills. Refraining from arming our States with readily available information in order to respond adequately and safely would not be responsible.

Mr. Chairman, I appreciate this time. This issue is important, and it demonstrates Congress's respect for Governors and State governments and the men and women who risk their lives to protect us every day, the first responders. With that, I urge my colleagues to support the amendment.

I reserve the balance of my time.

Mr. DENHAM. Mr. Chairman, I rise to claim the time in opposition to the amendment.

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

Mr. DENHAM. Mr. Chairman, I reserve the balance of my time.

Mr. COHEN. I ask that we unanimously support this amendment.

I yield back the balance of my time.

Mr. DENHAM. Mr. Chairman, this is a broad issue that could affect a number of pipelines and States. We are prepared to accept this amendment, although we have general reservations

about it, and implementation must be done very carefully.

At our committee markup of H.R. 3, Chairman SHUSTER said he would work on this issue more broadly in the context of reauthorization. Despite these reservations, I'm prepared to accept the amendment.

I yield such time as he may consume to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. I appreciate the gentleman from Tennessee bringing this amendment, and I appreciate all of the time and effort that the Transportation and Infrastructure Committee has put into this. I would agree that it's reasonable; the Governors should have this. In fact, TransCanada has agreed to a variety of additional measures that would be part of this, and the Governors should have that. I agree with the gentleman's conclusion.

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

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

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 113–88.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 9. ENERGY SECURITY.

This Act shall not take effect until the President determines that any crude oil and bitumen transported by the Keystone XL pipeline, and all refined petroleum products whose origin was via importation of crude oil or bitumen by the Keystone XL pipeline, will be entered into domestic commerce for use as a fuel, or for the manufacture of another product, in the United States, except in the following situations:

(1) Where the President determines that providing an exception is in the national interest.

(2) Where providing an exception is necessary under the Constitution, a law, or an international agreement.

The Acting CHAIR. Pursuant to House Resolution 228, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, this amendment that I am offering on behalf of the gentleman from Virginia (Mr. CONNOLLY) and the gentleman from Massachusetts (Mr. MARKEY) simply requires that the oil transported through the Keystone XL pipeline, the refined products made from the oil as well, stay in the United States except under certain circumstances.

Now, the proponents of the Keystone pipeline, as we've heard today, say it is important for U.S. energy security. That can't be true if the oil just passes through the United States on its way to other countries, and there is nothing in the underlying legislation that would require that the oil transported through the Keystone pipeline, or the refined fuels produced from that oil, stay in the United States to benefit American consumers.

□ 1720

In fact, when the president of TransCanada, who got a sweetheart deal through this legislation, was asked whether he would commit to keeping the Keystone tar sands oil and the refined fuels in the United States, he said, no. That's why we need to adopt this amendment.

U.S. oil consumption peaked in 2005. It's declined by more than 10 percent since then. During the same period, U.S. petroleum production increased 38 percent.

So how is this balanced?

We're exporting it.

Now, that's not necessarily bad. For years, the import of oil hurt our balance of trade. But in 2011, the United States became a net exporter of petroleum products for the first time in half a century. We've exported 3 million barrels per day of petroleum products, and in 2012, exports increased to 3.2 million barrels per day.

The Keystone pipeline would transport the dirtiest oil in the world from Canada, through the United States, to refineries on the gulf coast, where it would be exported, tax-free, to foreign countries.

This is just a pipeline, about three-dozen permanent workers assigned to this pipeline. Otherwise, all we get from this is the risk of a spill.

According to the Energy Information Administration, more than 76 percent of the current U.S. petroleum exports come from the gulf coast. In fact, 60 percent of the gas, and 42 percent of the diesel produced at Texas gulf coast refineries was exported.

That fact, that the refined product will be exported, is not speculation. Look at the business plans of Valero, one of the Nation's largest refineries, which operates several facilities on the gulf coast.

Valero's 2012 annual report claims that the U.S. markets are oversupplied to the point where the company's chief executive, Bill Kless, recently said, ''There's so much oil, it's got to be moving. Our view is that it's flooding the gulf coast.''

And the solution?

Well, Valero is shipping domestically produced crude to Canada for refining under a license that allows the company to send up to 90,000 barrels a day for the next year. It's more than double what we exported to Canada last year.

That's right. One of the largest U.S. refiners in the gulf wants to massively increase exports of American crude to Canada at the same time that we are passing this legislation to send Canadian tar sands oil to the gulf coast. I would like to ask the proponents of this to explain how this makes sense.

The president of the American Petroleum Institute and the CEO of ConocoPhillips have said that we should change U.S. law to allow for the expanded exports of domestically produced oil.

Well, the re-export of crude oil is already allowed under current law. Without my amendment, crude oil that comes out of Keystone could circumvent U.S. refineries and be exported as crude. I ask my colleagues to think hard about how that helps America.

The Keystone XL pipeline would ask the United States to bear all of the environmental risk of transporting the dirtiest oil in the world without ensuring that U.S. consumers or our energy security see any benefits from this.

If the proponents of this legislation are serious about ensuring that the Keystone XL pipeline really does enhance U.S. energy security, they will vote ''yes'' on this amendment.

I yield back the balance of my time.

Mr. TERRY. Mr. Chairman, I rise in opposition and claim the time.

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

Mr. TERRY. I yield myself as much time as I may consume.

A couple of points just so we get the total picture here.

We consume, in America, about 18 million barrels of oil per day. That's what we consume domestically. We've reduced that from 20 a couple of years ago.

Now, currently, when we add or just focus on OPEC oil countries, we're importing, daily, about 4.3 million of that 18 million that we need from OPEC countries—Saudi Arabia, Venezuela—and so building this pipeline, about 800,000 barrels, is about enough to offset the heavy crude from Venezuela.

Even with this pipeline running at its maximum, we will still need to import from OPEC-level countries. So the reality is that the numbers will dictate that we have a long way to go before we're flush in oil where we could be energy independent, not dependent on OPEC. That's one of our goals here in this legislation, is to be free of OPEC oil; keep it in North America.

Now, he also mentioned, the gentleman from New Jersey, a good friend and classmate of mine, that a representative, high-level representative from TransCanada said no, we're not going to guarantee that it all won't be exported.

Well, let's put it in context. There are people who are extracting the oil out of the ground. They contract with TransCanada to transport that to the customer that will have control over it and refine it. So the common carrier in the middle has no control over the contract between the producer and the refiner. That's why he said no. They have no say-so over what the refiner does.

Now, the refiner, just basic common sense, is going to tell you that it economically is cheaper to refine the gasoline in Louisiana, Texas, Oklahoma

and Kansas, and then send out the gasoline product. And that gasoline's going to stay here domestically, maybe a small percentage. I don't know. But the reality is, economics is going to tell you that.

But here's why this amendment has to be defeated, and this is why this is just kind of an absurd amendment because it says none of that oil that's put in a barrel could be exported. None of it. None of its byproducts either.

So if you took the oil and made it into a plastic container of whatever you're exporting, you can't do that, because it's plastic made from something that came through TransCanada.

The gentleman also mentioned diesel. Even at the highest level of our dependence on OPEC oil, because of our use of gasoline as our dominant source of transportation, as opposed to diesel, which is our symbiotic relationship with Europe, where they use diesel, not gasoline, we have exported that, so we can't even continue that level of relationship, that symbiotic relationship where they send us the gasoline they don't use and we send them the diesel. We can't do that.

And as in every barrel, there will be lubricants, there will be gels, there will be other industrial uses that are exported all the time that we couldn't do here.

But what the American consumer wants is the gasoline from that. And economics, marketplace pressures, are going to tell you it's just a lot cheaper to refine it here and then send it to their gas stations, and that's what the consumer wants. That's what's going to happen.

Even the State Department said that was a fallacy that the gasoline was going to be exported.

So this is one of those amendments that sounds populist and good. But when you think it through, it's just a measure to kill the pipeline.

I urge all of my colleagues to vote ''no,'' and I yield back the balance of my time.

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

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

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

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 113–88 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. WEBER of Texas.

Amendment No. 2 by Mr. WAXMAN of California.

Amendment No. 3 by Mr. JOHNSON of Georgia.

Amendment No. 4 by Mr. CONNOLLY of Virginia.

Amendment No. 5 by Mr. RAHALL of West Virginia.

Amendment No. 6 by Ms. ESTY of Connecticut.

Amendment No. 7 by Ms. JACKSON LEE of Texas.

Amendment No. 8 by Ms. CHU of California.

Amendment No. 10 by Mr. HOLT of New Jersey.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

□ 1730

AMENDMENT NO. 1 OFFERED BY MR. WEBER OF TEXAS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 246, noes 168, not voting 19, as follows:

[Roll No. 169]

AYES—246

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

NOES—168

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

NOT VOTING—19

Clyburn
Cole
DeGette
Diaz-Balart
Flores
Herrera Beutler

Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Roskam
Sarbanes
Sires
Speier
Westmoreland
Young (AK)
Young (FL)
Young (IN)

□ 1757

Ms. FRANKEL of Florida, Ms. McCOLLUM, Mr. SERRANO, Mrs. McCARTHY of New York, Messrs. ENGEL, LEWIS, and HOYER, and Ms. SINEMA changed their vote from ''aye'' to ''no.''

Messrs. OWENS and PEARCE, Mrs. ELLMERS, Messrs. ROE of Tennessee, ROGERS of Alabama, MULVANEY, COBLE, BROOKS of Alabama, WEBSTER of Florida, COFFMAN, ENYART, and MULLIN changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. WAXMAN

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 146, noes 269, not voting 18, as follows:

[Roll No. 170]

AYES—146

Andrews
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Cooper
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Doggett
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Frankel (FL)
Fudge
Gabbard
Garamendi
Garcia
Grayson
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Holt
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kind
Kuster
Langevin
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Miller, George
Moran
Nadler
Napolitano
Neal
Negrete McLeod
O'Rourke
Pallone
Pastor (AZ)
Pelosi
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sinema
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—269

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

NOT VOTING—18

Bonner
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Sires
Speier
Westmoreland
Young (AK)
Young (FL)
Young (IN)

□ 1802

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. YOUNG of Indiana. Mr. Chair, on rollcall No. 170 I was unavoidably detained. Had I been present, I would have voted "nay."

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 177, noes 239, not voting 17, as follows:

[Roll No. 171]

AYES—177

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DelBene
Deutch
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Garamendi
Garcia
Gibson
Grayson
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moran
Nadler
Napolitano
Neal
Negrete McLeod
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Peters (CA)
Peters (MI)

Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—239

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

NOT VOTING—17

Bonner
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)
Young (IN)

□ 1807

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 176, noes 239, not voting 18, as follows:

[Roll No. 172]

AYES—176

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

NOES—239

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

NOT VOTING—18

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Huffman
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1811

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. RAHALL

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 177, noes 238, not voting 18, as follows:

[Roll No. 173]

AYES—177

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

NOES—238

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

NOT VOTING—18

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Gohmert
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1815

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. ESTY

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 182, noes 234, not voting 17, as follows:

[Roll No. 174]

AYES—182

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

NOES—234

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine

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

NOT VOTING—17

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1819

Ms. LEE of California changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MS. JACKSON LEE

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 182, noes 234, not voting 17, as follows:

[Roll No. 175]

AYES—182

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

NOES—234

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

NOT VOTING—17

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1823

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MS. CHU

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 185, noes 231, not voting 17, as follows:

[Roll No. 176]

AYES—185

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

NOES—231

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

NOT VOTING—17

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Moore
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1827

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. MOORE. Mr. Chair, on designated roll-call No. 169, "no;" 170, "aye;" 171, "aye;" 172, "aye;" 173, "aye;" 174, "aye;" 175, "aye;" 176, "aye."

AMENDMENT NO. 10 OFFERED BY MR. HOLT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 162, noes 255, not voting 16, as follows:

[Roll No. 177]

AYES—162

Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Chu
Cicilline
Clarke
Clay
Cleaver
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Deutch
Doggett
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Gabbard
Garamendi
Garcia
Gibson
Grayson
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Holt
Honda
Hoyer
Huffman
Israel
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Price (NC)
Quigley
Rangel
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Shea-Porter
Sherman
Sinema
Slaughter
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—255

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Calvert
Camp
Campbell
Cantor
Capito
Carson (IN)
Carter
Cassidy
Castro (TX)
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Denham
Dent
DeSantis
DesJarlais
Dingell
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Esty
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Himes
Hinojosa

Holding
Horsford
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Larsen (WA)
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (IN)

NOT VOTING—16

Bonner
Burgess
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1832

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. RODNEY DAVIS of Illinois. I inadvertently voted "aye" when I intended to oppose the amendment.

The Acting CHAIR (Mr. MEADOWS). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDING) having assumed the chair, Mr. MEADOWS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL pipeline, and for other purposes, and, pursuant to House Resolution 228, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BISHOP of New York. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BISHOP of New York. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BISHOP of New York moves to recommit the bill H.R. 3 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new section:

SEC. 9. REQUIREMENT THAT TRANSCANADA KEYSTONE PIPELINE, L.P. PAY FOR ANY OIL SPILL CLEANUP ON AMERICAN SOIL.

In the approval process authorized under this Act, TransCanada Keystone Pipeline, L.P. shall certify to the President that diluted bitumen and other materials derived from tar sands or oil sands that are transported through the Keystone XL pipeline will be treated as crude oil for the purposes of determining contributions that fund the Oil Spill Liability Trust Fund.

Mr. UPTON (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the amendment.

The SPEAKER pro tempore (Mr. LATHAM). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mr. BISHOP of New York. Mr. Speaker, the Bishop-Capps amendment is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

Our amendment, which is similar to amendments offered during our committee markups of H.R. 3, corrects a massive loophole in current law that exempts Keystone XL pipeline tar sands from paying millions of dollars into the Oil Spill Liability Trust Fund.

Unlike U.S. crude oil companies, tar sands importers will not pay into the Oil Spill Trust Fund, even though the Trust Fund will be used to pay for any cleanup costs from an oil spill on the Keystone XL pipeline.

That's right. The Keystone XL pipeline, and all other tar sands importers, get all of the protections of the fund if they have an oil spill, but they do not have to pay a dime into it up front.

As we have seen during the Keystone debate on this floor, we can argue over the merits of tar sands oil and we can argue over the merits of granting special permit waivers to TransCanada to build the Keystone pipeline.

However, I would hope that we could all agree that this Congress should not allow the importers of Keystone pipeline tar sands to avoid the per barrel charge that all other oil companies pay to finance the Oil Spill Liability Trust Fund.

In 2011, the Internal Revenue Service concluded that the definitions of ''crude oil'' and ''petroleum product'' in the Tax Code do not clearly include tar sands. This interpretation, if allowed to stand, exempts the Keystone XL pipeline tar sands from the excise tax that finances the Oil Spill Liability Trust Fund. In short, this is a $66,000 per day tax break.

I am sure that some of my Republican colleagues will argue that H.R. 3 is not the appropriate vehicle for making this change to the law, that we should not single out Keystone XL pipeline, and that Congress should consider this change as a part of comprehensive tax reform.

To my colleagues across the aisle, I would argue that this entire bill is about singling out the Keystone XL pipeline, providing special rules and deeming permits approved for everything anyone can think of.

Our amendment will ensure that TransCanada certifies to the President that Keystone XL pipeline tar sands will be subject to the per barrel excise tax that funds the Oil Spill Liability Trust Fund, ensuring that they pay their fair share.

I yield the remaining time to this amendment's cosponsor, the gentlewoman from California (Mrs. CAPPS).

□ 1840

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Speaker, whether it's drilled on land, offshore, or transported via pipeline, oil spills are inevitable. Spills happen, and they will continue to happen, regardless of what we've been told by the oil companies building and maintaining the pipelines.

TransCanada says it will implement lots of safety measures, but accidents happen. In fact, accidents have already happened 14 times on the existing TransCanada Keystone pipeline. And they will almost certainly happen on the proposed Keystone XL pipeline, too. Our amendment simply ensures that those responsible for the spill pay to clean it up.

In 1969, my home district was victim to one of the worst oil spills in U.S. history. I know firsthand the devastating damage to human health,

property, and natural resources that are caused by oil spills. I know there have been numerous assurances that Keystone XL will be safer and spill risks will be minimal, but safer simply does not equal safe, especially when transporting tar sands crude. Tar sands crude is not only more corrosive and dangerous than conventional crude, but it's far more difficult to clean up in the event of a spill.

We need look no further than the tar sands spill in Kalamazoo, Michigan, in 2010. Nearly 3 years after that spill, the cleanup is still ongoing and the costs are approaching $1 billion. A spill from Keystone could have similarly devastating impacts in America's heartland. If we're going to bear 100 percent of the spill risk as Americans, the least we can do is ensure those responsible pay to clean it up. That's all this amendment does. And I think there's broad agreement on this point.

This is our opportunity to fix the problem right now. If the Keystone XL pipeline is approved as is, the tar sands crude oil will literally get a free ride through the United States. Our amendment ends this.

I urge my colleagues to end the free ride and vote for this amendment.

Mr. BISHOP of New York. I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Speaker, a review over how to treat crude oil derived from oil sands for the purposes of the oil spill liability trust fund is one in fact that we look forward to having, but it needs to be at the appropriate place and time.

I've got to say that we are fully supportive of the goals, purpose, and funding mechanisms of the trust fund, and we believe that the allocation of fees should be done equitably among crude oil received at a U.S. refinery and petroleum products entering the U.S. for use. However, a bill or an amendment to approve a single pipeline project is not the appropriate vehicle for this debate. Frankly, it needs to be part of the tax reform bill that I'm sure that Mr. CAMP and others are going to move later on this year. I wish we could have debated this as an amendment to this bill, but we don't have that opportunity. It's simply a motion to recommit. So let's push it to the right date, and that is part of tax reform later this year.

Mr. Speaker, we have waited over 1,700 days for this project. Many of us have folks that commute 80, 90, even 100 miles a day. They need a source of gasoline. Canada provides 1.5 million barrels literally every day to the United States. They want to send as much as 6 million barrels by 2030. This is the best way to do it. Why send it by truck? Why send it by rail? Let's send it by pipeline. It's safer, more economical, and in fact it's going to help the consumer.

I remind my colleagues that 62 Members of the U.S. Senate earlier this year voted for this project. We need to do it here. Reject the motion to recommit and vote for final passage.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 223, not voting 16, as follows:

[Roll No. 178]

YEAS—194

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

NAYS—223

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

NOT VOTING—16

Bonner
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Hoyer
Markey
Miller, Gary
Payne
Ros-Lehtinen
Sarbanes
Speier
Westmoreland
Young (AK)
Young (FL)

□ 1850

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

CONGRESSIONAL SPORTSMEN'S CAUCUS

Mr. LATTA. Mr. Speaker, last week, the largest caucus here in the House of Representatives, the Congressional Sportsmen's Caucus, which is made up of Republicans and Democrats, had its normal yearly shoot, which consists of trap, skeet, and sporting clays, and I'm glad to say that this year the Republicans retained the trophy.

If I could, I would yield to my co-chair of the Congressional Sportsmen's Caucus, the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Well, all I can say to my colleague is this time you were lucky, and I look forward to next year.

But the other thing you said is so important. The Congressional Sportsmen's Caucus is the largest caucus, bipartisan caucus, here in Congress. Those of you who are not members, we ask you to come join us. We do a lot. But for the good that we do, the good that we serve, it's a good deal.

Thank you very much.

Mr. LATTA. I thank the gentleman.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. HOLT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 241, noes 175, answered ''present'' 1, not voting 16, as follows:

[Roll No. 179]

AYES—241

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

NOES—175

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

ANSWERED ''PRESENT''—1

Amash

NOT VOTING—16

Bonner
Clyburn
Cole
DeGette
Diaz-Balart
Herrera Beutler
Markey
Miller, Gary
Payne
Ros-Lehtinen
Sarbanes
Speier
Waxman
Westmoreland
Young (AK)
Young (FL)

□ 1859

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. WAXMAN. Mr. Speaker, during rollcall vote No. 179 on H.R. 3, I was unavoidably detained. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. COLE. Mr. Speaker, on rollcall No. 167, (Ordering The Previous Question on H. Res. 228, a resolution providing for consideration of H.R. 3—Northern Route Approval Act) had I been present, I would have voted ''yea''.

On rollcall No. 168, (Adoption of H. Res. 228, a resolution providing for consideration of H.R. 3—Northern Route Approval Act) had I been present, I would have voted ''aye''.

On rollcall No. 169, (Weber (R–TX) Amendment No. 1—Adds to Section 2 of the bill the State Department's findings that the Keystone XL pipeline is a safe and environmentally sound project) had I been present, I would have voted ''yea''.

On rollcall No. 170, (Waxman (D–CA) Amendment No. 2—Adds a finding that ''the reliance on oil sands crudes for transportation fuels would likely result in an increase in incremental greenhouse gas emissions'' and provides that the bill will not go into effect unless the President finds that TransCanada or tar sands producers will fully offset the additional greenhouse gas emissions) had I been present, I would have voted ''no''.

On rollcall No. 171, (Johnson (D–GA) Amendment No. 3—Requires a study on the health impacts of increased air pollution in communities surrounding the refineries that will transport diluted bitumen through the proposed Keystone XL pipeline) had I been present, I would have voted ''no''.

On rollcall No. 172, (Connolly (D–VA) Amendment No. 4—Delays approval of the Keystone XL project contingent on the completion of a threat assessment of pipeline vulnerabilities to terrorist attack and corrective actions necessary to protect the pipeline from such an attack and to mitigate any resulting spill) had I been present, I would have voted ''no''.

On rollcall No. 173, (Rahall (D–WV) Amendment No. 5—Strikes section 3 of the bill eliminating the Keystone XL permit approval, allowing the President to continue to delay issuing a permit for the pipeline) had I been present, I would have voted ''no''.

On rollcall No. 174, (Esty (D–CT) Amendment No. 6—Strikes language in the bill that allows TransCanada to obtain certain permits for operation and/or maintenance of the pipeline, but continues to allow construction permits to be expedited) had I been present, I would have voted ''no''.

On rollcall No. 175, (Jackson Lee (D–TX) Amendment No. 7—Extends the time period for filing a claim under the Act from 60 days to 1 year) had I been present, I would have voted ''no''.

On rollcall No. 176, (Chu (D–CA) Amendment No. 8—Requires a GAO study of the Keystone XL project regarding the costs of cleanup activities from a pipeline spill and the potential impacts on health, environment, and water) had I been present, I would have voted ''no''.

On rollcall No. 177, (Holt (D–NJ) Amendment No. 10—Prohibits the export of any oil, or all refined petroleum products derived from the oil, transported by the Keystone XL pipeline unless the President finds that there is an exception required by law or it is in the national interest) had I been present, I would have voted ''no''.

On rollcall No. 178, (Democrat Motion to recommit H.R. 3 with instructions) had I been present, I would have voted ''no''.

On rollcall No. 179, (On Passage H.R. 3—Northern Route Approval Act is expected; please check at the leadership desk for details) had I been present, I would have voted ''yea''.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1911, SMARTER SOLUTIONS FOR STUDENTS ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 113–89) on the resolution (H. Res. 232) providing for consideration of the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HOUR OF MEETING ON TOMORROW

Ms. FOXX. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

IMPROVING POSTSECONDARY EDUCATION DATA FOR STUDENTS ACT

Mr. MESSER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1949) to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1949

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 ''Improving Postsecondary Education Data for Students Act''.

SEC. 2. STUDY ON IMPROVEMENTS TO POSTSECONDARY EDUCATION TRANSPARENCY AT THE FEDERAL LEVEL.

(a) FORMATION OF ADVISORY COMMITTEE ON IMPROVING POSTSECONDARY EDUCATION DATA.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Education shall convene the Advisory Committee on Improving Postsecondary Education Data (in this Act referred to as the ''Advisory Committee''), which shall be comprised of 15 members who represent economically, racially, and geographically diverse populations appointed by the Secretary in consultation with the Commissioner for Education Statistics, including—

(A) individuals representing different sectors of institutions of higher education, including individuals representing undergraduate and graduate education;

(B) experts in the field of higher education policy;

(C) State officials;

(D) students and other stakeholders from the higher education community;

(E) representatives from the business community;

(F) experts in choice in consumer markets;

(G) privacy experts;

(H) college and career counselors at secondary schools;

(I) experts in data policy, collection, and use; and

(J) experts in labor markets.

(2) CHAIRPERSON.—The Secretary shall appoint the Chairperson of the Advisory Committee.

(b) STUDY REQUIRED.—The Advisory Committee shall conduct a study examining—

(1) the types of information, including information related to costs of postsecondary education, sources of financial assistance (including Federal student loans), student outcomes, and postgraduation earnings, the Federal Government should collect and report on institutions of higher education to assist students and families in their search for an institution of higher education;

(2) how such information should be collected and reported, including how to disaggregate information on student outcomes by subgroups of students, such as full-time students, part-time students, nontraditional students, first generation college students, students who are veterans, and Federal Pell Grant recipients under subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a); and

(3) the ways in which the Federal Government may make such information more readily available to—

(A) students and their families in a format that is easily accessible and understandable, and will aid students and their families in making decisions; and

(B) States, local governments, secondary schools, individual or groups of institutions of higher education, and private-sector entities.

(c) SCOPE OF STUDY.—In conducting the study under this Act, the Advisory Committee shall, at a minimum, examine—

(1) whether the current Federal transparency initiatives on postsecondary education—

(A) are reporting consistent information about individual institutions of higher education across Federal agencies; and

(B) are similar to transparency initiatives on postsecondary education carried out by States, individual or groups of institutions of higher education, or private-sector entities;

(2) whether—

(A) the collection and reporting of postgraduation earnings by the Federal Government is feasible, and if feasible, the options for collecting and reporting such information;

(B) collecting and reporting such information would improve the use of Federal transparency initiatives and ease decisionmaking for students and their families; and

(C) collecting and reporting such information would have an impact on student privacy, and if so, how such impact may be minimized;

(3) whether any other information, including information relating to student outcomes or identified under the review required under subsection (d), should be collected and reported by the Federal Government to improve the utility of such initiatives for students and their families, and if so, how such information may be collected and reported, including whether the information should be disaggregated by subgroups of students;

(4) whether any information currently collected and reported by the Federal Government on institutions of higher education is not useful for students and their families and should not be so collected and reported;

(5) the manner in which the information from Federal transparency initiatives is made available to students and their families, and whether format changes may help the information become more easily understood and widely utilized by students and their families;

(6) any activities being carried out by the Federal Government, States, individual or groups of institutions of higher education, or private-sector entities to help inform students and their families of the availability of Federal transparency initiatives;

(7) the cost to institutions of higher education of reporting to the Federal Government the information that is being collected and reported through Federal transparency initiatives, and how such cost may be minimized; and

(8) the relevant research described in subsection (d).

(d) REVIEW OF RELEVANT RESEARCH.—In conducting the study under this Act, the Advisory Committee shall review and consider—

(1) research and studies, if any, that have been conducted to determine questions most frequently asked by students and families to help inform their search for an institution of higher education;

(2) the types of information students seek before enrolling in an institution of higher education;

(3) whether the availability to students and their families of additional information on institutions of higher education will be beneficial or confusing;

(4) results, if any, that are available from consumer testing of Federal, State, institution of higher education, and private-sector transparency initiatives on postsecondary education that have been made publicly available on or after the date that is 10 years before the date of enactment of this Act; and

(5) any gaps in the research, studies, and results described in paragraphs (1) and (4) relating to the types of information students seek before enrolling in an institution of higher education.

(e) CONSULTATION.—

(1) IN GENERAL.—In conducting the study under this Act, the Advisory Committee shall—

(A) hold public hearings to consult with parents and students; and

(B) consult with a broad range of interested parties in higher education, including appropriate researchers, representatives of secondary schools (including college and career counselors) and institutions of higher education from different sectors of such institutions (including undergraduate and graduate education), State administrators, and Federal officials.

(2) CONSULTATION WITH THE AUTHORIZING COMMITTEES.—The Advisory Committee shall consult on a regular basis with the authorizing committees in conducting the study under this Act.

(f) REPORTS TO AUTHORIZING COMMITTEES.—

(1) INTERIM REPORT.—Not later than 180 days after the date of enactment of this Act, the Advisory Committee shall prepare and submit to the authorizing committees and the Secretary an interim report describing the progress made in conducting the study under this Act and any preliminary findings on the topics identified under subsection (c).

(2) FINAL REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Advisory Committee shall prepare and submit to the authorizing committees and the Secretary a final report on the study, including—

(i) recommendations for legislative, regulatory, and administrative actions based on findings related to the topics identified under subsection (c); and

(ii) a summary of the research described in subsection (d).

(B) CONSULTATION WITH NCES.—The Advisory Committee shall consult with the Commissioner of Education Statistics prior to making recommendations under subparagraph (A)(i) with respect to improving the information being collected and reported by the Federal Government on institutions of higher education.

(g) AVAILABILITY OF FUNDS.—The amount necessary to conduct the study under this Act shall be made available from amounts available to the Secretary for administrative expenses of the Department of Education.

(h) DEFINITIONS.—For purposes of this Act:

(1) AUTHORIZING COMMITTEES.—The term ''authorizing committees'' has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(2) FIRST GENERATION COLLEGE STUDENT.—The term ''first generation college student'' has the meaning given the term in section 402A(h) of the Higher Education Act of 1965 (20 U.S.C. 1070a–11(h)).

(3) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), except that such term does not include institutions described in subsection (a)(1)(C) of such section 102.

(4) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(6) STATE.—The term ''State'' has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(7) STUDENT.—The term ''student'' includes—

(A) a prospective student;

(B) a student enrolled in an institution of higher education;

(C) a nontraditional student (as defined in section 803(j)(2) of the Higher Education Act of 1965 (20 U.S.C. 1161c(j)(2))); and

(D) a veteran (as defined in section 480(c)(1) of such Act (20 U.S.C. 1087vv(c)(1))) who is a student or prospective student.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. MESSER) and the gentleman from New Jersey (Mr. ANDREWS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

Mr. MESSER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1949.

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

There was no objection.

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

I rise in support of H.R. 1949, the Improving Postsecondary Education Data for Students Act. I want to thank Chairman KLINE and Higher Education Subcommittee Chairwoman FOXX for their work on and support of this measure. I also want to commend Ranking Member MILLER, Subcommittee Ranking Member HINOJOSA, and our Democratic committee colleagues for their contributions to this bill.

Few decisions in life are bigger than whether to attend college and which college to attend, yet many families struggle to wade through the complicated maze of statistics available to find the information they need to make fully informed, cost-conscious decisions. Consequently, they may choose schools or programs that don't meet their needs and leave them with high debt and limited career potential.

Despite Federal efforts to improve data collection and transparency in the higher education system, families and students still struggle, and institutions of higher learning are spending more time and money than ever. During the 2012–2013 academic year, institutions spent an estimated 850,000 man-hours and almost $31 million to fill out required Federal surveys. Higher education leaders have highlighted several of these requirements as duplicative to State and local transparency efforts and may partially contribute to the increase in college costs.

Through the Improving Postsecondary Education Data for Students Act, we hope to simplify this process and help ensure students can access the information they need to make good decisions while lessening the burden on colleges and universities that have far too many reporting requirements today. The bill would require the Department of Education to evaluate the information colleges and universities are required to provide to determine what helps make students better consumers and what simply buries them in paper—and the schools they attend in paper, as well.

The information yielded by this report will play a critical role in assisting the Education and Workforce Committee's efforts to reauthorize the Higher Education Act. We need to ensure students have the information they actually need in a user-friendly manner to help them make the best decisions they can.

We also must streamline the current regulatory burden of unnecessary and unhelpful reporting requirements imposed on institutions of higher education. This bill will help guide that process.

I urge all of our colleagues to support the Improving Postsecondary Education Data for Students Act, and I reserve the balance of my time.

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

I'm pleased to rise in support of the gentleman's legislation. I think it's an example of how we can work together and achieve a benefit for the American people. I commend him for introducing the bill and would outline our reasons for our support.

Probably the second largest expenditure most Americans make in their lifetime is a college education for themselves or for their children, second only to their real estate, to the home that they buy. It's surprising how little consumer information is available to families before they make that choice.

If you buy a phone, you can find out what apps it can run, how much bandwidth it has, how much it can store, what it can do, what it can't do. You can find all this information about what the phone cost, what it does, and how it works. But if you're about to enroll in a school that purports to teach Web site design, or if you're about to send your son or daughter off to a college to major in philosophy or engineering, it's surprising how little you know about that school.

The gentleman's proposal is that there be an effort by the Department of Education to make those data more accessible and more transparent for students and their families, questions that are natural to ask: What does it cost to go to the school? What happens to students when they graduate from the

school? What kind of jobs do they get? How much money do they make? How much debt do they graduate with? Who transfers in and out of the school and what numbers? How many people finish their education at the schools?

I'm not suggesting that there is any one-size-fits-all list of questions, that it's the right list of questions. What I'm suggesting is that the maximum amount of information should be available to families and students to make reasonable decisions about this sort of thing.

The only comment that I would make further is that we would encourage, Mr. Speaker, the committee leadership to consider bipartisan legislation—that's been sponsored by Mr. DUNCAN HUNTER, Jr., on the majority side; I'm involved in it on the minority side; and the other body, it's sponsored by Senators WYDEN and WARNER, along with Senator RUBIO—that would create this kind of information in a user-friendly, Web-based environment as soon as possibly could be done.

□ 1910

I view this bill as complementary to this effort, and I look forward to working with the gentleman and the other leaders of the committee on this issue.

I would finally say that, on our side, we do strongly believe that the time has come for a full reauthorization of the Higher Education Act. There are a myriad of issues. Tomorrow, we will have student loan financing issues on the floor. There are questions about Pell Grants, the cost of college and numerous other issues that we think are best dealt with in an omnibus and comprehensive fashion.

Having said that, we commend the gentleman for his introduction of the bill, urge its support, and I reserve the balance of my time.

Mr. MESSER. I thank the gentleman from New Jersey for his comments and his leadership on this important topic. It's certainly a pleasure to work with you on this bill and on the other bills that you mentioned.

I would now like to yield 1 minute to my good friend, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. I thank the gentleman for his leadership and for bringing this bill forward. I appreciate the ranking member's support on this as well.

Mr. Speaker, I rise today to support the Improving Postsecondary Education Data for Students Act.

American moms and dads are working tirelessly to help their children achieve their dreams. For many, that dream includes college. However, the cost of a postsecondary education has become increasingly difficult for a lot of families to bear. Young graduates today are not only confronting a tough job market when they leave school, they are continually facing a growing mountain of debt that is financially burdensome and extremely difficult to pay back. Many students choose schools and their majors without ever knowing the earning potential of their fields of study. This leaves many young Americans with a lower than expected income and struggling to pay down their loans once they graduate. For some, it can take decades. This has got to change.

In my home State of Virginia, we've become a leader in attempting to address this problem. In 2012, Virginia enacted a requirement that schools in our State publish information regarding the proportion of graduates with employment, their average salaries and higher education debt at 18 months and 5 years after graduation.

I expect that this data will become extremely useful to parents and students alike. Unfortunately, the data available to Virginia is limited to graduates who remain in the Commonwealth. This means that information available in the State database fails to fully capture students that graduate from a school, like the University of Richmond, which attracts students from 46 different States. Very often, they go on to take jobs throughout the country where they become leaders in their fields.

We can help resolve this situation. The Federal Government currently has a significant amount of data that could help parents and students make better decisions regarding the financial benefits of prospective schools and majors, but this information is often hard to understand or is difficult to access.

This bill requires the Secretary of Education to convene a 15-member advisory panel to provide recommendations on how to improve the information available to parents and students when deciding on their schools and majors. This panel will provide an interim report within 6 months and a final one within 1 year for Congress' consideration during the reauthorization of the Higher Ed Act.

This legislation will serve to kickstart the process of improving transparency in higher education and will provide students and parents with the information that they need to make informed decisions so that a college education can continue to be a source of empowerment for millions of Americans. This bill is a great step in the right direction.

I want to thank the gentleman from Indiana (Mr. MESSER) for his leadership, Chairman JOHN KLINE, Chairwoman VIRGINIA FOXX, and the rest of the Education and the Workforce Committee for their work on this issue, and I urge my colleagues to support this bill.

Mr. ANDREWS. I would just ask my friend, Mr. Speaker, if he has any other speakers.

Mr. MESSER. I have two others.

Mr. ANDREWS. I reserve the balance of my time.

Mr. MESSER. I yield such time as she may consume to my friend and colleague from the great State of Indiana (Mrs. BROOKS).

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today in strong support of the Improving Postsecondary Education Data for Students Act.

I am the mother of a current college student and a recent college graduate as well as a former general counsel and senior vice president at Ivy Tech Community College in Indiana. I personally and professionally understand the difficult and often life-defining decisions our young people make when they decide where to attend college. Students want to make the most educated decisions they can, but currently, they struggle to access and process all of the data they need to make the best decisions for themselves and their futures, and it's not because there is a lack of data being reported.

Currently, the Federal Government requires colleges and universities to report overwhelming amounts of information. As Congressman MESSER has already said, rather than having institutions across the country spend over 850,000 hours and almost $31 million to fill out all of these required Federal surveys, why not allow our higher ed institutions to spend those hours and those dollars doing a better job serving our students in classrooms, advising students and figuring out ways to lower tuition costs? The problem is that the Federal Government is not requiring the right information and putting it in a readable and understandable format for students.

This bill directs the Department of Education to conduct a survey on which factors students and families want and need when researching their postsecondary options. It's common sense. I appreciate that it's a bipartisan piece of legislation that will benefit students and our higher ed institutions. This bill is simple, and it helps Congress improve transparency as we approach the reauthorization of the Higher Education Act.

I applaud the work of my fellow Hoosier and colleague Mr. MESSER, and I urge the adoption of this important bill.

Mr. ANDREWS. I continue to reserve the balance of my time.

Mr. MESSER. I would now like to yield 2 minutes to my good friend from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I rise in strong support of this legislation.

I have a personal take on this. I have a 17-year-old son, Copeland, and my wife and I are in the process of guiding him through the difficult and often complex process of choosing a higher education institution to attend.

As families across America know, there are a lot of factors to consider when assessing what institution will provide my son with the best opportunity to graduate college and be set on a path to professionally succeed. In this economy, our children deserve the best possible chance we can give them to find jobs that will allow them to provide for themselves and their future families.

The key to good decisionmaking is having accurate information, and this

legislation will provide my son Copeland and all of the other students of northeast Georgia with the best possible data that they and their parents can use to select the right postsecondary education paths for them.

I urge my colleagues to join me in supporting this bill, and I would like to thank the gentleman from Indiana for his leadership. The nature in which we bring this forward is a positive solution for our country and is a positive solution for the families looking at this decision of higher education.

Mr. ANDREWS. Mr. Speaker, in closing, this is an example of how we can work together and accomplish something constructive for the American people. I am pleased to support this bill, and I would urge a ''yes'' vote.

I yield back the balance of my time.

Mr. MESSER. I am a former State legislator from Indiana. They used to say on the House floor back there, ''Good bill. Should pass,'' and it's great when you have the opportunity to work together across the aisle on a bill that just makes sense.

My colleague from North Carolina (Ms. FOXX) made the comment that there is a lot of data out there for families but that there is a difference between data and information. Our goal with this bill is to help bring this data together, to get past the data dump and to try to get families the information they need while at the same time lessening the regulatory burden on our colleges and universities. They're doing the best they can with limited resources as well.

So, with that, I urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. MESSER) that the House suspend the rules and pass the bill, H.R. 1949, as amended.

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

A motion to reconsider was laid on the table.

□ 1920

RESOLVING ENVIRONMENTAL AND GRID RELIABILITY CONFLICTS ACT OF 2013

Mr. OLSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 271) to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 271

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 ''Resolving Environmental and Grid Reliability Conflicts Act of 2013''.

SEC. 2. AMENDMENTS TO THE FEDERAL POWER ACT.

(a) COMPLIANCE WITH OR VIOLATION OF ENVIRONMENTAL LAWS WHILE UNDER EMERGENCY ORDER.—Section 202(c) of the Federal Power Act (16 U.S.C. 824a(c)) is amended—

(1) by inserting ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) With respect to an order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation, the Commission shall ensure that such order requires generation, delivery, interchange, or transmission of electric energy only during hours necessary to meet the emergency and serve the public interest, and, to the maximum extent practicable, is consistent with any applicable Federal, State, or local environmental law or regulation and minimizes any adverse environmental impacts.

''(3) To the extent any omission or action taken by a party, that is necessary to comply with an order issued under this subsection, including any omission or action taken to voluntarily comply with such order, results in noncompliance with, or causes such party to not comply with, any Federal, State, or local environmental law or regulation, such omission or action shall not be considered a violation of such environmental law or regulation, or subject such party to any requirement, civil or criminal liability, or a citizen suit under such environmental law or regulation.

''(4)(A) An order issued under this subsection that may result in a conflict with a requirement of any Federal, State, or local environmental law or regulation shall expire not later than 90 days after it is issued. The Commission may renew or reissue such order pursuant to paragraphs (1) and (2) for subsequent periods, not to exceed 90 days for each period, as the Commission determines necessary to meet the emergency and serve the public interest.

''(B) In renewing or reissuing an order under subparagraph (A), the Commission shall consult with the primary Federal agency with expertise in the environmental interest protected by such law or regulation, and shall include in any such renewed or reissued order such conditions as such Federal agency determines necessary to minimize any adverse environmental impacts to the maximum extent practicable. The conditions, if any, submitted by such Federal agency shall be made available to the public. The Commission may exclude such a condition from the renewed or reissued order if it determines that such condition would prevent the order from adequately addressing the emergency necessitating such order and provides in the order, or otherwise makes publicly available, an explanation of such determination.''.

(b) TEMPORARY CONNECTION OR CONSTRUCTION BY MUNICIPALITIES.—Section 202(d) of the Federal Power Act (16 U.S.C. 824a(d)) is amended by inserting ''or municipality'' before ''engaged in the transmission or sale of electric energy''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. OLSON) and the gentleman from Texas (Mr. GENE GREEN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. OLSON).

GENERAL LEAVE

Mr. OLSON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on H.R. 271.

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

There was no objection.

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

I rise today in support of H.R. 271, Resolving Environmental and Grid Reliability Conflicts Act of 2013.

My colleagues and I carefully drafted this bill last year to resolve a conflict between the Federal Power Act and environmental rules that, if left unresolved, could create serious problems for the reliability of our Nation's electric grid. With the hot summer coming and power demands set to surge, the potential for dangerous power outages is rising, alongside the mercury.

Just last week, States like California and my own State of Texas were warned by regulators that electricity reserve margins could dip dangerously low. Texas faces critical electricity shortages in the next few years. We simply won't have enough reliable power to guarantee our grid. Rolling blackouts in Texas alone would impact over 25 million people. As coal plants continue to be shut down, pockets of areas across the country could quickly experience blackouts. When the power fails and the AC shuts down on a hot 100-degree day, it's the elderly, the young, and the poor who suffer first.

Prior experience shows that in rare and limited circumstances, emergency actions have been needed to ensure the reliable delivery of electricity. When an emergency exists due to a sudden increase in a demand for electricity or a shortage of supply, the Department of Energy has a tool of last resort to address the emergency. That tool is an emergency order under section 202(c) of the Federal Power Act.

DOE can order a grid connection to be made or power plant to generate electricity when outages occur due to weather events, equipment failures, or the electricity supply is too low to avoid a blackout. As they should, DOE can mandate a company to comply with a 202(c) order, even if it means a brief violation of environmental laws.

Unfortunately, under current law, a company or individual can be penalized for violating environmental laws even when they're following a Federal order to avoid a blackout. In recent years, these conflicting Federal laws have resulted in lawsuits and heavy fines for electricity providers complying with legal orders. Unless Congress passes this legislation to resolve the potential conflict in laws, the section 202(c) tool is in jeopardy.

H.R. 271 eliminates the uncertainty facing power generators and their customers by providing a needed safety valve which clarifies that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any

Federal, State, or local environmental law or regulation. To be clear, these emergency orders are not issued lightly and only under extreme power reliability scenarios. In the last 30 years, this authority has only been invoked about half a dozen times.

If the need arises, my legislation will ensure that DOE works to minimize any adverse environmental impacts by balancing environmental interests with liability considerations.

While some people are concerned that H.R. 271 doesn't go far enough to protect plant operators who might face lawsuits from environmental groups, my bill is a vast improvement over current law.

Major utilities, both public and investor-owned power trade associations believe that a Federal court would be hard pressed to overrule an emergency order issued by the DOE. In a crisis, if this bill becomes law, DOE will be given deference, which will apply to utilities following these orders. DOE will consult with clean air regulators, but the final decision in emergencies will always firmly remain in the hands of those charged with keeping the power flowing.

The protection H.R. 271 offers is critical; and given the number of plant retirements that have been announced, as operators grapple with new EPA air and water rules, I worry that DOE may need to use its emergency authority more often in the future.

I still expect DOE emergency orders to be the exception and not the rule. In those rare instances when the authority is invoked, we should not punish generators who are simply following orders from the Federal Government to keep the power on in an emergency.

Resolving this conflict is critical, which is why I reintroduced this bipartisan legislation in the 113th Congress. It will allow America's power companies to comply with Federal orders to maintain grid reliability during a power emergency without the threats of lawsuits or penalties.

I'm pleased with the widespread bipartisan support this bill has received. This bill is proof that we can find common ground in Washington, D.C., when working to address a glitch in Federal law and provide a reliable energy supply to all Americans.

I want to thank Chairman FRED UPTON, Ranking Member HENRY WAXMAN, Subcommittee Chairman ED WHITFIELD, and Subcommittee Chairman BOBBY RUSH for their support and assistance in moving this bill forward. I also want to thank my original cosponsors on the committee, GENE GREEN of Texas, MIKE DOYLE of Pennsylvania, LEE TERRY of Nebraska, ADAM KINZINGER of Illinois, and their staffs for working with me to fix this problem, to keep the power running for all Americans in an emergency.

Mr. Speaker, I urge my colleagues to support this commonsense, bipartisan legislation that protects energy consumers, the environment, and those who provide the power.

With that, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H.R. 271, the Resolving Environmental and Grid Reliability Conflicts Act.

I'm proud to be an original cosponsor to this bill that we worked on with my good friends, Congressman PETE OLSON and Congressman MIKE DOYLE, last Congress. This bipartisan legislation addresses a conflict in Federal law where a company or individual can be held liable for violating environmental laws when the Federal Government orders them to generate power to avoid blackouts.

□ 1930

Section 202(c) of the Federal Power Act gives the Department of Energy the authority to order an electric generating facility to generate power in order to avoid an electric reliability emergency.

At the same time, the possibility of violating environmental laws and regulations may restrict the operation of power plants or transmission lines. For example, a company may have mothballed a power plant because it had reached its Clean Air Act emissions limit for the year. So if a company, or publicly owned utility, is ordered by DOE to operate under section 202(c), and at the same time is prohibited from operating in accordance with the DOE order due to environmental limitations, the operator must choose which legal mandate to follow. These conflicting legal mandates should not complicate an electric reliability crisis, but they do. It is not fair for the government to put a power generator in this position.

As a longtime member of the Energy and Commerce Committee and someone who has worked on both reliability and environmental legislation during that time, I can honestly say that it was never our intention to put electric generating facilities in the position of having to choose between compliance with one law over another. And while there have only been a couple of instances to date where a generator has been in this situation, this potential for conflict will only grow as several coal-fired plants are scheduled to be taken offline in the coming years.

That is why Congress needs to address this issue. Otherwise, we risk threatening our electric reliability and for certain regions of the country, this issue is coming fast. H.R. 271 simply clarifies that if an emergency order issued pursuant to section 202(c) of the Federal Power Act may result in a conflict with an environmental law or regulation, the order shall expire no later than 90 days after issuance.

This deadline does two things. First, this ensures that the Department of Energy continues to have the necessary authority to ''keep the lights on'' in true emergencies. However, it then gives DOE the opportunity to renew or reissue the order for an additional 90-day period only after consulting with the appropriate Federal agencies and including conditions submitted by these agencies to mitigate any potential adverse environmental impacts.

This is not a messaging bill. It's not an anti-EPA bill or an anti-air toxic standards bill. Instead, it's a commonsense bill that addresses a very worrisome deficiency in current law that is only going to become more prominent in the coming years.

I want to thank our ranking member, Mr. WAXMAN, for his continued support of this bill. This is one of a handful of bills that actually were supported by both Democrats and Republicans in the Energy and Commerce Committee, and it has support across the utility industry. My hope is that the committee will continue to refer to the floor truly bipartisan bills like this one. It's time we get back to legislating and not messaging. With that, I encourage my colleagues on both sides of the aisle to support this bill.

I reserve the balance of my time.

Mr. OLSON. Mr. Speaker, I have no other Members wanting to speak, and I'm willing to close if my colleague is as well.

Mr. GENE GREEN of Texas. Mr. Speaker, I encourage my colleagues to support this great legislation.

I yield back the balance of my time.

Mr. OLSON. Mr. Speaker, in closing, I want to thank Chairman UPTON, Ranking Member WAXMAN, subcommittee Chairman WHITFIELD, and subcommittee Ranking Member RUSH for their assistance in getting this bill passed in the 113th Congress.

If my colleagues want to go home next week with an example of bipartisanship for their constituents, vote for H.R. 271.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. STEWART). The question is on the motion offered by the gentleman from Texas (Mr. OLSON) that the House suspend the rules and pass the bill, H.R. 271.

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

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 3, 2013, of the following Members on the part of the House to the Migratory Bird Conservation Commission:

Mr. WITTMAN, Virginia

Mr. DINGELL, Michigan

APPOINTMENT AS MEMBERS TO MILITARY COMPENSATION AND RETIREMENT MODERNIZATION COMMISSION

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to section 672(b) of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112–239), and the order of the House of January 3, 2013, of the following individuals on the part of the House to the Military Compensation and Retirement Modernization Commission:

Mr. Dov S. Zakheim, Silver Spring, Maryland

Mr. Michael R. Higgins, Washington, D.C.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 17, 2013.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 4(c) of House Resolution 5, 113th Congress, I am pleased to re-appoint The Honorable James P. McGovern of Massachusetts as Co-Chair of the Tom Lantos Human Rights Commission.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,
Democratic Leader.

HONORING MR. AND MRS. BENTON MARKS

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

Mr. ROKITA. Mr. Speaker, I rise today to recognize an exceptional Hoosier couple, Mr. Benton and Mrs. Sandi Marks, who are being honored with the 2013 HAI-Life Distinguished Service Award by the Hasten Hebrew Academy of Indianapolis.

Mr. Marks has served as president of both the Hasten Hebrew Academy and the Bureau of Jewish Education, as Jewish Federation campaign chair and president, and as chairman of the State of Israel Bonds. He has also served as a member of the Indiana Judicial Nominating Commission, and has volunteered with numerous civic and professional organizations.

Mrs. Marks has devoted her life to education, serving on the Hasten Hebrew Academy Education Committee and as a board member of the school. She recently retired from Washington Township Schools but continues to serve the district and Indiana as a school psychologist. She is also a trusted friend and confidante of mine on education issues in my capacity as chairman of the subcommittee on K–12 education.

Mr. and Mrs. Marks are wonderful entrepreneurs, excellent philanthropists, and most of all, friends. I am honored to know them, even since my days as Indiana Secretary of State, and I know they will continue to serve as leaders in our Indiana community for many years to come.

CONGRATULATING MATTHEW MADDOX

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, it is an honor to follow the gentleman from Indiana, the subcommittee chairman of K–12, because I'm going to recognize a leader in our K–12 community in Illinois.

Mr. Speaker, I rise today to recognize Matthew Maddox for being named the VFW National Citizenship Education Elementary Teacher of the Year.

Matthew is a fifth-grade teacher at Columbus Elementary School in Edwardsville, Illinois, and he was selected as the Teacher of the Year from among 60,000 other teachers for his dedication to education, innovative teaching style, and resource development.

In the classroom, Matthew has made it a commitment to recognize the sacrifices made by our Nation's veterans by regularly inviting veterans to visit and share their stories to help make history much more relevant to his students.

In addition to being an educator, Matthew has proudly served our country in the Illinois National Guard's 445th Chemical Company since July 2011, and has enrolled in officer training school at Camp Lincoln in Springfield, Illinois.

Far too often, our Nation's educators do not deserve the credit and recognition they deserve. So I am proud to stand here today to congratulate Matthew Maddox for the work he does in the classroom, and also to thank him for his service to our country.

□ 1940

HONORING THE SERVICE AND SACRIFICE OF OUR NATION'S VETERANS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. FORTENBERRY. Mr. Speaker, I recently visited the Eastern Nebraska Veterans Home in Bellevue. It's a lovely place that is well-designed to care for those who have served in the protection of our country. I had a nice visit, talking with many of the veterans there, each with their own unique stories of service to our Nation.

A conversation, though, with one man in particular, Mr. Speaker, has stuck with me ever since. Now in his nineties, Don McBride sat quietly as I was speaking to the entire group. But as I was leaving, I went over to him to thank him for his commendable service to our Nation; but as soon as I got those words out, Don stopped me.

You see, Don has a very interesting story. As I understand it, he did not directly enlist in the United States military. It was a unique situation. Don was a pilot with Pan Am Airlines, and during World War II, he helped the war effort by flying planes into China. During World War II, China was our ally.

In all, Don flew 524 missions. He had to put a few planes down a couple of times because they were shot so badly, but he didn't stop. He and his fellow pilots did whatever was needed for the war effort, whether it was engaging Japanese aircraft or delivering aid to remote places in that rough terrain.

For his service, Don was awarded the Presidential Citation, four Bronze Stars, the Air Medal, the Distinguished Flying Cross, and the China Service Medal. He didn't want to tell me all this. He was quite reserved about it, but his nurse encouraged him to share his story.

But, again, as I went to thank him, Don stopped me and he said this, Mr. Speaker. He said: We don't need any thanks. Every man here did it because he wanted to, because it was necessary. I don't know of anybody who has ever been sorry for serving.

Mr. Speaker, it is this spirit of selflessness that lives on in so many of our veterans and the military men and women who are serving our Nation today. They gave, and continue to give, for one simple reason: it is necessary and it is their duty.

On Memorial Day, this coming Monday, we will gather for an occasion that is both solemn and joyful. We honor those who gave everything in service to their countrymen. The formal remembrance of fallen heroes mixes feelings of both sorrow and pride. That a person would lay down his life for his friends, for another, is the noblest of human ideals. That we would unite in gratitude to reflect on the sacrifices of those who have gone before us is one of the greatest human expressions.

And for those who are veterans, Mr. Speaker, who have stood next to persons who have given their all, perhaps holding them as they died, watching helplessly as war consumed another innocent life, their living presence, Mr. Speaker, the living presence of our veterans today is an honor to those who did not come home.

Communal remembrance is a longstanding human tradition. When we focus our remembrance on the war veterans who have sacrificed for us, the act is particularly meaningful and appropriate.

Ever since there has been fighting and dying in war, there's been a calling in the human heart to memorialize the fallen heroes of battle, especially in this Nation, born in war, where the legacies of those who died defending our country are written on our hearts and are seen clearly in the blessings of liberty that we still hold today.

In spite of our political divisions, in spite of the rancor and divisiveness that sometimes exists in this body and in our Nation, we are still called to yield to proper reflection about that which is noble and that which is good.

Mr. Speaker, yet, for nearly 100 years, our fledgling country did not have a day set aside to remember and celebrate the sacrifices of fallen soldiers. In America, the practice of Memorial Day began in the years immediately following the Civil War.

In 1868, the head of an organization of Union veterans established what was called Decoration Day at the time for the Nation to decorate the graves of the Civil War dead with flowers. The day picked was May 30, a day in late spring to ensure that the flowers would be in full bloom across our Nation.

Throughout the countryside, people began to visit cemeteries to decorate the graves of fallen soldiers, both Union and Confederate. On one noted occasion, women living near Columbus, Mississippi, deep within the defeated Confederacy, were so disturbed by the neglected graves of Union soldiers that they took care to see that these graves were properly decorated as well.

Decoration Day grew in popularity and in practice, and by the early 1900s, ceremonies were held on May 30 throughout the Nation. After World War I, the day was expanded to honor those who have died in all American wars. Decoration Day soon became known as Memorial Day. But it was only in 1971 that Memorial Day was declared a national holiday by an act of Congress, to be celebrated annually on the last Monday in May.

Mr. Speaker, this coming Monday, we will continue this solemn tradition and reflect upon its profound meaning. We honor those fallen heroes of yesterday for their sacrifices on our behalf. Their bravery has afforded us the liberty and security we enjoy today.

But the price of the blessings of peace has not come without great cost. Since the Revolutionary War, more than 42 million Americans have risked their lives for our country. Of those, more than 656,000 servicemembers have died in battle. Their loss runs deep in the lives of those whom they left behind. Wives lost husbands, husbands lost wives, parents lost children, and children lost parents. The soldier's ultimate sacrifice is not merely his own, Mr. Speaker.

In 1944, along the northern coastline of France in a place called Normandy, the future of civilization hung in the balance. At 6:30 a.m. on June 6, the first wave of American troops landed at a place called Omaha Beach. As their Higgins boat troop carriers opened, 18- and 19-year-old young men from cities and farms, from New York to Nebraska, were asked to do the impossible—dash across hundreds of yards of open beach with no cover, in the face of a hail of German machine gun fire and mortars, and take the high ground.

Somehow, someway, they did this. They withstood the violence and made their way to the steep hillside.

Mr. Speaker, last winter I stood where those soldiers landed, at water's edge, and looked across that beach. It is hard to get the mind around the chaos of that day, to feel what they felt as the horror unfolded before them.

I made my way to that steep hillside, now so peaceful and lovely, and stood in a German machine gun bunker. A young German soldier named Severloh manned the machine gun that day. And in a book that he wrote shortly before he died a few years ago, Severloh said that he wept as he fired his gun at the slaughter that unfolded before him.

I walked around the nearby American cemetery, with its orderly rows of white crosses testifying to the dear price our soldiers paid. I stopped at the grave of a young man named Billy D. Harris, from Oklahoma. Billy D. Harris had married young and died young. His wife didn't know that her husband had been killed and buried there until about 10 years ago. Such is the chaos of war. She never remarried. She had all her hopes that her husband would one day return to her.

I proceeded on to the little town of Sainte-Mere-Eglise, where our airborne troops landed the night before the D-day invasion.

□ 1950

Some fell into the town square occupied by Germans. One soldier's parachute got caught on the church roof and he hung there as the battle raged below. A replica of the parachute and soldier still hangs from the church today.

In August of 1944, a young medical doctor left his wife and two children and entered the Army. He was first headquartered at a hospital in England, where the last official records show that he was located. As Patton's Army moved against the Germans, Captain Luther Sexton Fortenberry went into action in France, probably to begin field operations there. In November of 1944, he was killed by ordnance explosion. He was my grandfather. He was initially buried at the cemetery at Sainte-Mere-Eglise. Now he is reinterred here in Washington at Arlington National Cemetery.

As part of our civic life, Mr. Speaker, we honor the memory of all those who have served us. We all know of the great battles and heroic sacrifices at places like Bunker Hill, Omaha Beach, Khe Sanh, and Fallujah. What we do not know are the untold stories, witnessed by no one, of Americans who fought it out to the death to preserve our country. We also do not know the untold stories of the many who left their families and quietly performed their duty with no questions or demands made; the veterans who maintained tanks and aircraft, cooked, computed, cleaned, and drove.

Today, we honor our loved ones and ancestors lost long ago as well as those who have left us more recently. The sting of loss is not so distant for some whose loved ones have given their lives of late in Iraq and Afghanistan. Of the American soldiers who have been killed there, 72 were Nebraskans.

Like so many of our colleagues, Mr. Speaker, I have attended many funerals and memorial services for those who have been killed from my district. I have seen many of the families bravely bear the weight of this devastation. I have seen communities come together to honor their local heroes and to help bring healing to these hurting families. I could not be more proud of these patriots and their family members for their remarkable bravery, their remarkable honor, their character, their selflessness—young men and women of the highest caliber who, like so many before them, gave themselves for their country, fighting courageously for America and our ideals of liberty, equality, and justice for which they died.

Mr. Speaker, I was recently contacted by the family of John Douangdara. John and his family are new Americans. His parents came here from Laos. He was killed several years ago when his helicopter was shot down in Afghanistan. You may remember the incident. We lost 30 servicemembers that day. On Memorial Day, John's family is gathering in South Sioux City, Nebraska, to erect a statue in his honor. I'm grateful—no, perhaps privileged—to be asked to join them on that day.

Like his fellow soldiers, John Douangdara was an American. He was loyal. He was brave. And now he is free. His sacrifice, and the sacrifice of all American veterans, brings to mind the seriousness of our time.

Memorial Day is an especially important time of reflection for lawmakers. We carry a tremendous responsibility to recognize the real-life consequences behind our policy deliberations, analyses, and votes.

On that first Decoration Day in 1868, Major General John Logan offered his posts these words as he ordered them to decorate the graves of the war dead. He said this, Mr. Speaker:

> We should guard their graves with sacred vigilance. Let pleasant paths invite the coming and going of reverent visitors and fond mourners. Let no neglect, no ravages of time, testify to the present or to the coming generations that we have forgotten as a people the cost of a free and undivided Republic.

Mr. Speaker, during a visit to a nearby hospital to see our wounded here in Washington, there was a soldier there whose wounds were pretty devastating. As I was leaving, I noticed there was a sign hanging on the outside of his door.

It said: America—home of the free because of the brave.

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

CONGRESSIONAL PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Wisconsin (Mr. POCAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. POCAN. I rise today on behalf of the Congressional Progressive Caucus.

The Congressional Progressive Caucus has been fighting for economic fairness for the middle class and those striving to be in the middle class for this entire country. Today, we would like to talk specifically about the growing, skyrocketing student debt that we have in this country.

Just this past weekend, 6,200 students graduated from the flagship university in my State, my alma mater, UW-Madison. These young people leave Madison with new friends, new skills, new knowledge, and, most importantly, access to increased economic opportunity through their college diploma.

Students with a bachelor's degree have half the unemployment rate of those with a high school degree. In 2012, students with a bachelor's degree earned almost 80 percent more than someone with a high school diploma in a similar position. Unfortunately, these students are also leaving college with something else: unprecedented levels of student loan debt.

The drastically increasing student loan debt held by Americans across the country can be considered nothing less than a crisis. Not a looming crisis, but an urgent, already-here crisis. Total student debt in this country now tops $1 trillion. That exceeds all the credit card debt in this country. And that's up from just $200 billion in 2000, just 12½ years ago. Every second in America, total student debt increases by $2,854. According to the New York Federal Reserve, total student debt has tripled over the last 8 years, representing a 70 percent increase in both the number of people with debt and the average debt held per person.

About two-thirds of the class of 2011 graduated with student debt. Their average debt was more than $26,000. In my home State of Wisconsin, the weight of student loan debt is severely affecting college graduates' ability to support themselves and their families.

There's an organization in Wisconsin that I want to give a little thanks and credit to. One Wisconsin Now is a progressive think tank run by Scot Ross. This organization has made it one of their leading efforts to talk about rising students debt and the trillion-dollar debt that we have and what it's doing to our economy. Thanks to them, I have some stories and figures to share specific to Wisconsin, and nationwide.

According to one study from One Wisconsin, the average monthly payment made by Wisconsinites with a bachelor's or advanced degree is nearly $400 a month. It's $388, to be exact. Let's put it in this perspective. Before someone can pay their rent or their mortgage, their utilities, their groceries, child care, they already owe $400 in student loans. If they're lucky, they'll have some funds left over to save for retirement.

□ 2000

Because of these exorbitant rates, it will take the average citizen in my State almost 19 years to pay off their student loan debt from a 4-year university.

There are some long-term economic effects to this. The effects of the skyrocketing costs are twofold:

Number one, at a time when a college degree is more important than ever to obtain reliable employment, we are in grave danger of pricing too many of our young students out of a college education. These drastic increases in tuition have occurred at the same time that we have seen the worst economic downturn since the Great Depression.

We know that to compete for the jobs of the 21st century and to thrive in a global economy, we need a growing, skilled, and educated workforce, particularly in the areas of science, technology, engineering, and math.

It is estimated that the U.S. will need 22 million more college-educated workers by the year 2018. Currently, driven partly by rising college costs, we are expected to fall short by 3 million workers. Our colleges and universities such as UW-Madison and Beloit College and others in my district have the talented faculty to produce our 21st-century workforce, but they need the students to teach and train. And an unaffordable college education is an unaffordable future for our country.

In the short term, we also see these effects on our economy. As students become more and more bogged down with high student loan debt, they're understandably reducing their expenditures in our current economy. According to one study by One Wisconsin, due to the high burdens put on students from their loans, new car purchases in our State are reduced by more than $200 million annually, and that's just in the State of Wisconsin. Meanwhile, households with student loan debt are overwhelmingly more likely to rent a home than to own a home, affecting home sales throughout America.

Owning a home, buying a car—these aren't just typical byproducts of the American Dream. These are important components of our country's overall economic health. If our economy is to recover—not just in Wisconsin, but across the country—we need to see strength in these two markets.

So we find ourselves at a crossroads. Instead of providing an enriched and educational background and advanced economic opportunity for our young people, a college education is increasingly trapping students in endless debt, preventing them from advancing economically and contributing to our economy.

If we continue to believe that an accessible, affordable, and quality education should be a national priority, that it is critical to our future economic prosperity, then we need to come up with a long-term plan to manage the skyrocketing costs of education.

Now, Democrats have already done a number of efforts in these area. We've tried to increase the maximum Pell Grant from $4,050 in 2014 to $5,645 in 2016. We have increased income-based repayment programs to ensure that graduates can manage loan repayments during stressed economic times. We have tried to create the American Opportunity Tax Credit, providing a maximum of $2,500 tuition tax credits to eligible families and students. We have provided loan forgiveness for graduates in public interest careers after 10 years of payments, and for everybody else after 25 years of payments. And we have required schools to give an online calculator so that students and families can estimate their costs based on their family's financial condition.

But we need to and we must do more over the long run. We can restore consumer protections for our students. We can increase our funding for higher education. And we can reauthorize the Higher Education Act and protect programs like Pell Grants that support low-income students attending college.

But as we all know, we have a pressing issue facing our body right now that will affect students who live in every single one of our districts. Unless we take action, on July 1 interest rates on subsidized Stafford loans will double, from 3.4 percent to 6.8 percent. If we do nothing at a time when our country is still facing a steep economic recovery, 7 million low- and middle-income students nationwide will see their student loan rates increase. That's 7 million people in this country will have their rates increase on student loans. That will wind up costing student borrowers $1,000 more a year. If we do nothing, that will add $4.3 billion to students' debt burden in just 1 year alone. Quite simply, we cannot afford to do nothing. Allowing these interest rates to double would represent a dereliction of our duties.

Right now, banks can receive loans from the Federal Reserve at historically low levels, less than 1 percent. If banks can receive such loans, shouldn't we protect lower loans for our students who are struggling in today's economy more than anyone else?

Last year, before I arrived in Washington, Congress extended the 3.4 percent rate for 1 full year. There are a number of bills right now—including those introduced by my Democratic colleagues—that would extend the 3.4 percent rate by at least 1 year, if not more. But we must take action now before we risk drowning our future workforce in even more student loan debt.

Now, this body, this House tomorrow will be taking up a measure, H.R. 1911, the ''Make College More Expensive Act.'' Unfortunately, the legislation this body will consider, instead of providing needed relief for our students, will instead only make college more expensive for millions of young people and their families across the country.

As I mentioned, if we don't act by July 1, interest rates on subsidized student loans will double, from 3.4 percent to 6.8 percent. The Republican legislation that we have before us tomorrow would be even worse for students than if we did nothing at all.

By tying Federal student loan rates to the 10-year Treasury note, the interest rate for a student entering college next year will be reset every year he or she is in college. Why is that a problem? Well, because by the time next year's freshmen graduate and start repaying their loans in the year 2017, the interest rate that freshman had on his or her first loan that first year of college is projected to more than double today's current rate for subsidized Stafford loans.

In practical terms, what that means over the long run is a student who is about to enroll in their first year of college will pay higher interest rates under the Republican plan than if Congress lets the current rates double. Again, this bill is even more damaging than if we do nothing—which we should do as a body.

According to the nonpartisan Congressional Research Service, students who borrow the maximum amount of Stafford loans over 5 years will pay $1,300 more in interest rates under the Republican plan before this body tomorrow than if we allow those rates to double and nearly $6,000 more than if we kept the rates at 3.4 percent. The overall cost to students and families would be $4 billion in additional interest payments over the next decade compared to our current law.

Let me repeat that: if we pass H.R. 1911, it will cost our students and families $4 billion more over the next 10 years than if we keep the law the way it is.

These facts don't lie. The bill does not make college more affordable; it does just the opposite. It worsens the student debt crisis that we should be working to solve. And this is just another case of mistaken priorities and misguided plans.

While the Democrats are working hard to even the playing field, Republicans would make it even harder for the average American to be able to afford college.

H.R. 1911 imposes a long-term financial burden on young people looking to pursue higher education. It will put $4 billion additional in student debt over the next decade that would have been used otherwise to help pay down our deficit. This is not a sustainable, balanced way to deal with our deficit; and it's certainly no way to ensure a thriving future for the next generation of America.

We've seen time and time again how student debt stifles our economy. We cannot afford to make college more expensive for the very Americans trying to get that education.

I am very pleased to be joined by another freshman Member of this body, a Representative from the State of New York who is the author of one of these bills that will make sure that we keep that interest rate at 3.4 percent and not allow it to double on July 1. I would like, Mr. Speaker, to yield to the gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Well, let me first thank the distinguished gentleman from the Badger State, my good friend, Representative MARK POCAN, who has been such a tremendous leader on this issue and a tremendous leader on issues of significance to progressive America—to America, in fact—during his short time in the Congress.

We've seen week after week, month after month, Representative POCAN has come to the floor of the House of Representatives, the people's House, and boldly articulated a progressive vision for how we can deal with some of the problems that we confront today in America.

□ 2010

And certainly when we talk about wrapping our arms collectively around the issues of great significance to this country of ours, dealing with the crisis in higher education is of utmost importance.

As Representative POCAN has eloquently laid out, if the Congress does not act by July 1, more than 7 million Americans will face a doubling of their student loan interest rate from 3.4 percent to 6.8 percent, increasing an already heavy burden as it relates to their college education.

Why is it important that we address this issue? Well, one, the cost of a college education in America keeps going up, but the amount of financial aid available to these students keeps coming down. And so college and higher education, which is a pathway toward the American Dream, is increasingly out of reach for low-income Americans, for working families, for the sons and the daughters of the middle class.

Why is this troubling? Well, it's troubling because it's clear that going to college makes sense as it relates to creating a better future for Americans.

This chart that we have illustrates the point in a very compelling way—Education Pays. This lays out the median weekly earnings of individuals at different levels of educational attainment.

Now, with less than a high school diploma, you earn approximately $451 a week and your unemployment rate is in excess of 14 percent.

If you've got a high school diploma or a GED, you'll make around $638 per week. You still have a very high unemployment rate on average of 9.4 percent.

If you get a bachelor's degree, your weekly earnings increase exponentially to $1,053 per week, and your average unemployment drops to 4.9 percent.

And if you were to take that a step further and obtain a professional degree, your weekly average earnings increase to in excess of $1,600 per week, and your collective unemployment rate drops to 2.4 percent.

Education pays.

And that's why for the good of America, we support the position that we should invest in young people—help facilitate their pursuit of a college education. It will benefit them, it will benefit their families, it will benefit the communities from whence they come, and it will also, of course, benefit America.

But today, as was indicated by Representative POCAN, we have a student loan debt crisis that we confront in America. Student loan debt is now second only to home mortgages in collective debt as it relates to the American people. It was staggeringly high just a few years ago—$650 million or so. It now exceeds $1 trillion. It's a crisis of incredible proportion.

Now, similar to Representative POCAN and the distinguished gentleman from Pennsylvania, Representative CARTWRIGHT, we've only been here for a couple of months; but it's been clear in that relatively short period of time that there are many in the people's House who consistently talk about the notion that the debt that we have in America is a moral imperative for us to get under control. It exceeds $16 trillion.

They blame President Obama for that debt, and that's why we have an irresponsible fight every time there's occasion to raise the debt ceiling. I don't want to dwell on that fact, but parenthetically I will note that we're in the situation that we're in today, not because of assistance that the government has provided to those seeking higher education or other positive domestic spending programs, we're in this situation—that $16 trillion debt situation—because of some irresponsible decisions that were made during the 8 years of the previous administration. That's just the facts.

But they'll talk—some of our good friends on the other side of the aisle—about this moral imperative to deal with the debt that we have in America. How dare we shoulder future generations with such a burden.

But then when it comes to the more than $1 trillion debt burden that is actually being shouldered by younger Americans, what we've gotten is an irresponsible bill, H.R. 1911, that will actually make a bad situation even worse.

As Representative POCAN indicated, I've introduced legislation that would freeze the current interest rate at 3.4 percent. There are other ideas on this side of the aisle, all designed to deal with making sure that as many Americans as possible can go to college, that

it is affordable, and they can leave college with a minimum amount of debt so they can accelerate their entry into society as productive Americans.

That's really what we want. Because the higher the debt burden that the average American faces—young American—the more likely it is that they'll put off consumer spending decisions that are important to our economy, such as the purchase of a home; they'll put off because of their student loan debt burden, starting a family; many who might otherwise be future entrepreneurs create start-up companies that may become the next Google or the next Yahoo or the next Facebook, they put off those decisions because they need the certainty of a job that will help pay down this debt. And so there are a lot of complications that are created as a result of the $1 trillion debt burden that we have in America.

And so how are we going to deal with this problem? Well, the GOP proposal, as I mentioned, really will make a bad situation worse. Under the current interest rate, 3.4 percent, over the next 5 years, someone with a subsidized Stafford loan would have about $4,174 in debt. If we did nothing and allowed the increase to take place on July 1, that same individual would have $8,808 in debt over a 5-year period.

But with the GOP proposal, H.R. 1911, the student would be in the worst possible position: in excess of $10,000 in debt. This is not an appropriate approach for our future college students, for younger Americans, for this great country of ours. That's why we are urging the rejection of H.R. 1911. Let's come to the table and have a discussion that allows younger Americans and our college students to benefit from the historically low interest rates that exist and allow them to pursue the dream of a college education so they can grow and prosper and benefit the good of the country.

□ 2020

Mr. POCAN. Thank you, Representative JEFFRIES, for your leadership on this issue and for your bill, which I am very proud to be a cosponsor of. I think that it's fair to say that college students and aspiring college students, not just in New York but across the country, owe you a good kind of debt for the work that you're doing. Thank you so much for continuing to expose what we need to expose, which is that the bill before this body tomorrow will cost $10,000 in interest more than it has to. It is worse than if we simply did nothing and let the loans double on July 1. We need to act. We have bills, like Representative JEFFRIES' bill, with which to do that.

I would like to share one story from One Wisconsin Now, and then I'd like to introduce another colleague of mine. Onewisconsinnow.org has collected these stories, and this is a story from a woman named Alexandra who is in my district. Let me read what she says:

I am 27, and my student loans forbid me from living in a safe neighborhood. I have to live where there is cheap housing, and must live with a roommate. I can't afford a car payment, and don't have one. I live paycheck to paycheck, and virtually save no money. I have a great job, one that I worked very hard to get, and three-quarters of my entire paycheck go towards my student loan payments. I live every day worrying that, someday, my student loans are going to get the best of me financially. I am very close to defaulting on my loans. I fear never having the opportunity to buy a house or a car, invest or have a savings account, have a family or pay for my children's education. I fear the thought of merely surviving. I have to live with the fact that this will likely be my life for the next 20 years.

Alexandra, thank you so much for sharing your story with One Wisconsin Now so we can share it here today. You're not alone. I have a lot of stories from people in Wisconsin who have shared the exact same story. With the current pace we're on, if we don't fix student loans and the cost of education, we are going to put so much extra burden on your generation and the next generation that, again, you will not have the opportunities that many of us have had towards buying a car, buying a home, getting your family jump-started. So this is a crisis. It's a real crisis right now, and we need to address that.

I have another colleague to whom I would like to yield. Representative MATT CARTWRIGHT is another one of our freshmen from Pennsylvania. He is also the freshman class president for the Democrats, taking on a leadership role among our body, and he has been an outspoken advocate for the middle class in this country and especially for those voices in Pennsylvania.

Mr. Cartwright.

Mr. CARTWRIGHT. I thank you, Mr. POCAN.

Mr. Speaker, talking about the middle class is something that isn't done enough of here in this Chamber. The middle class is something that makes America what it is.

The middle class is something that speaks to Americans and says: Come join us. We represent opportunity in this country. We represent the ability to achieve more, to realize the American Dream.

It's the middle class that makes America different from so many other nations in this world, and it's the middle class for which we must work overtime to make sure we preserve it, because if we lose the middle class in this country, we lose the sense of opportunity, the sense of hope, the sense of upward mobility. We lose an essential element of what it is to be Americans. We have to do everything we can to preserve the middle class, and one of the biggest, stoutest pillars of the middle class is our education system in this country, including the higher education system.

I rise, Mr. Speaker, in opposition to H.R. 1911, on the floor tomorrow. Nominally, it is called the Smarter Solutions for Students Act. I call it—and many of my colleagues call it—the ''Make College More Expensive Act,'' which is a much more accurate title for this bill.

According to the Congressional Research Service, under H.R. 1911, students who borrow the maximum amount of $27,000 of unsubsidized and subsidized Stafford loans over 5 years would pay $12,374 in interest; or $10,867 in interest under current law if rates are allowed to double to 6.8 percent; or $7,033 if rates stay at 3.4 percent. Keeping the interest rates where they are will save our students nearly $5,000.

For that reason, I cosponsored Representative JOSEPH COURTNEY'S bill, H.R. 1433, which will extend these low rates for at least 2 more years, and that's the fair thing to do. That's the decent thing to do. It's the American thing to do to protect the middle class. This is the approach that we need now with costs of college rising and student debt expanding at historically high rates. Let's examine the facts:

The total outstanding student loan debt in the United States has surpassed the $1 trillion mark. This is a figure that has outpaced credit card debt, auto debt, and it's second only to mortgage debt in this entire Nation. A recent study shows that student loan debt is the only type of consumer debt in the United States of America that has actually increased during this Great Recession, and the problem only continues to grow worse.

As a result of these debts, millions of Americans cannot buy cars, purchase new homes, start businesses or do the other things that mean realizing the American Dream. It's a terrible time for young people. It's a horrific time for young people.

Let's talk about the unemployment rate for young people. The unemployment rate in April for people between the ages of 16 and 24 was 16.2 percent, more than double the national average that we read about in the newspapers. According to a recent study commissioned by Demos, nearly 45 percent of unemployed Americans are between those ages of 16 and 34. The study also stated that 4.7 million young Americans are underemployed, working part-time, when what they really want to do is get full-time, family-sustaining, good-paying jobs. They don't have them.

As a result, young Americans are either unemployed or are underemployed and will likely lose a combined $20 billion in earnings over the next decade. That's from the Center for American Progress. Raising their college interest rates is going to further impact their ability to purchase homes, cars, to pay for their children to go to school, further dragging down our dragging economy.

This is all on top of the cost of college. The average published tuition and fees for in-State students at public 4-year colleges in this country increased by 66 percent beyond the rate of inflation between the 2002–2003 and the 2012–2013 academic years. For private colleges, the tuition and fees increased by

27 percent beyond the rate of inflation in that comparable time period. Since 1982, the cost of college tuition and fees has gone up 582 percent—twice the rate of medical care, which is also exploding as we all know.

To help provide students and parents greater transparency as to the true cost of what a college education in total will cost, I introduced last week H.R. 2020, the Truth in Tuition Act, which will require schools to either present each incoming class of students with a multiyear tuition and fee schedule or to give each student a nonbinding estimate of what their education will cost them individually.

□ 2030

H.R. 2020, the Truth in Tuition Act, would require schools either to present each incoming class of students with a multiyear tuition and fee schedule or give each student a nonbinding estimate of what their education is going to cost them individually, taking into account tuition fees and that particular student's financial aid package.

In this bill, there are no price caps, and it does not freeze the price of tuition. Schools are free to set tuition rates as they see fit. This legislation will help students and families plan by laying it out in front of them, what they can expect the entire cost of the college education to be, and make sure colleges and universities give every student a clear picture of what their degree will cost.

Responsible colleges and universities are already doing this, and this is already the law in the State of Illinois. This is already happening. But it's the noncompliant, it's the colleges that maybe aren't going the extra mile to inform the students of what kind of fees and costs and tuition that they're facing during the whole course of their university or college career, it's the colleges and universities who are not revealing this that this bill is addressing.

This legislation will help students and families plan for higher education by making sure that they get a clear picture of what the degree is going to cost. It's also going to cut down on excessive tuition and fee fluctuations. It's going to help rein in skyrocketing college costs, and it will encourage colleges to maintain some kind of level, nonfluctuating tuition schedule so that surprises don't happen to the students.

It will also slow college dropout rates in this Nation. Colleges all across the country are experiencing dropouts for the very reason that the students didn't expect the tuition and fees to be raised the way they have been.

The cost of a higher education and the debt carried by our recent graduates have skyrocketed across the last decade. It's the cost of the tuition and it's the interest attached to the debt that are the crippling features of this. Without having a full picture of college costs, students and their families are forced to take on more student loan debt than they originally anticipated. This bill, H.R. 2020, the Truth in Tuition Act, helps stop the uncertainty.

A further advantage of it is in the pricing, colleges will think ahead about costs and have incentives to develop more restrained budget growth plans. Ultimately, advertised long-term pricing may encourage some colleges to limit their tuition growth voluntarily. In the event of severe economic hardship on the part of the college or the university, a dramatic reduction in State aid for higher education or other exceptional circumstances, this bill provides a waiver for the Secretary of Education to be able to issue to make sure that the schools are not detrimentally impacted.

Mr. Speaker, I oppose H.R. 1911 because it allows the costs of college and university education to get out of hand because of interest rates, and I'm introducing H.R. 2020, the Truth in Tuition Act, in order to restrain costs to begin with. Doing both of these things is something we need to be doing in this Chamber because it is buttressing one of the foundations of the American middle class, allowing young people to complete the educations that they hope to complete, to become the people they want to be, to train themselves, to equip them to compete on a global scale and to achieve the American Dream ultimately, a dream that everyone needs to be able to achieve in this country. Once we start letting go of that, we start letting go of what this country is, the United States of America.

Mr. POCAN. Thank you, Representative CARTWRIGHT. And thank you for your leadership on the Truth in Tuition bill. How apropos to be H.R. 2020, to give a good direct vision on the reality of costs in higher education.

I can say one thing from being a State legislator for 14 years before I came here. I served during the period when the Federal economy collapsed and States had less and less money to invest in public universities. So often you hear about the rising costs in private universities, but even in a system like UW, Wisconsin, which is one of the premium, world-class university systems, the costs have gone up enough that it's harder and harder for that average person to be able to afford the education. So if they rely on the loans and the interest rates double or, worse yet, we pass H.R. 1911 and make them increase even more, you're taking that affordability out of even more people's hands.

I just want to share a very short story, another story from someone who posted it on my Facebook page, and then I'd like to introduce another person on this issue.

I asked for comments on a Facebook page, and I got a comment from a woman named Amber. It is short, but it is poignant.

I haven't yet started paying back my loans. I graduate in July. And as a single parent, I am terrified I will have to choose between feeding my children and paying my loans. My children will come first, but it still worries me that I'll be strapped beyond what I can make at work.

This is unfortunately what we are doing to the people who are currently graduating from higher institutes of education across the country.

Next I would like to yield some time to a very experienced colleague of mine, a well-respected colleague, a leader among progressives in this body, currently the cochair of the Congressional Progressive Caucus and an outstanding legislator from the neighboring State of Minnesota. I would like to yield some time to Mr. KEITH ELLISON from Minnesota.

Mr. ELLISON. Thank you, Congressman POCAN.

Mr. Speaker, this is an extremely important topic.

Mr. Speaker, I want to say that you should look at legislation like a sailboat on a still pond. It takes the American people, the wind, to move that boat sailing along. And on this student loan issue and on the access to education in this country, we need the American people, Mr. Speaker, to rise up and lift their voices and say, ''We demand affordable secondary college education.''

There are great ideas. Congressman CARTWRIGHT has a brilliant idea, the Truth in Tuition Act. It is certainly superior to H.R. 1911, which is just deepening and worsening the problem of college affordability. But at the end of the day, the best ideas will sail when the students and the parents across the United States, Mr. Speaker, come together and say, ''We insist on quality, affordable education.''

Do you know that there are at least 20 million borrowers across the United States for higher ed every year? About 20 million people borrow money every year to go to some form of higher ed: for-profit, nonprofit, private, whatever. It's a lot of people.

The fact is, Mr. Speaker, if those people, just them, said, ''These interest rates are not fair. This tuition is not fair. We deserve access to higher education,'' it would change everything.

Thirty-seven million people owe some sort of tuition payment, and about 5 million of those, according to the statistics I have, are late by at least 1 month. If those people came together and said, ''We're going to form ourselves into an organization and we're going to demand better terms,'' they could move mountains.

But this is a civil rights issue. I'm not talking about color or gender or sexual orientation or anything like that. I'm talking about Americans, middle class people wanting to be a part of the American Dream.

Let me wrap up by saying this, Mr. Speaker. Mr. POCAN, you've been doing an awesome job with the progressive message. But I think that what we're doing with the progressive message is trying to help the American people

imagine America as a generous, inclusive society that accepts people from all walks of life and that it preserves the ladder of opportunity.

We believe we should have early childhood education so that the young ones can get a head start on a good life.

We believe in solid, quality K–12, and that the kids should have nutrition and be safe while they're at the schoolhouse.

We believe that when they get to college, they should be able to seek their dream and be who they want to be, as Mr. CARTWRIGHT so eloquently said.

And we believe people ought to be able to be paid fairly when they're in their adult life and take care of their family and be able to go to the doctor.

And we believe that when people reach their golden years, they ought to be able to retire with dignity, so we protect Social Security.

□ 2040

Cradle to the grave, Americans dream of prosperity. It's not too much to ask for in the richest country in the history of the world, but a key link in that quality life of prosperity in this country is college affordability. And it is something that if you want it, you've got to fight for it. Nobody is going to hand it to you. And when Americans wanted to see civil rights before the law, when they wanted to see African Americans have civil rights, women have civil rights, when they wanted to see people on the job, workers have some voice on the job, they stood up and they said, ''We've got to rearrange this deal.'' When we said that our environment was getting poisoned and dirty and they needed to demand that industry do something to make sure we had a cleaner environment, people stood up, Mr. Speaker, and they did something about it. And this is what we have to do right now.

So I just want to say to you, Mr. POCAN, and you, Mr. Speaker, this is an excellent opportunity to raise key issues about a central issue of American prosperity for working and middle class people.

I do thank the gentleman from Wisconsin.

Mr. POCAN. Thank you very much, Representative ELLISON. Your leadership for many years in this body has been well appreciated. I want to thank you for bringing back really the central theme of the Congressional Progressive Caucus. When we had a budget, it was the back-to-work budget. It's about fighting on behalf of the middle class. We saw the Republican budget in this House balance the budget on the backs of the middle class. But our budget had the back of the middle class and those aspiring to be in the middle class. And one of those fundamental equalizers is that opportunity to get a higher education, to advance in society, to change your economic outlook.

I grew up in a lower middle class family. I not only had student loans, I also had Pell Grants. I was fortunate. But back when I went to college, you were still able to pay back your loans often in about a 5-year period. But more and more, it's a 10-year, 20-year payment back in order to be able to afford those rising student costs, and that is taking a bite not only out of the current economy, but out of the opportunities for those people getting those degrees so they can improve their lives and their family's lives and rise either into the middle class or to better their lives overall.

So the Congressional Progressive Caucus has had this as a central focus: How can we help lift those in poverty to the middle class and help those in the middle class to have every chance at opportunity that they should have? Those student loans are a crucial part of that. If we let this bill pass, H.R. 1911, tomorrow, in this body, we will put a financial burden on the backs of those who need it the most, those who are taking out loans to afford college. And if we do nothing as a body, the interest rate will double from 3.4 percent to 6.8 percent come July 1. Congress has to act.

Now this body has been able to vote 37 times to try to repeal the Affordable Care Act and the benefits to America's families from the Affordable Care Act—37 times—yet we have not found a way yet to fix the student loan crisis, and we simply need to do that. And that's why the Progressive Caucus is fighting so hard to do that.

I would like to close with one final story. Again, One Wisconsin Now had collected some stories, and this is from a woman from Wisconsin named Diana. Let me read her story:

> I graduated from a 4-year college in 2006. Today, 7 years later, my loan payments are over $600 per month. To put that in perspective, our combined household income is roughly $48,000 per year. That's 15 percent of our income before taxes. That's money that's not going into our retirement funds, not going towards a new home, not going towards a child's college fund, and certainly not going back into the economy in a productive way. My husband and I have been forced to make major life decisions based on my student loan debt alone. Unfortunately, there's no end in sight with regard to my student loans. My interest rates vary from 4.5 percent to 11.25 percent. Some of the payments I make cover interest alone. My principal balance hasn't changed in months on some of my private loans. This is not what I envisioned when I was applying for colleges my senior year of high school.

These are the real stories from people in Wisconsin, but they're no different from stories of people across the country.

We have heard tonight, and I want to thank Representative JEFFRIES from New York, Representative CARTWRIGHT from Pennsylvania, and Representative ELLISON from Minnesota for coming and sharing those strong words about why we need to address this issue and why it is such a crucial issue—not a Democratic issue, not a Republican issue, not an Independent issue, but an American issue, especially for those in the middle class and those aspiring to be in the middle class.

We need, Mr. Speaker, to act on this. Mr. Speaker, we need to act on this soon, before July 1. But, Mr. Speaker, I'm sorry, but H.R. 1911, the bill before this body tomorrow, will only make the situation worse. I urge my colleagues to vote against it.

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

WEEK IN REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

It may surprise some of my colleagues, I agree with so much of what was being said with regard to the cost of education and how we need to be very sensitive to that.

I was concerned about the vote we were going to cast tomorrow that would prevent the interest rates from going up to 6.8 percent as they're going to do if this body does nothing. I was very concerned about it going up to 6.8 percent, and then I understood the proposed Republican bill that we are going to take up tomorrow will not let it go up to 6.8, but I was wondering why we didn't just leave it where it is. Let's just extend it.

The Democrats set in motion, when they were in the majority, this situation where it was going to raise. And, actually, it was going to raise last year, and we voted a year ago to just extend the current rate for a year. As I've had members of my own leadership and whip team pushing me on the issue of wanting me to vote for the bill tomorrow, I've been trying to find out more and more about why is this provision in there. Why are we doing this? And it's very clear. Interest rates for student loans are going to go up to 6.8 percent if we do nothing because that's the law that was put in place.

Well, I said, why can't we leave it where it is? And the explanation was given because the Democrats, in what they put together to pay for ObamaCare, actually were counting on, and they got CBO to count on, using the difference between the current rate and it going up to 6.8 percent as the Democrats were counting on it having done.

So, on the one hand, my friends express the same concern that I have about the interest rates jumping up that high, going dramatically to 6.8 percent, and then, on the other hand, they were not explaining that the reason that it was going to jump up so high if we do nothing is because Democrats were counting on that as a way to help pay the massive billions of dollars that are going to be required for ObamaCare even though people are going to get less insurance, less care, and have less say about their care, it's still going to cost billions and billions more.

□ 2050

And, in fact, CBO has indicated, you know, gee, they originally scored it, let's see, over $1 trillion; and then the President called Doug Elmendorf over from CBO and explained, apparently, said something to him in the Oval Office because then when he went back, magically they were able to lower it under a trillion, as the President said it was going to cost.

And then after it passed, CBO comes back, oh, you know what? We were right the first time. It's going to be more than a trillion, and then it was going to be 1.6 trillion. Others are saying it may be 2 trillion. Who knows how much.

But it's going to cost massive amounts more. There are going to be massive taxes, according to what the Supreme Court calls it. We didn't call it taxes, but that's what the Supreme Court said that the Democrats did when they passed ObamaCare without a single Republican vote. And they were counting on the increase, tremendous increase, the billions of dollars coming from increased interest on student loans rising.

Now, if you go back just a little bit, well, why in the world is the government even involved in the student loan business anyway?

We didn't used to be, as the Federal Government, a bank that just loaned people money on a regular basis. Well, when the Democrats were in the majority, they pushed through a bill that forced all lending institutions out of the student loan business, and the government took over the student loan business.

Well, if this is going to totally cease to be a government that is of the people, by the people and for the people, and not moving toward tyrannical despotism, then we have to allow people to have private property, we have to allow the free market to reign, we have to allow individuals and banking institutions to make the loans.

But oh, no, our friends across the aisle decided we're going to shove the free market out of the student loan business, and we're going to take over student loans. And we're going to set it at a low rate, but we're going to—it's going to go up, and we'll use the billions that come from that magical increase down the road to pay for ObamaCare. And that's how part of it, supposedly, was paid for.

Well, one of the things I learned the hard way while our friends, the Democrats, were in the majority for 4 years, was that actually the first Congress they were in the majority, they passed a pay-as-you-go bill, or PAYGO they called it. I voted for it, and I got criticized by Republican leadership. Don't you know that they don't mean what they say? This doesn't mean—they're not really going to pay for anything. It's just a game.

And I said, how would I not be for paying as we go? That's what their bill said.

And then I learned the hard way on that because then I saw they really weren't serious about it because bill after bill came to the floor, and we said, but you put a rule in place it has to be paid for.

Oh, but we're waiving the pay-as-you-go requirement on this bill.

What about this other one? Well, we're waiving the pay-as-you-go.

And so I was shocked to find out, apparently, our leadership, the folks that had been here for a longer period of time had already learned, and I learned a lesson the hard way.

So the next Congress, when they came up with a pay-as-you-go bill, I said, are you kidding? You fooled me last time. I thought you were serious about it. I'm not going to vote for a bill that you have no interest in actually following through and doing what the bill says. I'm not going to vote for a bill like that. I'm not going to help participate in the charade.

But when it comes to ObamaCare, they say, oh, it's paid for. And this is one of the magical ways that billions of dollars were projected by CBO to be produced. Well, they're going to do it on the backs of students.

Well, we had control, the Republicans did, of the Congress in the previous 2 years; and a year ago we said, well, let's just keep it at the current rate and move it forward a year, and we'll do something a year from now.

So, my Republican friends, when trying to persuade me to vote for this bill tomorrow said, look, the student loan rates will stay where they are for now, but, yeah, eventually they will go up some. But the good news is they won't go all the way up to 6.8.

And I said, why do they go up at all?

They said because we promised we're going to pay as we go and we meant it. But we're not going to go all the way to 6.8. So we'll actually have a shortfall we're going to have to come up with because the Democrats were counting on these billions of dollars coming off the backs of students to pay for ObamaCare.

So, as all of this has become clearer and clearer to me tonight, well, earlier this, late this afternoon, this evening, I've been communicating back and forth with my staff. So we have a bill that my Democratic friends ought to be thrilled to death about, and we're going to file it first thing in the morning; and it ought to excite my friends across the aisle.

And I know my own leadership has been wanting me to vote for this bill. But they say the reason the rates have to go up at all is because, under the budget previously done for ObamaCare, to pay for ObamaCare, the Democrats counted on this revenue. And so since we don't want to increase the deficit spending, we're going to have to let the rates go up a little bit, but we're not going to let them go up to 6.8 as was originally put in place by our Democratic friends.

So, anyway, what my bill will do that we'll file first thing in the morning is say, you know what, we're going to keep the current rates right where they are. And I hope folks will join me in encouraging my leadership to bring this bill to the floor, my bill to the floor, instead of the one we're going to vote on tomorrow. If we have to wait 72 hours, fine. Let's do it 2 weeks from now. We've got the time.

And my bill will leave the rates right where they are for a 2-year period. And since we don't want—number 1, we don't want the rates to go up for college students. We're sorry that the Democrats ever figured that in as part of the process of paying for ObamaCare.

And since we don't want it to have to go up on the students, those who are having to borrow money to pay for college, then the way we keep from increasing the deficit spending in the bill I'll file first thing in the morning, we eliminate the ObamaCare slush fund, and the billions that are eliminated for the slush fund for ObamaCare will no longer have to come from the backs of young people who cannot afford to go to college without loans.

That's the solution, and I hope my Democratic friends will hear and get word about this great bill, because I believe what they were saying. They're serious. Even though their party passed a bill that we refer to as ObamaCare, it's certainly not affordable care, but they passed that bill, by themselves, without any Republican votes because we knew how bad it was.

We knew how much it was going to cost. We knew you wouldn't get to keep your insurance if you wanted it. We knew you weren't going to get to keep your doctor if you wanted. We saw all those terrible things that are now coming to pass.

And it will prevent the ObamaCare slush fund, the money that's set aside in the ObamaCare bill. It'll just eliminate the slush fund, and say to the Democrats, you never should have had that slush fund, and you're not going to pay for it on the backs of those who can't afford to go to college without getting loans.

Now, I did have to double-check with regard to this bill. I had to make sure that I wasn't going to be voting on something that affected loans that my wife and I are paying, our children's student loans, because before I ever ran for office as a judge, my wife and I had set aside enough money that was going to take care of our kids' college.

But by virtue of running for office and taking a huge cut in pay, we ended up having to utilize that money for our family and for our girls and for expenses. And so my wife and I are paying our kids' student loans because I didn't want them to have to suffer with a bunch of student debt because their father felt a calling to go into public service.

But it would not be appropriate for me to vote on a bill that affected the rates of loans that we're paying, and it is now quite clear that that's not the

case. The student loan bill that we're going to vote on, whether it's the one tomorrow or whether it's the one that I will file tomorrow that I would prefer that we do, either way, it will not affect one iota, not at all loans that are already in place, student loans. So I'll be able to vote.

And, anyway, I've been whipping with my own team, undecided, and then later today was leaning no. And the more I found out, the more it's convinced me, we really should not allow the Democrats pushing through ObamaCare and the massive trillions of dollars that's ultimately going to cost to have any part of it forcibly borne by students, by young people that just want to better themselves by getting a higher education and having to get a loan to do it.

□ 2100

So I have taken the things my friends said to heart and I am counting on them to admit what they said, Mr. Speaker. I'm hoping they'll agree in the morning to cosponsor my bill so that they can be consistent with the things they promised. Now it does defund the ObamaCare slush fund; but since that was originally going to be borne on the backs of college students, I'm sure they don't mind that going away.

With regard to taxes, let's face it, if the money costs the Federal Government an amount down here and they have an interest rate that's higher than the cost of the money that the Federal Government gets to loan to students, then the Federal Government is making money on that. And that's what the Democrats knew and that's why they counted on the higher interest rates to pay for ObamaCare.

Anyway, hopefully, we can work together and get that accomplished. Let's face it, that kind of expense should not have to be borne because, really, it becomes a tax. It's new revenue for the Federal Government. And then I'm hoping before the end of the 2 years, if we would do my bill, we can do what should have been done in the first place, and that is get it back to the private sector where we become referees, again, as a Federal Government to make sure that neither lender nor borrower is cheating. That's what we're supposed to be. We're supposed to be a referee. Over the years, through both Republican and Democratic majorities, the government has continued to move from the realm of being a referee to being also a player and also the coach as well as the referee. And it's hard for anybody to ever compete against a player who's coached and refereed by the opponent. The government shouldn't be in that business of being adversaries, opponents, or competitors with the private sector. It shouldn't be.

So I hope that we will get to a bill that puts all the lending back in the private sector where the Federal Government is no longer the lender. I hope we can do that with different kinds of insurance. Get it out of the Federal Government. Because, invariably, when the government controls everything, it's just what we've seen with the IRS scandals. You're going to have some abuses with people that would control all of your health care records, people that will make the decisions on what health care you get, people that can actually come in and take your home—the only people that can come in and take your home—the only people that can come in and seize assets without proper due process of the law: the IRS.

It needs to be dismantled, and I hope we can do that. I hope we can get to a place where we're no longer the bureaucracy that becomes so autocratic that it could care less about people's personal feelings. Yes, people come here on the floor of the Congress and talk about people's personal feelings. But when you see the big, monolithic government that's just gotten so big, it doesn't care about people's feelings. It's hurting people right and left.

Sure, the President has private sector leaders stand up and talk about how great ObamaCare was going to be. And now they have been finding out it's not going to be so great. You're not keeping your insurance; you're not keeping you're doctor. You're going to get less health care, you're going to get less insurance, it's going to cost a lot more.

And with regard to the IRS scandal, we had Ms. Lerner come before our committee. I was in Judiciary. We were doing our own hearings on other matters. And I heard some of her statement about how she didn't do anything wrong and she's not guilty of anything. Well, as a judge and a chief justice who is very familiar with the Fifth Amendment, I've had to advise defendants, Now you understand if you say anything at all on your own behalf, you have waived your Fifth Amendment right and you will have to answer questions, and you will not be able to claim the Fifth Amendment.

So what did Ms. Learner do today? She came in and said she didn't do anything wrong. She followed the law in all ways. Oh, she was just a paragon of virtue. Well, then she's waived her right to claim the Fifth Amendment before Congress, and she needs to be brought back up here and have that explained properly. You waived your right when you started telling us how virtuous you were. So now you're going to answer questions, because you can't have it both ways. You can't come in here and say to this Congress, I did absolutely nothing wrong. I violated no laws. I'm in no danger of having violated any laws. And then turn right around and honestly say, I'm not going to speak because what I say is going to tend to incriminate me. Well, it can't incriminate you if you didn't do anything wrong, so go ahead and testify. You started out, so go ahead and finish up.

Sure, you can go out on the street and say, I didn't do anything wrong; but when you come before a court or Congress and say to that Congress, I didn't do anything wrong, or to a court, I didn't do anything wrong, you just waived your right. Now you're going to tell us what it was that you didn't do wrong so we can decide that for ourselves. So I hope she'll be brought back.

We also had Mr. Douglas Shulman come in and testify. And what I was hearing as far as part of his testimony was, yeah, he knew about the illegality of what was going on, and he was trying to put a stop to it. And he knew that conservatives were being targeted. Well, let's face it, that means that this administration was using the IRS to help them win another election. Well, it worked. How far up into the administration is what we need to know. But I don't believe we're going to find out from people like Mr. Shulman, who went to the White House, he said, over a hundred times. And even though he's working for the President and even though he started out under the Bush administration—that's fine, we had people under the Bush administration that screwed up plenty of times, too—but he's working for President Obama, comes to the White House over a hundred times, knows there's wrongful conduct that's gone on at the IRS and never says a word.

What did you go over a hundred times for? Well, I remember going for an egg roll. Well, guess what? If you went for an egg roll, the President was out there. He normally is for the Easter Egg Roll. You wouldn't even say something? That man should have been fired. We shouldn't have clowns that will work at the IRS know illegal activity is going on, go talk to their boss, go to the White House over a hundred times, and not even breathe a word of it so their bosses know. I wouldn't want somebody like that working for me. If there's illegal activity going on and you come see me over a hundred times, I would hope that during one of those times you would tell me this was going on. Because if you didn't, and I found out, you would be fired as soon as I found out. Ms. Lerner would have been fired as soon as we found out. But instead, what happens? Well, they plant a question so it comes out that way. So maybe the President will learn after we plant a question.

Something is awry. Something is very, very wrong.

□ 2110

Having had thousands of criminal cases come before my court, come through my court, you smell when things don't pass the smell test, and this stinks to high heaven.

So in the morning, I hope I'll have a whole list of Democratic colleagues that are ready to sign on to my bill so that we will keep the interest rates for the student loans where they are so that we don't push paying for the ObamaCare slush fund onto the backs of students. And we then get time to

put the student loan business back in the private sector so the Federal Government can be the referee and monitor the lending institutions and the borrowers, and be the referee. That's what we're supposed to be.

As far as the IRS scandal, Mr. Speaker, I hope and pray some consciences are being bothered and hounded in the IRS and over Benghazi and over the AP scandal—the abuse of process there, the abuse of process in going after conservative reporters—that consciences will begin to be bothered and they won't be cleared until they come forward and say: I'm a whistleblower; I have got to get the truth off my chest. Let the chips fall where they may. That's what I hope and pray for.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARY G. MILLER of California (at the request of Mr. CANTOR) for today and for the balance of the week on account of medical reasons.

Mr. YOUNG of Florida (at the request of Mr. CANTOR) for today on account of illness in the family.

Mr. CLYBURN (at the request of Ms. PELOSI) for today.

Mr. HINOJOSA (at the request of Ms. PELOSI) for May 14 on account of attending a funeral of a young soldier from his district who was killed in Afghanistan.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 982—To prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 11 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 23, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1578. A letter from the Secretary, Department of Transportation, transmitting notification of several violations of the Antideficiency Act, pursuant to 31 U.S.C. 1517(b) and 1351; to the Committee on Appropriations.

1579. A letter from the Under Secretary, Department of Defense, transmitting the Department's Annual Report for FY 2012 regarding the training, and its associated expenses, of U.S. Special Operations Forces (SOF) with friendly foreign forces for the period ending September 30, 2012, pursuant to 10 U.S.C. 2011; to the Committee on Armed Services.

1580. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Keith M. Huber, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1581. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Federal Housing Administration (FHA): Section 232 Healthcare Facility Insurance Program-Strengthening Accountability and Regulatory Revisions Update Final Rule Amendment — Revision of Date of Applicability [Docket No.: FR-5465-F-03] (RIN: 2502-AJ05) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1582. A letter from the Secretary, Department of Education, transmitting the Department's final rule — William D. Ford Federal Direct Loan Program [Docket ID: ED-2012-OPE-0006] (RIN: 1840-AD13) received May 15, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1583. A letter from the Acting Chief Policy Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received May 17, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1584. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Irradiation in the Production, Processing, and Handling of Animal Feed and Pet Food; Electron Beam and X-Ray Sources for Irradiation of Poultry Feed and Poultry Feed Ingredients [Docket No.: FDA-2012-F-0178] received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1585. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Safety Evaluation by the Office of Nuclear Reactor Regulation BWR Vessel and Internals Project BWRVIP-241, Probabilistic Fracture Mechanics Evaluation for the Boiling Water Reactor Nozzle-To-Vessel Shell Welds and Nozzle Blend Radii received May 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1586. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Foreign Affairs.

1587. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997; to the Committee on Foreign Affairs.

1588. A letter from the Chairman, Administrative Conference of the United States, transmitting the Conference's Performance and Accountability Report for fiscal year 2012; to the Committee on Oversight and Government Reform.

1589. A letter from the Acting Director, Office of Regulatory Affairs & Collaborative Action, Department of the Interior, transmitting the Department's final rule — Residential, Business, and Wind and Solar Resource Leases on Indian Land (RIN: 1076-AE73) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1590. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-line Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC633) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1591. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic [Docket No.: 120403251-3290-01] (RIN: 0648-BB70) received May 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1592. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Third Annual Space Coast Super Boat Grand Prix, Atlantic Ocean; Cocoa Beach, FL [Docket No.: USCG-2013-0071] (RIN: 1625-AA08) received May 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1593. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Organization and Delegation of Duties [Docket No.: NHTSA-2013-0048] (RIN: 2127-AL44) received May 2, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1594. A letter from the Acting Secretary, Department of Energy, transmitting Naval Petroleum Reserves Annual Report of Operations for Fiscal Year 2012; jointly to the Committees on Armed Services and Energy and Commerce.

1595. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting certification to Congress regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations, pursuant to Public Law 101-162, section 609(b); jointly to the Committees on Natural Resources and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. FOXX: Committee on Rules. House Resolution 232. Resolution providing for consideration of the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, and for other purposes (Rept. 113–89). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. GEORGE MILLER of California (for himself, Ms. WILSON of Florida, Mr. RANGEL, Ms. SLAUGHTER, and Mrs. MCCARTHY of New York):

H.R. 2083. A bill to amend the Elementary and Secondary Education Act of 1965 to require criminal background checks for school employees; to the Committee on Education and the Workforce.

By Mr. DELANEY (for himself, Mr. BARR, Mr. BERA, Mr. CARNEY, Mr. COLE, Mr. CONNOLLY, Mr. RODNEY DAVIS of Illinois, Mr. FITZPATRICK, Ms. GABBARD, Mr. GARCIA, Mr. GIBSON, Mr. JOHNSON of Ohio, Mr. JOYCE, Mr. KENNEDY, Mr. KIND, Mr. KINZINGER of Illinois, Mr. MESSER, Mr. MORAN, Mr. MURPHY of Florida, Mr. PETERS of California, Mr. PITTENGER, Mr. POLIS, Mr. RUPPERSBERGER, Ms. SINEMA, Mr. STIVERS, Mr. TURNER, and Mr. YOHO):

H.R. 2084. A bill to establish the American Infrastructure Fund, to provide bond guarantees and make loans to States, local governments, and non-profit infrastructure providers for investments in certain infrastructure projects, and to provide equity investments in such projects, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself, Mr. NEAL, Mr. LANCE, Mr. KIND, Mr. GUTHRIE, Mr. PAULSEN, and Mr. TIBERI):

H.R. 2085. A bill to create incentive for innovative diagnostics by improving the process for determining Medicare payment rates for new tests; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Mr. MCINTYRE, Mr. O'ROURKE, Mr. BARBER, Mr. BISHOP of New York, Ms. KUSTER, Mr. LOEBSACK, Ms. BROWNLEY of California, Mrs. MCCARTHY of New York, Ms. FRANKEL of Florida, Ms. LEE of California, Mr. SEAN PATRICK MALONEY of New York, Mr. CICILLINE, Mr. RAHALL, Mr. SWALWELL of California, Mr. MICHAUD, Ms. BROWN of Florida, Mr. BEN RAY LUJÁN of New Mexico, Mr. KILMER, Mr. DELANEY, Mr. WAXMAN, Mr. COSTA, and Ms. SHEA-PORTER):

H.R. 2086. A bill to direct the Secretary to make interim payments of disability compensation benefits for certain claims for such compensation prior to the adjudication of such claims, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BLACK:

H.R. 2087. A bill to prohibit Federal funds for the establishment or operation of patient navigator programs under the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MICHAUD (for himself, Mr. MCINTYRE, Ms. KUSTER, Ms. BROWNLEY of California, Mrs. MCCARTHY of New York, Ms. FRANKEL of Florida, Ms. LEE of California, Mr. HECK of Nevada, Ms. BROWN of Florida, Mrs. BUSTOS, Mr. BISHOP of New York, and Mr. KILMER):

H.R. 2088. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to establish claims adjudication centers of excellence; to the Committee on Veterans' Affairs.

By Mrs. ROBY (for herself and Mr. ROKITA):

H.R. 2089. A bill to amend the Elementary and Secondary Education Act of 1965 to prohibit Federal mandates, direction, or control, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GRIFFITH of Virginia (for himself, Mr. MCCAUL, and Mr. PETERS of California):

H.R. 2090. A bill to amend chapter V of the Federal Food, Drug, and Cosmetic Act to permit provisional approval of fast track products; to the Committee on Energy and Commerce.

By Mrs. BACHMANN:

H.R. 2091. A bill to amend title 36, United States Code, to require that the POW/MIA flag be displayed on all days that the flag of the United States is displayed on certain Federal property; to the Committee on the Judiciary.

By Mrs. BROOKS of Indiana (for herself, Mrs. WALORSKI, Mr. MESSER, and Ms. JENKINS):

H.R. 2092. A bill to amend title 5, United States Code, to provide that retirement credit for service as a Member of Congress be denied in the case of a former Member convicted of a felony, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Pennsylvania (for himself, Mr. LATTA, Mr. MEADOWS, Mr. FLEISCHMANN, Mr. LOEBSACK, Mr. SHUSTER, Mr. WESTMORELAND, Mr. KING of Iowa, Mr. GRIFFIN of Arkansas, Mr. CRAMER, Mr. LONG, Mr. MULLIN, Mr. HALL, Mr. COLE, Mr. SMITH of Nebraska, Mr. CASSIDY, Mr. OLSON, Mr. LANKFORD, Mr. LUCAS, Mr. GUTHRIE, Mr. ROKITA, and Mr. NUGENT):

H.R. 2093. A bill to amend the Toxic Substances Control Act relating to lead-based paint renovation and remodeling activities; to the Committee on Energy and Commerce.

By Mr. ROE of Tennessee (for himself and Mr. HOYER):

H.R. 2094. A bill to amend the Public Health Service Act to increase the preference given, in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements); to the Committee on Energy and Commerce.

By Mr. BISHOP of Utah:

H.R. 2095. A bill to prohibit an increase in the lands administered by the Bureau of Land Management until a centralized database of all lands identified as suitable for disposal by Resource Management Plans for lands under the administrative jurisdiction of the Bureau is easily accessible to the public on a website of the Bureau; to the Committee on Natural Resources.

By Mr. GRAYSON:

H.R. 2096. A bill to amend the Fair Labor Standards Act to require that employers provide a minimum of 1 week of paid annual leave to employees; to the Committee on Education and the Workforce.

By Mr. CALVERT:

H.R. 2097. A bill to amend the National Environmental Policy Act of 1969 to authorize assignment to States of Federal agency environmental review responsibilities, and for other purposes; to the Committee on Natural Resources.

By Mr. HUIZENGA of Michigan (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. FRANKS of Arizona, Mr. ROYCE, Mr. SENSENBRENNER, Mr. JONES, Mrs. BLACKBURN, Mr. DUNCAN of South Carolina, Mr. WALBERG, Mr. LOBIONDO, Mr. MULVANEY, Mr. UPTON, Mrs. MILLER of Michigan, and Mr. BENISHEK):

H.R. 2098. A bill to amend title 18, United States Code, to require Federal Prison Industries to compete for its contracts minimizing its unfair competition with private sector firms and their non-inmate workers and empowering Federal agencies to get the best value for taxpayers' dollars, to provide a five-year period during which Federal Prison Industries adjusts to obtaining inmate work opportunities through other than its mandatory source status, to enhance inmate access to remedial and vocational opportunities and other rehabilitative opportunities to better prepare inmates for a successful return to society, to authorize alternative inmate work opportunities in support of non-profit organizations and other public service programs, and for other purposes; to the Committee on the Judiciary.

By Mr. BROOKS of Alabama:

H.R. 2099. A bill to provide for an accounting of total United States contributions to the United Nations; to the Committee on Foreign Affairs.

By Mr. DEFAZIO:

H.R. 2100. A bill to restrict conflicts of interest on the boards of directors of Federal reserve banks, and for other purposes; to the Committee on Financial Services.

By Mr. DEUTCH (for himself, Mr. CONNOLLY, Mr. CONYERS, Mr. ELLISON, Ms. FRANKEL of Florida, Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, Mrs. MCCARTHY of New York, Mr. MORAN, Mr. NOLAN, Ms. PINGREE of Maine, Mr. POLIS, Ms. SCHWARTZ, Ms. WASSERMAN SCHULTZ, Mrs. CAROLYN B. MALONEY of New York, and Mr. MURPHY of Florida):

H.R. 2101. A bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESTY (for herself, Ms. DELAURO, Mr. LARSON of Connecticut, Mr. COURTNEY, and Mr. HIMES):

H.R. 2102. A bill to provide financial assistance for school construction after a violent or traumatic crisis; to the Committee on Education and the Workforce.

By Mr. FRELINGHUYSEN:

H.R. 2103. A bill to direct the Administrator of the Federal Emergency Management Agency to designate New Jersey Task Force 1 as part of the National Urban Search and Rescue System; to the Committee on Transportation and Infrastructure.

By Mr. FRELINGHUYSEN:

H.R. 2104. A bill to amend title 18, United States Code, and the Social Security Act to limit the misuse of Social Security numbers, to establish criminal penalties for such misuse, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself and Mr. BRIDENSTINE):

H.R. 2105. A bill to amend the National Defense Authorization Act for Fiscal Year 2010 to extend the pilot program for the temporary exchange of information technology personnel; to the Committee on Armed Services.

By Mr. KIND (for himself and Mr. SENSENBRENNER):

H.R. 2106. A bill to authorize and request the President to award the Medal of Honor posthumously to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War; to the Committee on Armed Services.

By Ms. LEE of California (for herself, Mr. GRIJALVA, Mr. CICILLINE, Mr. NOLAN, Ms. SLAUGHTER, and Ms. MCCOLLUM):

H.R. 2107. A bill to prohibit monetary payments by the Federal Government to employees, officers, and elected officials of foreign countries for purposes of bribery, coercion, or any activity that is illegal or undermines the rule of law or corrupts a public officer or the office such officer represents, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS:

H.R. 2108. A bill to amend the Higher Education Act of 1965 to provide information to foster youth on their potential eligibility for Federal student aid; to the Committee on Education and the Workforce.

By Mr. LEWIS:

H.R. 2109. A bill to amend title XX of the Social Security Act to provide grants to support job creation initiatives, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 2110. A bill to reauthorize the Assets for Independence Act, to provide for the approval of applications to operate new demonstration programs and to renew existing programs, to enhance program flexibility, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 2111. A bill to eliminate the requirement that, to be eligible for foster care maintenance payments, a child would have been eligible for aid under the former program of Aid to Families with Dependent Children at the time of removal from the home; to the Committee on Ways and Means.

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. HIGGINS, Mr. KING of New York, Mr. MAFFEI, Mr. OWENS, Mr. RANGEL, Mr. GRIMM, Mr. HANNA, Ms. CLARKE, Mr. CROWLEY, Mr. COLLINS of New York, Ms. MENG, Mr. ENGEL, Mrs. MCCARTHY of New York, Mr. TONKO, Mrs. CAROLYN B. MALONEY of New York, Mr. GIBSON, Ms. SLAUGHTER, and Mr. ISRAEL):

H.R. 2112. A bill to designate the facility of the United States Postal Service located at 787 State Route 17M in Monroe, New York, as the ''National Clandestine Service of the Central Intelligence Agency NCS Officer Gregg David Wenzel Memorial Post Office''; to the Committee on Oversight and Government Reform.

By Mr. MARINO (for himself and Mr. POSEY):

H.R. 2113. A bill to end the practice of including more than one subject in a single bill by requiring that each bill enacted by Congress be limited to only one subject, and for other purposes; to the Committee on the Judiciary.

By Mr. MARINO (for himself and Mr. PIERLUISI):

H.R. 2114. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself and Mr. ROKITA):

H.R. 2115. A bill to amend the National Voter Registration Act of 1993 to require an individual who applies for a motor vehicle driver's license in a new State to indicate whether the new State is to serve as the individual's residence for purposes of registering to vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. NEAL (for himself, Ms. DELAURO, Mr. LEVIN, Mr. RANGEL, Mr. MCDERMOTT, Mr. LEWIS, Mr. BECERRA, Mr. DOGGETT, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. PASCRELL, Mr. CROWLEY, Ms. SCHWARTZ, Mr. DANNY K. DAVIS of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. KIND, and Mr. THOMPSON of California):

H.R. 2116. A bill to amend the Internal Revenue Code of 1986 to make improvements in the earned income tax credit; to the Committee on Ways and Means.

By Mr. NEAL:

H.R. 2117. A bill to simplify and enhance qualified retirement plans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Armed Services, Oversight and Government Reform, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PASCRELL (for himself and Mr. ROONEY):

H.R. 2118. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUIZ:

H.R. 2119. A bill to amend title 38, United States Code, to improve the opportunity for veterans to use video conferencing for hearings before the Board of Veterans' Appeals; to the Committee on Veterans' Affairs.

By Mr. SCHIFF (for himself and Mr. SHERMAN):

H.R. 2120. A bill to allow mandatory nighttime curfews at certain airports, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SPEIER (for herself and Mr. KIND):

H.R. 2121. A bill to amend the Federal Crop Insurance Act to require annual disclosure of crop insurance premium subsidies in the public interest; to the Committee on Agriculture.

By Mr. BACHUS (for himself and Mr. LIPINSKI):

H.J. Res. 47. A joint resolution proposing an amendment to the Constitution of the United States giving Congress power to prohibit the physical desecration of the flag of the United States; to the Committee on the Judiciary.

By Mr. MARINO:

H.J. Res. 48. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN:

H. Con. Res. 38. Concurrent resolution recognizing and celebrating the 100th anniversary of the Virgin Islands becoming a part of the United States; to the Committee on Natural Resources, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BACHMANN (for herself, Mr. AMODEI, Mr. BROUN of Georgia, Mr. CONYERS, Mr. DESANTIS, Mr. ENYART, Mr. HALL, Mr. JOHNSON of Ohio, Mr. SAM JOHNSON of Texas, Mr. PETERSON, Mr. KINZINGER of Illinois, Mr. KING of New York, Mr. NUGENT, Mr. KLINE, Mr. ROE of Tennessee, and Mr. PETERS of Michigan):

H. Res. 231. A resolution establishing a Select Committee on POW and MIA Affairs; to the Committee on Rules.

By Mr. CROWLEY (for himself, Mr. NEAL, and Mr. KING of New York):

H. Res. 233. A resolution honoring the Good Friday Agreement (the Belfast Agreement), on the 15th anniversary of its ratification, as the framework for lasting peace in Northern Ireland; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII,

31. The SPEAKER presented a memorial of the House of Representatives of the State of Hawaii, relative to House Resolution No. 149 requesting that the Congress support legislation requiring the Department of Agriculture and the Food and Drug Administration to come up with a nation-wide system for monitoring, labeling, and enforcing the labeling of all whole and processed genetically engineered foods; to the Committee on Agriculture.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GEORGE MILLER of California:

H.R. 2083.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. DELANEY:

H.R. 2084.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. ROSKAM:

H.R. 2085.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 states The Congress shall have Power To provide . . . for the . . . general Welfare of the United States.

By Ms. TITUS:

H.R. 2086.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution

By Mrs. BLACK:
H.R. 2087.
Congress has the power to enact this legislation pursuant to the following:
Fourteenth Amendment, Section 5
Section 1: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.
By Mr. MICHAUD:
H.R. 2088.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.
By Mrs. ROBY:
H.R. 2089.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests in the power of Congress is in the U.S. Constitution under Article 1, Section 8.
By Mr. GRIFFITH of Virginia:
H.R. 2090.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.
By Mrs. BACHMANN:
H.R. 2091.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 17 of the U.S. Constitution
By Mrs. BROOKS of Indiana:
H.R. 2092.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 6, which states that, ''Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.''
By Mr. MURPHY of Pennsylvania:
H.R. 2093.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution
By Mr. ROE of Tennessee:
H.R. 2094.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
Article I, Section 8, Clause 18
By Mr. BISHOP of Utah:
H.R. 2095.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).
By Mr. GRAYSON:
H.R. 2096.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, Clause 3 of the Constitution of the United States ''The Congress shall have Power . . . To regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes.''
By Mr. CALVERT:
H.R. 2097.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).
By Mr. HUIZENGA of Michigan:
H.R. 2098.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
Amendment X—Nothing in the Constitution authorizes the Federal government to do anything other than those things enumerated (coin money, enter into treaties, conduct a Census—which are inherently governmental). Thus, under Amendment X, the right to carry out commercial activities is reserved to the States, respectively, or to the people.
By Mr. BROOKS of Alabama:
H.R. 2099.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8. To make all laws which shall be necessary and proper . . .
By Mr. DEFAZIO:
H.R. 2100.
Congress has the power to enact this legislation pursuant to the following:
Section 8, Article 5
To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures.
By Mr. DEUTCH:
H.R. 2101.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clauses 3 and 18 of the Constitution of the United States.
By Ms. ESTY:
H.R. 2102.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the U.S. Constitution.
By Mr. FRELINGHUYSEN:
H.R. 2103.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
By Mr. FRELINGHUYSEN:
H.R. 2104.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
By Mr. KILMER:
H.R. 2105.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1: The Congress shall have power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
By Mr. KIND:
H.R. 2106.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 16
To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress
By Ms. LEE of California:
H.R. 2107.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. LEWIS:
H.R. 2108.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. LEWIS:
H.R. 2109.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. LEWIS:
H.R. 2110.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. LEWIS:
H.R. 2111.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. SEAN PATRICK MALONEY of New York:
H.R. 2112.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to establish Post Offices and post roads, as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.
By Mr. MARINO:
H.R. 2113.
Congress has the power to enact this legislation pursuant to the following:
(a) Section 8, Clause 1 of Article I of the Constitution; and
(b) Section 8, Clause 3 of Article I of the Constitution.
By Mr. MARINO:
H.R. 2114.
Congress has the power to enact this legislation pursuant to the following:
(1) Article I, Section 8, Clause 1
The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States
(2) Article I, Section 9, Clause 3
To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mrs. MILLER of Michigan:
H.R. 2115.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 4 of the U.S. Constitution

By Mr. NEAL:

H.R. 2116.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of Section. 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. NEAL:

H.R. 2117.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Clause 1 of Section 8 of Article I and the 16th Amendment to the U.S. Constitution.

By Mr. PASCRELL:

H.R. 2118.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RUIZ:

H.R. 2119.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution

By Mr. SCHIFF:

H.R. 2120.

Congress has the power to enact this legislation pursuant to the following:

The Valley-Wide Noise Relief Act is constitutional under Article I, Section 8, Clause 18, the Necessary and Proper Clause. The bill is constitutionally authorized under the Necessary and Proper Clause, which supports the expansion of congressional authority beyond the explicit authorities that are directly discernible from the text.

By Ms. SPEIER:

H.R. 2121.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: Congress shall have the power to regulate commerce among the states, and provide for the general welfare.

By Mr. BACHUS:

H.J. Res. 47.

Congress has the power to enact this legislation pursuant to the following:

Article V of the U.S. Constitution, which grants Congress the authority to propose Constitutional amendments.

By Mr. MARINO:

H.J. Res. 48.

Congress has the power to enact this legislation pursuant to the following:

Article V: The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. MCINTYRE.

H.R. 139: Mr. SCHNEIDER.

H.R. 148: Mr. HORSFORD.

H.R. 207: Mr. KINZINGER of Illinois.

H.R. 300: Mr. LEWIS.

H.R. 301: Mr. FORBES.

H.R. 322: Mrs. MILLER of Michigan.

H.R. 366: Ms. ESHOO.

H.R. 410: Mr. JONES.

H.R. 416: Mr. FRANKS of Arizona.

H.R. 495: Mr. COLE, Mr. MCCAUL, Mr. GRIMM, Mr. COSTA, Mr. BURGESS, Mr. HOLDING, and Mr. NEUGEBAUER.

H.R. 498: Mr. MICHAUD and Mr. PETERSON.

H.R. 503: Mr. GRIMM and Mr. WOMACK.

H.R. 525: Mr. GARDNER.

H.R. 543: Mr. SMITH of New Jersey, Mr. RYAN of Ohio, Mr. GERLACH, and Ms. LOFGREN.

H.R. 595: Mr. PETERS of California.

H.R. 630: Mr. PASTOR of Arizona, Mr. LEVIN, Mr. JOHNSON of Ohio, and Mr. PETERSON.

H.R. 641: Ms. SHEA-PORTER.

H.R. 654: Mr. BISHOP of Utah.

H.R. 685: Mr. CARTER, Mr. SCHIFF, Mr. MULLIN, Mr. PEARCE, Mr. ROE of Tennessee, Mr. GOHMERT, Mr. KING of Iowa, and Mr. JOYCE.

H.R. 705: Mr. CHABOT.

H.R. 737: Ms. WASSERMAN SCHULTZ.

H.R. 739: Mr. SCOTT of Virginia.

H.R. 755: Mr. SHIMKUS, Mr. SCHOCK, Mr. CHABOT, Mr. GRIFFIN of Arkansas, Mr. GUTHRIE, and Mrs. BLACK.

H.R. 760: Mr. CARTWRIGHT.

H.R. 761: Mr. WESTMORELAND.

H.R. 763: Mrs. WAGNER, Mr. BROUN of Georgia, Mr. BARTON, Mr. MURPHY of Pennsylvania, Mr. SOUTHERLAND, Mr. CAMPBELL, and Mr. YOHO.

H.R. 769: Mr. SHERMAN.

H.R. 778: Mr. HASTINGS of Florida and Mr. PIERLUISI.

H.R. 781: Mr. ROSKAM.

H.R. 792: Mr. PRICE of Georgia and Mr. HORSFORD.

H.R. 794: Mr. YARMUTH.

H.R. 811: Mr. MARKEY.

H.R. 830: Mr. MCINTYRE.

H.R. 831: Mr. RYAN of Ohio and Ms. FUDGE.

H.R. 847: Mr. GUTIERREZ, Ms. EDWARDS, and Mr. KEATING.

H.R. 850: Mr. COURTNEY, Mr. THOMPSON of Mississippi, Ms. DEGETTE, Mr. COOPER, Ms. LOFGREN, and Ms. SHEA-PORTER.

H.R. 901: Mr. SESSIONS, Ms. CASTOR of Florida, Mr. PASCRELL, Mr. GARCIA, Mr. NEAL, and Mr. BACHUS.

H.R. 920: Mr. POCAN.

H.R. 940: Mr. RIBBLE, Mr. GRAVES of Missouri, Mr. BROOKS of Alabama, Mr. AUSTIN SCOTT of Georgia, and Mr. FARENTHOLD.

H.R. 946: Mr. LANKFORD.

H.R. 961: Mr. GRAYSON, Mr. PASTOR of Arizona, Mr. GERLACH, Mr. MCKINLEY, Mr. SCHRADER, and Mr. BISHOP of Georgia.

H.R. 963: Mr. POLLS and Ms. SHEA-PORTER.

H.R. 997: Mr. BRIDENSTINE and Mr. MARCHANT.

H.R. 1014: Mr. GERLACH.

H.R. 1020: Mr. COLLINS of Georgia, Mr. RIBBLE, Mr. THORNBERRY, and Mr. CAMPBELL.

H.R. 1024: Mr. BLUMENAUER and Mrs. KIRKPATRICK.

H.R. 1038: Mr. SCHIFF.

H.R. 1039: Mr. FRANKS of Arizona.

H.R. 1093: Mr. MATHESON.

H.R. 1129: Mr. WALBERG and Mr. KILMER.

H.R. 1141: Mr. GOODLATTE.

H.R. 1143: Mr. LANKFORD and Mr. HOLDING.

H.R. 1146: Mr. TURNER.

H.R. 1148: Mr. BUTTERFIELD.

H.R. 1149: Mr. LATHAM.

H.R. 1155: Mr. WELCH.

H.R. 1179: Ms. ESHOO.

H.R. 1186: Mr. BARR, Mr. STOCKMAN, Mr. DELANEY, and Mrs. BLACKBURN.

H.R. 1188: Mr. COBLE and Mr. MICHAUD.

H.R. 1229: Ms. MOORE, Ms. MCCOLLUM, and Ms. SCHAKOWSKY.

H.R. 1247: Mr. COURTNEY.

H.R. 1250: Mr. SESSIONS and Mr. SHUSTER.

H.R. 1304: Mr. DUNCAN of South Carolina.

H.R. 1319: Mr. HINOJOSA.

H.R. 1346: Mr. LEWIS.

H.R. 1386: Mr. GOODLATTE.

H.R. 1395: Ms. ROYBAL-ALLARD.

H.R. 1404: Mr. DUNCAN of South Carolina.

H.R. 1413: Ms. KUSTER.

H.R. 1414: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1416: Ms. GRANGER.

H.R. 1420: Mr. GARAMENDI.

H.R. 1422: Mr. DAINES, Mr. BISHOP of Utah, Mr. GOHMERT, Mr. BARTON, Mr. PRICE of Georgia, Mr. STOCKMAN, and Mr. WESTMORELAND.

H.R. 1494: Mr. SEAN PATRICK MALONEY of New York.

H.R. 1507: Ms. MATSUI, Mr. COURTNEY, Mr. OWENS, Mr. ANDREWS, Mr. PERLMUTTER, Mr. FARR, Mr. DELANEY, Mr. VAN HOLLEN, Mr. MAFFEI, Mr. LOBIONDO, and Mr. NUNES.

H.R. 1521: Mr. BISHOP of New York, Ms. SHEA-PORTER, Mr. WAXMAN, and Ms. SLAUGHTER.

H.R. 1528: Ms. SCHWARTZ.

H.R. 1560: Ms. WASSERMAN SCHULTZ.

H.R. 1565: Mr. SEAN PATRICK MALONEY of New York and Mrs. NEGRETE MCLEOD.

H.R. 1582: Mr. WHITFIELD.

H.R. 1587: Mr. LATTA and Mr. DUNCAN of South Carolina.

H.R. 1590: Mr. MARKEY.

H.R. 1593: Mr. SIRES, Mr. SABLAN, Mr. MURPHY of Florida, and Mr. PRICE of North Carolina.

H.R. 1595: Mr. SCHNEIDER and Ms. VELÁZQUEZ.

H.R. 1601: Mr. NADLER.

H.R. 1623: Ms. MOORE, Ms. SHEA-PORTER, and Mr. WAXMAN.

H.R. 1633: Mr. TIPTON.

H.R. 1634: Mr. WITTMAN.

H.R. 1638: Mr. AUSTIN SCOTT of Georgia.

H.R. 1642: Mr. OWENS.

H.R. 1643: Mr. OWENS.

H.R. 1692: Ms. PINGREE of Maine, Mr. LEWIS, Ms. NORTON, and Mr. ISRAEL.

H.R. 1699: Ms. EDWARDS.

H.R. 1701: Mr. HALL and Mr. ROE of Tennessee.

H.R. 1717: Mr. GRIFFIN of Arkansas, Mr. MICHAUD, Mr. JORDAN, Ms. ROS-LEHTINEN, Mr. PALAZZO, Mr. KEATING, Mr. OLSON, Mr. ROGERS of Michigan, and Mr. WHITFIELD.

H.R. 1729: Mr. WAXMAN, Mr. COSTA, Ms. SHEA-PORTER, and Ms. HANABUSA.

H.R. 1731: Ms. WILSON of Florida and Mr. THOMPSON of California.

H.R. 1739: Ms. CLARKE, Mr. BISHOP of Georgia, Mr. KILDEE, Mr. HECK of Washington, Mr. VARGAS, Ms. JACKSON LEE, Ms. FUDGE, Mr. NOLAN, Mr. RUPPERSBERGER, Mr. ANDREWS, Ms. WATERS, Mr. COSTA, Mr. MAFFEI, Mr. LOEBSACK, and Mr. GALLEGO.

H.R. 1748: Mr. PIERLUISI.

H.R. 1749: Mr. LEWIS.

H.R. 1759: Ms. MOORE.

H.R. 1763: Mr. KILMER, Mr. SCOTT of Virginia, Mr. PERLMUTTER, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. LOFGREN, and Mr. MCNERNEY.

H.R. 1773: Mr. BACHUS.

H.R. 1775: Ms. BORDALLO.

H.R. 1780: Mr. JOYCE.

H.R. 1787: Mr. THOMPSON of Pennsylvania, Mrs. BLACKBURN, Mr. GRIJALVA, Mr. GRIFFITH of Virginia, and Mr. ELLISON.

H.R. 1797: Mr. SAM JOHNSON of Texas, Mrs. BACHMANN, Mr. LATHAM, and Mr. THOMPSON of Pennsylvania.

H.R. 1809: Ms. SHEA-PORTER.

H.R. 1814: Mr. RYAN of Wisconsin, Mr. ROE of Tennessee, and Ms. LEE of California.

H.R. 1823: Mr. GOSAR.

H.R. 1825: Mr. SMITH of Nebraska and Mr. UPTON.

H.R. 1826: Mr. MULVANEY.
H.R. 1842: Ms. SINEMA and Mr. JONES.
H.R. 1844: Ms. WASSERMAN SCHULTZ, Mr. PIERLUISI, Mr. TONKO, Mr. SERRANO, Mr. GRAYSON, Mr. HUFFMAN, and Mr. SWALWELL of California.
H.R. 1847: Mr. DUNCAN of Tennessee.
H.R. 1852: Mr. CLEAVER, Mr. CRENSHAW, Mr. VALADAO, Mr. SIMPSON, Mr. CALVERT, Ms. GRANGER, Mr. CAMPBELL, Mr. FINCHER, Mr. MASSIE, Mr. BROOKS of Alabama, Mr. STUTZMAN, Mrs. ELLMERS, Mr. BUCSHON, Mr. GIBBS, Mr. GRIMM, Mr. WESTMORELAND, Mr. RUSH, Mrs. WAGNER, Mr. HUNTER, Mr. ROE of Tennessee, Mr. GRIJALVA, Mr. GRIFFIN of Arkansas, Mr. SHUSTER, Mr. STIVERS, Mr. TIPTON, Mr. BILIRAKIS, Mr. TERRY, Mr. WHITFIELD, Mr. ADERHOLT, Mr. TIBERI, Mr. MCHENRY, Mr. GRAVES of Missouri, Mr. MARINO, Mr. KELLY of Pennsylvania, Mr. GERLACH, Mr. BARLETTA, Mr. SHIMKUS, Mr. CONAWAY, Mr. JONES, Mr. WILSON of South Carolina, Mr. BRALEY of Iowa, and Ms. SCHWARTZ.
H.R. 1864: Ms. BROWNLEY of California, Ms. FRANKEL of Florida, Ms. SCHWARTZ, Mr. KILMER, Mr. MESSER, Mr. YOUNG of Indiana, and Ms. HERRERA BEUTLER.
H.R. 1867: Mr. MEEHAN.
H.R. 1868: Mr. KINZINGER of Illinois.
H.R. 1869: Mr. SENSENBRENNER, Mr. SOUTHERLAND, Mr. STUTZMAN, and Mr. MESSER.
H.R. 1876: Mr. MURPHY of Florida and Ms. FRANKEL of Florida.
H.R. 1882: Mr. HUELSKAMP, Mrs. BLACKBURN, Mr. FINCHER, Mrs. CAPITO, AND MR. DUNCAN of Tennessee.
H.R. 1897: Mr. POE of Texas.
H.R. 1904: Mr. MAFFEI.
H.R. 1913: Mr. BARTON.
H.R. 1920: Mr. JOHNSON of Georgia, Mr. HINOJOSA, Ms. BROWN of Florida, Mr. KILMER, Mr. BISHOP of Georgia, Mr. RANGEL, and Mrs. NEGRETE MCLEOD.
H.R. 1946: Mr. GARAMENDI.
H.R. 1950: Mr. WITTMAN, Mr. WALBERG, Mr. DUNCAN of Tennessee, and Mr. ROGERS of Alabama.
H.R. 1951: Mr. KENNEDY.
H.R. 1962: Ms. DELBENE and Mr. LANGEVIN.
H.R. 1971: Mr. COLE, Mr. FINCHER, Mr. BUCHANAN, and Mr. BARBER.
H.R. 1979: Mr. DEFAZIO.
H.R. 1985: Mr. SHUSTER.
H.R. 1987: Ms. MENG and Ms. GABBARD.
H.R. 1992: Mr. POE of Texas and Mr. GARDNER.
H.R. 1998: Mr. FARR, Mr. MORAN, Ms. SHEA-PORTER, Mr. KEATING, Mr. CAMPBELL, Mr. HONDA, Ms. ESHOO, Ms. PINGREE of Maine, and Mr. TIERNEY.
H.R. 2000: Ms. DEGETTE, Mr. COSTA, Mrs. KIRKPATRICK, Mr. GENE GREEN of Texas, Mr. WELCH, and Ms. TSONGAS.
H.R. 2009: Mr. LATTA, Mr. TIBERI, Mr. ROKITA, Mr. MULVANEY, Mr. DESANTIS, Mr. POSEY, Mr. LABRADOR, Mr. DUNCAN of South Carolina, Mr. STEWART, Mr. GOHMERT, Mr. BARTON, Mr. LAMALFA, and Mr. SOUTHERLAND.
H.R. 2010: Mr. MULVANEY.
H.R. 2014: Mr. RIBBLE, Mr. LAMALFA, Mr. HUIZENGA of Michigan, Mr. GOHMERT, Mr. HALL, Mr. POSEY, and Mr. SOUTHERLAND.
H.R. 2019: Mrs. CAPITO, Mr. GRIFFIN of Arkansas, Mr. ROKITA, Mrs. LUMMIS, Mr. LUETKEMEYER, Mr. DUNCAN of Tennessee, Mr. ROGERS of Kentucky, Mr. LANCE, Mr. FORTENBERRY, Mr. MATHESON, Mr. FITZPATRICK, and Mr. SESSIONS.
H.R. 2020: Mr. VELA, Mr. SIRES, Mr. COHEN, Mr. NOLAN, Ms. SHEA-PORTER, Mr. PIERLUISI, and Mr. ISRAEL.
H.R. 2022: Mr. DUNCAN of Tennessee, Mr. NUNES, Mr. GRIFFIN of Arkansas, Mr. TIBERI, Mr. REICHERT, Mr. FINCHER, Mr. WESTMOREL, Mr. MULVANEY, Mr. LAMALFA, and Mr. PERRY.
H.R. 2026: Mr. OWENS.
H.R. 2028: Mr. BISHOP of New York, Mr. FATTAH, Mr. CLAY, and Mr. PRICE of North Carolina.
H.R. 2036: Mr. RANGEL.
H.R. 2043: Mr. POCAN.
H.R. 2052: Mr. LONG, Mr. KINZINGER of Illinois, and Mr. LANCE.
H.R. 2053: Mr. GRIFFIN of Arkansas, Mr. ROE of Tennessee, and Mr. POSEY.
H.R. 2055: Mr. KINZINGER of Illinois.
H.R. 2059: Mr. KILMER, Mrs. LOWEY, and Mr. POCAN.
H.R. 2060: Ms. WILSON of Florida.
H.R. 2067: Mr. CONNOLLY.
H. Con. Res. 34: Ms. ESHOO.
H. Res. 30: Mr. BEN RAY LUJAN of New Mexico, and Mr. GRIFFITH of Virginia.
H. Res. 36: Mr. CALVERT.
H. Res. 86: Mr. JOHNSON of Ohio.
H. Res. 89: Mr. CULBERSON, Mr. SAM JOHNSON of Texas, and Mr. DELANEY.
H. Res. 104: Mr. MCNERNEY, Mr. MICHAUD, and Mr. ISSA.
H. Res. 110: Mr. BENTIVOLIO.
H. Res. 123: Mr. HIMES.
H. Res. 182: Mr. NOLAN.
H. Res. 183: Mr. MCCAUL.
H. Res. 188: Mr. VAN HOLLEN.
H. Res. 212: Mr. YOUNG of Florida.
H. Res. 213: Mr. ELLISON, Mr. HUFFMAN, Ms. BROWNLEY of California, and Ms. SHEA-PORTER.
H. Res. 227: Mr. PETERS of Michigan, Mr. CICILLINE, Ms. LEE of California, Mr. NUNES, Ms. SPEIER, Mr. COSTA, Ms. CHU, Mrs. NAPOLITANO, Mr. SHERMAN, Mr. SARBANES, Ms. SCHWARTZ, Mr. HOLT, Mr. MCGOVERN, Mr. GARRETT, and Ms. ESHOO.

PETITIONS, ETC.

Under clause 3 of rule XII,

18. The SPEAKER presented a petition of the Legislature of Rockland County, New York, relative to Resolution No. 220 urging the Federal Emergency Management Agency to expedite the release of advisory base flood elevations for Rockland County; to the Committee on Transportation and Infrastructure.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, WEDNESDAY, MAY 22, 2013 No. 73

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

Eternal Lord God, Your power keeps us from falling. Today we bring You our praise and thanksgiving because Your mercies endure forever.

Thank You for the gift of freedom and for the opportunities our Senators have today to protect and defend our liberties. Forgive them when they miss the mark. Give them strength when they are weak, as You provide them with vision for the tasks ahead. Engender in them a renewed sense of gratitude for Your call to serve their Nation and Your kingdom.

Lord, we again ask You to strengthen everyone affected by the Oklahoma tornado. Bless the victims, the rescue workers, and their families in the days and weeks to come.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WILLIAM M. COWAN 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, May 22, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN 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 be in a period of morning business for 1 hour. Republicans will control the first half, and the majority will control the final half. Following morning business the Senate will resume consideration of S. 954, the farm bill, managed by Senator STABENOW and Senator COCHRAN. We will continue working through amendments to the farm bill today. Progress was made yesterday, and we need to continue working on the amendments. At 4 p.m. today we will proceed to the consideration of S. Res. 65 regarding Iran sanctions, and the vote on that resolution will be at 5 p.m.

MEASURES PLACED ON THE CALENDAR—S. 1003, S. 1004, H.R. 45

Mr. REID. Mr. President, there are three bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 1003) to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

A bill (S. 1004) to permit voluntary economic activity.

A bill (H.R. 45) to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

Mr. REID. I object to any further proceedings to all three of these bills at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar under rule XIV.

IMMIGRATION AND THE BUDGET

Mr. REID. Mr. President, last night the Senate Judiciary Committee, after some 24 hearings and several weeks of markup, advanced a commonsense, bipartisan proposal to fix our broken immigration system. No one can dispute that it is broken. No one can dispute that it needs to be fixed. I commend the good work of the committee, and I am grateful to everyone who worked those long hours. I will bring this bill, which is a strong bipartisan bill, to the floor in June, sometime soon after we return from the Memorial Day work period.

Although neither Republicans nor Democrats will support each and every aspect of this legislation, it is gratifying to see the momentum behind these reforms that will make our country safer and help 11 million undocumented immigrants get right with the law. I applaud significantly the efforts of the Gang of 8—four Democrats and four Republicans—who showed bravery as they set aside partisanship to address the critical issues facing our Nation.

I am confident that for everyone in that Gang of 8, Democrats and Republicans, there are parts of this bill they do not like. But that is how we move legislation forward for the greater good—compromise. I admire their legislative skills and appreciate very much their ability to set aside these partisan differences and move this extremely important bill to the floor.

There was other courage on display on the Senate floor yesterday when

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

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two Republican Senators bucked the majority of their party for the good of the country. Senators MCCAIN and COLLINS—two Senators I admire deeply—came to the floor to call on their own party to stop blocking bipartisan budget negotiations.

JOHN MCCAIN and I came to Congress together. In 1982 we were elected. We spent two terms in the House together, and we have been in the Senate together since then. Over these many years, more than three decades, JOHN MCCAIN and I have disagreed on several things, but I have never lost my admiration for this patriotic man. He is courageous in battle—not only in the fights that take place in a war but legislative battles. I am so appreciative that he decided the right thing to do was to move forward and see what we could do to get this bipartisan negotiation started.

SUSAN COLLINS and I have served together for a long time in this body. We have worked together on some extremely important measures. I don't need to run through all these, but there are parts of the law of this country that would not be law but for her willingness to move forward and move across the aisle. SUSAN COLLINS and I disagree on quite a few things, but we agree on quite a few things.

The people of Arizona are very fortunate to have JOHN MCCAIN as a Senator, and the people of Maine are fortunate to have SUSAN COLLINS as a Senator. The reason they stepped forward is because it has now been 60 days—2 months—since the Senate passed its commonsense, progrowth budget. The question everyone raises is, Why are Republicans standing in the way? Not only are Democrats asking that question, Republicans are asking that question now.

We passed a budget. Senators MCCAIN and COLLINS do not think our budget is the best. They think they could do a better job. But they also understand the legislative process—that is, you have to work together. Just as the Gang of 8 did to get the bill on immigration to the floor, we need to work together to get a budget. The House has passed one. We have passed one. Let's go to conference and work out our differences.

For 60 days Republican leaders have objected to a conference with the House of Representatives where we could work out our differences between our budget and our priorities. The differences between our budgets are there. We know that, but we need to work together on our priorities. The House Republicans and House Democrats need to come up with what they want, and we will come up with what we want, working with the Republicans here. That is what a conference is all about. In a conference it is not just the Democrats from the Senate on the conference committee, Republicans will be on it also. And just like in the House, it will not be all Republicans, it will be Democrats also.

The only explanation their Republican leaders have given for their endless obstruction is this: They refuse to negotiate unless we agree in advance to let them have their way. Yesterday the senior Senator from Arizona and the Senator from Maine—both Republicans—condemned that. They said it was hypocrisy. That is my word, not theirs; they can define it any way they want. But the point is that they have been calling for regular order for several years, and now they have the chance for regular order and they are walking away from it.

Senator MCCAIN called the obstruction by his fellow Republicans a little bizarre. I used that word also to describe the gridlock here. Senator COLLINS agreed that it was ironic at least. That is what she said. The senior Senator from Maine went on to say:

> We have called repeatedly for a return to the regular order in this body. Regular order is going to conference.

We agree. We have a progrowth budget that we will proudly defend. House Republicans should be ready to do the same with theirs. I don't know why my Republican colleagues in the Senate are so afraid of an open conference. The conference committee report will need both Democratic and Republican votes to pass. Do my Senate Republican colleagues not trust their House Republican colleagues to hold the line on their priorities?

Congress must set sound, long-term fiscal policy through the regular order of the budget process and through compromise, but Democrats and Republicans will never find common ground if we never get to the negotiating table.

STUDENT LOANS

On another subject, Congress has worked hard and compromised often over the last 4 years in order to reduce the deficit and reverse the trend of rising debt that began under President Bush. That work has paid off. We have reduced the deficit by about $2.5 trillion.

But as our Nation has succeeded in setting a course for financial responsibility, students across the country have struggled to do the same. The rising price of higher education puts college out of reach for many promising young people, and it saddles those who do get an education with an unsustainable debt, a debt that causes them to delay buying their first home, put off having children, or give up the goal of starting a business.

Today Americans have more than $1 trillion in student loan debt. There is more student loan debt than credit card debt, and the average graduate owes more than $25,000 when they get out of school. I think a college education should free young people to achieve their dreams, not saddle them with crushing debt for the rest of their lives.

College is already unaffordable for too many young people, but if Congress fails to act soon, that cost will go up again. On July 1, interest rates on student loans are set to double, from 3.4 percent to 6.8 percent, effectively socking 7 million students with $1,000 a year in additional loan costs. In Nevada alone this will cost 26,000 students more than $21 million next year. We should be removing the obstacles keeping young people from getting an education, not raising more barriers. Raising interest rates would put higher education even further out of reach for many promising students.

Last week Senate Democrats introduced a proposal to freeze student loan rates at current levels for 2 years without adding a penny to the deficit. This is paid for by closing wasteful tax loopholes. The legislation being pushed by House Republicans will take a different route, sticking it to students instead of closing loopholes. Rather than investing in the next generation of American workers, the House bill would cost students as much as $6,500 more in interest than the current rates. In fact, passing the House proposal would be worse than doing nothing at all. We would be better off letting the rates go up to 6.8 percent than passing the House bill. Passing the House bill or letting the rates go up to 6.8 percent is not the right thing to do. We need to do what we suggest; that is, keep the interest rates where they are.

Under the House bill, students would pay up to $2,000 more if we allow the rates to double in July. But Democrats know an investment in education is an investment in our economy, so we will keep student rates low and hold back the rising price of education.

Last year, after months of obstruction, the Republicans eventually conceded and helped us achieve that goal. After all, it was great election-year politics for them. This is what Mitt Romney said about the effort to keep loan rates low: ''I fully support the effort to extend the low interest rate on student loans.'' Even my friend the minority leader, MITCH MCCONNELL, said there was not a soul in Washington who thought student loan rates should go up. We agree. But unlike Republicans, we don't abandon our commitment to students just because the election is over. Can my Republican colleagues say the same? I hope they still share our goal of keeping the American dream affordable. If they do, there is an easy way to prove it: work with us to quickly pass the proposal to protect American students.

RECOGNITION OF THE MINORITY LEADER

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

NOMINATIONS

Mr. MCCONNELL. Mr. President, recently we have seen troubling signs. There are some in the executive branch who would use the power of the Federal

Government to intimidate political opponents. For instance, there were reports that the IRS targeted conservative groups for harassment and discriminatory treatment because they sought to exercise their first amendment rights of freedom of association and speech, and during the debate on ObamaCare when the Department of Health and Human Services issued a gag order on insurance plans in an attempt to prevent them from telling their customers about problems with the bill.

Now there are published reports that the same department is trying to shake down some of these same companies for money so it can try to convince Americans to finally like ObamaCare.

Over at the FCC, the President's allies are trying to shut down or make it difficult for people who want to buy advertising to exercise their first amendment rights to criticize the administration. There are similar efforts over at the SEC. It all points to a culture of political intimidation.

Unfortunately, it doesn't seem the culture of intimidation is simply confined to the executive branch. The administration's allies in the Senate are trying to intimidate their political opponents as well. What I am talking about is the persistent threat by the majority to break the rules of the Senate in order to change the rules of the Senate; in other words, to use the nuclear option if they don't get their way.

For example, Senate Democrats were incensed that Republicans had the temerity to exercise their advice and consent responsibility to block a grand total of just one nominee to the DC Circuit. What did our Democratic colleagues do in response? They consulted with the White House and pledged to pack the DC court with appointees ''one way or another''—meaning use the nuclear option.

They are certainly not doing this because the DC Circuit is burdened with cases—far from it. The DC Circuit is one of the least busy courts in the country. They want to use the nuclear option to pack the DC Circuit so it can rubberstamp the President's big government agenda—the same big government we have seen over at the IRS and elsewhere.

That is not the limit of the culture of intimidation in the Senate. Let's look at the NLRB situation. Despite the story that the administration and Senate Democrats want to spin, Senate Republicans did not block the President's nominees to the National Labor Relations Board; rather, it was the President who blocked the nominees to the Republican slots on the NLRB so he could, once again, pack a powerful branch of government, in this case, the NLRB.

The administration sat on one of the two Democratic vacancies at the NLRB for 4 months. Then it waited until the middle of December in 2011 to send up both nominees for the Democratic seats on the NLRB while refusing to send up any of the nominees for the Republican seats. In fact, the administration sat on the Republican nominees to the NLRB for 9 months.

Then, with no Republican nominees to the NLRB before the Senate, the President purported to recess appoint the two Democratic nominees to the Board when their nominations had been before the Senate for less than 3 weeks. It was so fast the majority leader didn't even have time to schedule a hearing. Our Democratic colleagues did not defend the Senate from the President's unprecedented and unconstitutional power grab. Senate Republicans had to do that.

Now that the DC Circuit has found these purported appointments to be unconstitutional—by the way, that was a unanimous three-judge court—and other circuit courts are agreeing with its reasoning, what is the Democratic majority threatening to do now? It is planning to double down and aid the administration with its power grab at the NLRB.

Specifically, as with their effort to pack the DC circuit, the majority is threatening to use the nuclear option so they can push through unlawfully appointed board members over the principled objection of Senate Republicans. It doesn't seem that our Democratic colleagues want to respect the rules of the Senate or that they want to respect the rulings of our Federal courts. It appears they want to enable the President and organized labor to exercise power at a powerful Federal agency without anyone getting in the way.

Let's be clear. These threats to use the nuclear option because of obstruction are just pretext for a power grab.

What are the facts? The Senate has confirmed 19 of the President's judicial nominees so far this year. At this point in President Bush's second term when my party controlled the Senate, President Bush had a grand total of four judicial nominees confirmed. There have been 19 confirmed so far in the second term of President Obama with Democratic control of the Senate and four in the second term of President Bush with a Republican control of the Senate.

Moreover, Republicans on the Judiciary Committee just voted unanimously to support the President's current nomination to the DC Circuit. The Senate Republican conference agreed yesterday to hold an up-or-down vote on his nomination—which has only been on the calendar since Monday of this week—to occur after the Memorial Day recess. That way Members who do not serve on the committee, which is a vast majority of the Senate, could have at least 1 week to evaluate this important nomination.

Instead, the majority leader chose to jam the minority. He rejected our offer for an up-or-down vote, just 10 days or so from now, and filed cloture on the nomination just 1 day after it appeared on the executive calendar. This is just another example of the majority manufacturing a crisis to justify heavy-handed behavior.

As for the NLRB, Republicans are willing to support nominees who are not unlawfully appointed and who have not been unlawfully exercising governmental power. Regarding nominees generally, Senate Republicans have been willing to work with the President to get his team in place. The Secretary of Energy was confirmed 97 to 0, the Secretary of Interior was confirmed 87 to 11, the Secretary of the Treasury was confirmed 71 to 26, the Director of the Office of Management and Budget was confirmed 96 to 0, and the Secretary of State was confirmed 94 to 3, just 7 days after the Senate received his nomination.

These continued threats to use the nuclear option point to the majority's own culture of intimidation in the Senate. Their view is that we had better confirm the people they want when they want them or they will break the rules of the Senate to change the rules so we can't stop them. So much for respecting the rights of the minority and so much for a meaningful application of advice and consent.

Senate Republicans will work with the administration and the Democratic majority, but we will not be intimidated. We have principled objections to some of the President's nominees and constant threats to break the rules are not going to work. Constant threats to break the rules are not going to work. We want to work with the Democrats, but these tactics are not the way to go about getting our cooperation.

The majority leader has twice committed on the Senate floor not to use the nuclear option. The last time was just a few months ago. These were not conditional commitments. They were not commitments not to violate the rules of the Senate unless it became convenient for political purposes to violate the rules of the Senate.

The comments of Senators are supposed to matter. Our words are supposed to mean something around here. The commitments of the Senate majority leader need to matter. We simply cannot start breaking commitments around here, especially on something that goes to the very essence of the Senate. The majority leader needs to keep his commitments.

I indicated to the majority leader I was going to ask unanimous consent—and I assume he has a copy of it—on the DC Circuit Court nomination that the majority leader filed a cloture motion on last night. We have already stated that we agreed to a debate and a vote which came out of the committee unanimously.

We confirmed two judicial nominations Monday of this week, and we have an additional two scheduled for later this week. I have already indicated that confirmations of judges this year are stunningly fair to the majority compared to a time when President Bush was in his second term and my party controlled the Senate.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MCCONNELL. Again, I remind my colleagues that we confirmed 19 judges this year. We will have 21 judges confirmed by the end of this week.

Therefore, bearing that in mind, I ask unanimous consent that the cloture motion filed on Calendar No. 95 be vitiated and the Senate proceed to the consideration of this nomination at a time on Tuesday, June 4, to be determined by the majority leader after consultation with the Republican leader; further, I ask that there be 1 hour of debate on the nomination equally divided in the usual form; that at the expiration or yielding back of that time, the Senate proceed to vote on the confirmation of the nomination with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. REID. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The majority leader.

Mr. REID. Mr. President, this good man, Sri Srinivasan, was first nominated in June of 2012. He is a brilliant man. He is an honors graduate from Stanford Law School.

Justice Roberts left that court in 2005. We have been trying to fill spots on that court for all of these many years—6 or 7 years. The DC Circuit is the court that some say is more important than the Supreme Court. No judge has been confirmed in the DC Circuit since 2006. It is an 11-member court established by law, so to have a 7-member court is unfair.

We have had one woman, for example, Caitlin Halligan, a highly qualified nominee, who has been filibustered twice by the Republicans. She was nominated to fill the seat of Justice Roberts.

The man we are talking about today has been nominated to a seat that has been vacant for 5 years. The four seats were vacated in 2005, 2008 and have senior status by two other judges in the last year or two. His nomination has pending for 345 days. That is by far the longest wait of any of the judicial nominations currently awaiting confirmation by the full Senate.

My friend the Republican leader talks about Bush's second term and how he didn't get many nominations. He didn't get many nominations at that time because we approved so many in the first term. It is just the opposite with President Obama. Eighteen Bush circuit court nominees were confirmed within 7 days or less after being reported by the committee.

A Republican-controlled Senate filed cloture on three circuit court judges—including some real controversial ones, such as, William Pryor and Janice Rogers Brown. Cloture was filed in less than 1 week.

There has been a stall going on in the Senate for years. It doesn't take a mathematician to figure it out. We are being held up on nominations and legislation.

President Obama has been trying to have the people he wants as part of his team for 4½ years. There are multiple vacancies in this court. It has been reported out unanimously by the committee.

There is all of this stalling and waiting so that maybe they will be able to render another couple of opinions over the next couple weeks and thwart the law which says there should be 11 people on the court. But to pack the court with what has been determined the number of people who should be on that court? Is it right to have a total of six members of the Circuit Court? Is it packing the court because we want to fill the court as it is called for in the Constitution? No. We should vote on the nomination of this young man today so he can go to work and help fill one of the four vacancies that has been long standing in that court for 5 or 6 or 7 years.

Unless there is an agreement, we will have a cloture vote at the end of tomorrow, and if they want to use their 30 hours, which they are entitled to do under the arrangement we made at the beginning of this year, they can use the 30 hours. But we are going to get this young man confirmed. It is the right thing to do and we are going to get him confirmed as soon as possible. Having waited 345 days, I think he deserves it.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, the first time this nominee, who was reported out of committee unanimously, appeared on the Executive Calendar was 2 days ago. President Obama waited years before making any nominations to the DC Circuit. Then he made just one—Caitlin Halligan—and this is his second nominee to that court.

More broadly, the issue is, How has the Senate been treating President Obama? We have confirmed a total of 190 Obama judicial nominations. We have defeated two. That is 190 to 2. There are 70 percent of the Federal judicial seats without any nominees—70 percent of the vacancies without any nominees.

Look, this is a manufactured crisis. The core point here, I would say to my friend the majority leader: We have a good relationship. We work together every day. But the majority leader gave his word to the Senate that we would determine what the rules are for this Congress. A number of my Members felt it was settled. We voted for resolutions and some rules changes at the beginning of the year based upon the majority leader's word. It is important for his word to mean something, not just to his Members but to ours.

Statistically, it is not true. The math can't be denied. It is simply not true that we have been mistreating the President in any way with regard to the confirmation process. With regard to the way the Senate itself is working, the majority leader has been actually quite complimentary, and I give him credit for helping us to get back to normal here, to have a regular process on bills. WRDA is a good example of where we were calling up amendments. Many of them we are getting on without even a motion to proceed, based upon the majority leader's representation we are going to have votes and, by golly, we have been having votes and, amazingly enough, Senators like that. They are not marginalized by a process under which they don't get to participate. So I think we have made an enormous amount of progress. I wish to make sure the majority leader intends to keep his word, so we can continue to have the kind of collegial, constructive atmosphere we have had this year in the Senate throughout the balance of this Congress.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. We have to work together here, but it is mutual work, it is not all on one side. It is not my word versus somebody else's word.

In 2005, we had a knockdown, drag-out battle here. My friend the Republican leader, along with others, gave speeches on the Senate floor that the process regarding judges wasn't moving along quickly enough. As a result of that crisis, in an effort to resolve the matter, we agreed to put some people on the bench we have regretted since then, including Janice Rogers Brown, Thomas Griffith, and Brett Kavanaugh, but we agreed to that and they are on the court now. We need a balance.

My friend has focused on judicial nominations. We have been doing better there. But other nominations, not so. We can talk about all the rights of the minority and all that. The President of the United States, whether it is George Bush or President Obama or Jeb Bush or Hillary Clinton, whoever it might be, deserves the right to have the people they want to work there and not be held up for months and months to fill some of these minor posts. I could run through a list of names that were held up and have been held up for a long time.

My friend the Republican leader said during the squabble we had previously how he agreed with the fact we should change the rules. I am not saying we are going to change the rules, but I am saying we have to do a better job than what is going on around here. This is no threat. We need to look at the facts. Look at the facts.

We are going to continue working to try to work through this morass we have here. But let's not focus only on the judiciary. We have a lot of problems with regular nominations. We haven't talked about legislation. We are doing a little better on that, but a perfect example of that is what is going on with the budget. People begged around here, yelled and screamed and fought, for regular order. They get it and then they don't want it.

I am convinced we need to move forward. I think one of the things we should do with something that has been reported out of the committee 18

to nothing, and there have been vacancies for 6 or 7 years, is we should do that immediately, not wait for a couple of weeks to do it. If somebody cares about this good man, his record is available. They can read it in 10 minutes.

I am sorry I had to object to my friend's unanimous consent request, but it was easy to do because the request is simply wrong.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, let me thank my friend the majority leader for confirming that he intends to keep his word.

With regard to judicial nominations, the facts are not irrelevant. Of the 33 nominations in the Senate we have acted on this year—this calendar year—cloture has been required on three: Brennan, Hagel, and Halligan, and cloture was not invoked on only one. We have confirmed 33 boards—actually judges, agencies—33 nominations confirmed this year. Cloture was required on only three, and cloture was not invoked on only one.

My only point to my friend the majority leader is, the math is hard to dispute. We have made a major effort here to move the Senate back in the direction that I know the majority leader and I agree on, the way the Senate ought to operate. We have made major progress. I think that progress needs to be recognized. My friend the majority leader said it on various occasions this year in connection with bills we have processed in a fair and open way with plenty of amendments and an opportunity for everybody to be involved. So let's tone down the rhetoric.

I want to say again I appreciate the majority leader's commitment to keep his word. It is important around here. It has a lot to do with how we go forward. I think the conversation this morning has been constructive, and I thank him. I am sorry he feels we can't wait 10 days to do this nominee, particularly since there are circuit judges, I believe, and maybe district judges as well, already on the calendar. The way we have been trying to do it around here that I thought the majority leader agreed with is we would take them up in the order they came out and appeared on the calendar. I know, for example, there is a judge from Wyoming that Senators from Wyoming in my party are for, and they are asking me why this particular nominee was jumped over, over their nominee, because we have been sequencing these, I believe, have we not, as they come out.

So here we have a nominee we all agree on for a court that is not overloaded with work—a nomination only recently made and recently confirmed—and the only dispute here seems to be over whether we do it this week or a week from now. Thus, my friend, that is why I call this a manufactured crisis. There is no crisis here. We are not arguing over this nominee. We like him. So the majority leader can make us have a cloture vote this week and we can skip over the judges who have been waiting who came out of committee and are on the calendar if he so chooses; there are some advantages to being the majority leader. But goodness gracious, we have enough arguments here over things we disagree on, and it sounds to me as though we are having an argument over something we agree on.

So I hope we can tone down the rhetoric and continue the good way we have been operating this year. We have big, controversial issues coming our way. Let's don't make being a Senator and functioning in the Senate any more difficult than it is anyway, because we have big differences about the future of the country. But let's have those debates in a collegial way and not manufacture crises that don't exist.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, everyone knows that numbers—we can show anything we want with numbers. The fact is there has been slow-walking done on the President's nominations, and we can look at how they do that. It has been interesting. It is a new way of doing things around here. A nominee comes up and what the committee does is submit hundreds and hundreds of questions. One of our nominees got 1,000 questions in writing the person had to respond to. That has never happened before. We have all of these ways of stalling.

I know the Senators from Wyoming want to vote on and have spoken to me about Gregory Alan Phillips to be a circuit court judge for the 10th Circuit. Let's do it right now. Let's do him today. The Wyoming Senators shouldn't have to wait.

That is why I ask unanimous consent that we do—I am sorry. I like him, but the man on whom we are going to invoke cloture graduated law school with my son. He is a fine man, but I am not the only one who messes up his name. He was a basketball player in Kansas. He said his parents came to all of his games and they cringed every time his name was pronounced because it is a hard name to pronounce.

I ask unanimous consent that at a time to be determined by me, the Senate proceed to executive session to consider Calendar No. 95, Srikanth Srinivasan; that there be 1 hour of debate equally divided in the usual form; that upon the use or yielding back of that 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; and that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object, again, I think what we are witnessing here is a manufactured crisis. We are doing four judges this week—this very week—four judges. There are five others on the calendar before the nominee the majority leader has been trying to get us to process this week. I think it is a better policy to continue to set votes that the facts show are in a timely way.

Why are we doing this? We are not having a problem confirming judges. I don't understand. Why are we doing this? It doesn't make any sense. We have big issues coming our way on immigration, for example, that are going to be very controversial. Members on both sides have been making every effort to tone down the rhetoric, to get us in the proper place to deal with a very difficult and contentious piece of legislation.

Why are we doing this? What is the point? All of these judges are going to be approved in a relatively short period of time in an orderly process we have been working on all year that has produced four times as many judicial confirmations for President Obama in his second term as President Bush had at this point in his first term when we had a Republican Senate.

This is an unprecedented, rapid pace for confirmations. So I would say to my friend, why are we doing this? I am going to object, but I would like to know what the point is. What is the problem?

Mr. REID. Mr. President, I will be happy to respond to what the problem is.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Senator LEAHY said yesterday:

> A recent report by the nonpartisan Congressional Research Service compares the whole of President Obama's first term to the whole of President Bush's first term, and the contrast could not be more clear. The median Senate floor wait time for President Obama's district [court] nominees was 5 times longer than for President Bush's. President Obama's circuit [court] nominees faced even longer delays, and their median wait time was 7.3 times longer than for President Bush's circuit nominees. The comparison is even worse if we look just at nominees who were reported and confirmed unanimously. President Bush's unanimously confirmed circuit nominees had a median wait time of just 14 days. Compare that to the 130.5 days for President Obama's unanimous nominees.

So 14 days compared to 130.5. Things are going along really well? I do not think so.

On with what Senator LEAHY said:

> That is more than 9 times longer. Even the nonpartisan CRS calls this a ''notable change.'' There is no good reason for such unprecedented delays, but those are the facts.

So that is why we are doing this. There is no reason to wait 10 days or 2 weeks for this good man to fill a seat on a court that has been waiting for people to get on the court for 7 years. We have a majority in that court that

is wreaking havoc with the country. For the first time in 230 years, they rule the President cannot make a recess appointment. So, yes, there is a crisis, and we need to do something about it. One way to resolve part of it is to get this good man on the court now.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Mr. President, I gather, listening to the majority leader, the whole purpose is to stack the court. So the real issue, I guess, is he disagrees with the rulings on the DC Circuit.

Look, we have been voting to confirm judges we know we will not prefer the outcome of their decisions. But it sounds to me like the majority leader has finally kind of fessed up to what the real problem is. The reason it needs to be done this week versus next week is because he does not like what the DC Circuit is doing. So it does not have anything to do with caseload or anything else. In fact, what is unprecedented is confirming a DC Circuit court judge 2 days after he has been on the calendar—2 days. Goodness. What is the difference between now and next week? I find it impossible to understand.

In fact, I do not understand why we are having this whole discussion this morning. We have plenty of things to debate around here and plenty of things we disagree upon. We have had an orderly process. This Congress has done well: 19 judges compared to 4 for President Bush at this point.

If there is still a consent request pending, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. MCCONNELL. I think the majority leader and I ought to sit down like we normally do and figure this out and eliminate a manufactured crisis and go forward.

The ACTING PRESIDENT pro tempore. The majority leader

Mr. REID. Mr. President, in school we studied a lot of things. But one of the things I cannot forget is George Orwell's ''1984.'' It was an interesting book because in that book he talked about people coming to a time when whatever they said was factually just the opposite.

Here is where we are now. It has been legislatively determined the DC Circuit should have 11 members. My friend says we are stacking the court? There are four vacancies. Stacking the court by having eight there instead of seven? That math is not very good.

My friend also keeps talking about that the DC Circuit does not have anything to do. The DC Circuit is now more than one-third vacant with four judicial vacancies. Mr. Srinivasan is nominated to the eighth seat on the DC Circuit. Three still remain empty.

And, yes, we are. The country is concerned about the decisions coming out of that court. The DC Circuit Court of Appeals is considered by some the most important court in the land. But by virtually everybody, it is ''the second most important court in the land'' because of the complex nature of the cases they handle. The court reviews complicated decisions and rulemaking of many Federal agencies and in recent years has handled some of the most important terrorism and enemy combatant and detention cases since the attacks of September 11. These cases are very complex in nature, requiring additional time for consideration.

Congress took action to address these concerns about their caseload by decreasing the number of judgeships in 2008 from 12 to 11. Congress has set the number of judgeships needed by the court at 11. The court should not be understaffed by one-third.

In reality, according to the Administrative Office of U.S. Courts, the caseload per active judge has increased by 50 percent since 2005, when the Senate confirmed President Bush's nominee to fill the 11th seat on the DC Circuit.

So Senate Republicans willingly confirmed President Bush's nominees to the 9th, 10th, and 11th seats on the DC Circuit. We did not think they were stacking it. I did not particularly like some of the people they put on there, but it was not stacking it. That is what the legislation called for.

This good man is President Obama's second nominee to the DC Circuit to fill the eighth seat, and they filibustered Halligan twice.

So this is a situation that needs to be resolved quickly. We cannot have the second, or first, most important court in the land one-third vacant. We are stacking the court with one person? I think not.

So we can stay here longer, but I have made my point. One thing I have to say to my friend, although we have gotten into a few of these little conversations before on the Senate floor, I will wind up getting the last word.

The ACTING PRESIDENT pro tempore. The Republican leader.

Mr. MCCONNELL. Yes, I know the majority leader will always have the last word. That is the advantage of being in the majority and not the minority. I think it has been actually a good discussion this morning. I think we have demonstrated there is no real problem. We have confirmed the President's nominees both for the judiciary and for the executive branch in a very timely fashion, and we will continue to process these judges in consultation with the majority leader as they come along.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, the only thing I would say is, what about the judge from Wyoming? Why don't we do that today? Could there be a more Republican State in the country than Wyoming? Maybe. I do not know. Maybe Idaho is vying for No. 1. But I am willing to approve this judge today. Why don't we vote on him today?

Well, if you want to go ahead and have us invoke cloture on this other guy, we will do that, but I am willing to vote on the Wyoming guy today.

Mr. MCCONNELL. Since the majority leader always reminds me he has the last word, I am hesitant to speak again. But we will continue to process these judges in an orderly fashion, as we have all year long, and, hopefully, he and I can discuss this further off the floor and find a way forward.

Mr. REID. I do not want anyone thinking I am not keeping my word. I was not going to say anything, but I thought I said I would get the last word.

So Senator MCCONNELL can say something now, and I will not get the last word.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first half.

The Senator from Arkansas.

IRS SCANDAL

Mr. BOOZMAN. Mr. President, I am very much appreciative of the Senator from Kentucky and the Senator from Nevada having this very important discussion.

Washington tends to operate inside a bubble where one can easily forget just how much Main Street America is hurting economically, how many Americans feel their rights are being threatened, and how many fear we are not going to leave behind a better country for our children.

That is why it is so important we stay connected to our constituents. It is why I travel home almost every weekend, hold telephone and online townhalls from my Washington office, and try to read my mail, which is so very important.

In a recent townhall I answered some difficult questions on the issues we are facing as a nation. However, one of the toughest questions that was posed was not about a specific policy issue. Instead, it was when I was asked: How do we fix the mess in Washington?

I answered, in part, that transparency and accountability would go a long way to restoring faith in Washington. That was before the Benghazi controversy escalated. Then news of the IRS scandal broke. Almost immediately after that we learned the Department of Justice had obtained the private phone records of dozens of Associated Press reporters.

This is the opposite of what we need to do to fix the problems in Washington. These scandals move us in the wrong direction.

It is hard to pick which one of these I find the most troubling, but I want to focus on the IRS scandal because targeting political groups, singling them out for additional scrutiny simply because you disagree with their ideological views is wrong on every level.

Dismissing this massive overreach as if it is just the acts of a few rogue agents in Cincinnati, as some have tried to do since the onset, is not taking leadership nor is it seeking to hold the agency accountable.

We now know the Acting IRS Commissioner knew of these abuses for at least a year, and officials at Treasury and as high up as the Chief of Staff at the White House were briefed before the leak despite the repeated claims that the administration learned about it through news reports.

We know it was not just Cincinnati. IRS officials at the agency's Washington headquarters also sent queries to conservative groups asking about their donors, and progressive groups, who operated the same way, were not subjected to this type of harassment.

On top of all this there is real concern that IRS officials may have lied to Congress in an effort to cover up the agency's misdeeds. Yesterday before the Finance Committee the former head of the agency who was in charge at the time of these abuses claimed this was not ''politically motivated,'' while at the same time he said he did not know how the targeting happened.

Along with this impressive doubletalk, he refused to apologize for the abuses that went on under his watch.

Somebody has to be accountable. This is not a time for excuses; it is a time for leadership. The President needs to fully cooperate with the congressional investigations into the IRS scandal.

Last week, our entire caucus sent a letter to the White House that demands at least this much from the administration. Washington's credibility—what is left of it—is on the line. The American people deserve to know what actions will be taken to ensure those who made these decisions at the IRS will be held accountable.

The good news is people on both sides of the aisle—Republicans and Democrats—are rightfully outraged. We are going to get to the bottom of this. People will be held accountable. At the very least those engaging in these unethical actions need to be fired. If they broke the law, they need to be prosecuted.

This scandal gives the already maligned IRS a black eye. It reinforces people's worst fears about Washington—that those in power will use any means necessary to maintain that power.

Keep in mind this agency will be responsible for implementing and enforcing key provisions of the President's health care law, a law that a majority of Arkansans do not support. If these types of abuses are allowed to go unchecked, what kind of bullying will go on when that implementation begins, especially in light of the fact that the official who was in charge of the unit that targeted conservative groups now runs the IRS office responsible for the health care law?

Everyone needs to be treated fairly under the law. Clearly, there are employees at the IRS who do not subscribe to this principle. There must be zero tolerance for the actions of those individuals.

Until we change the culture in Washington, we will not gain the confidence of the American people. The onus is on us. Washington as a whole—the White House, Congress, and every civil servant—has to remember whom we work for and to whom we are accountable. The actions of the IRS, along with the other scandals plaguing DC, only move us further from the goalpost, not closer.

I yield back.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Nebraska.

ONGOING CONTROVERSIES

Mrs. FISCHER. Madam President, I rise today to discuss a number of ongoing controversies of national importance, including the IRS's unfair treatment of conservative groups applying for tax-exempt status, the secret gathering of journalists' phone records by the Department of Justice, and the administration's response to the attack on the U.S. consulate in Benghazi.

Both the House and the Senate have held hearings with the former and acting IRS Commissioners, as well as the Treasury Department's Inspector General for Tax Administration, who conducted an internal audit and authored the report revealing the pattern of government abuse within the IRS tax exempt division.

While I am pleased that Congress is judiciously exercising its oversight powers, very few questions have been answered. The pattern of inconsistent explanations continues. We still do not know who exactly initiated the practice of wrongfully targeting conservative groups.

Ironically, the Acting IRS Commissioner, Steven Miller, testified under oath that there was absolutely no political motivation behind the practice; however, Mr. Miller could not identify the names of the individuals whose motives he was supposedly vouching for. How is that even possible? Nebraskans know better than to buy that bill of goods.

We still do not know why this abusive policy was implemented in the first place. IRS officials have maintained that the extra scrutiny given to conservative groups was an attempt to deal with an influx of applications. As a number of fact checkers and media outlets have noted, that surge in applications did not happen until well after the targeting began. The reasoning for the practice put forth by the IRS simply does not align with the facts.

We still do not know why the IRS believed it had the right to release confidential data which it had wrongly requested in the first place. They released that to third parties with adversarial interests to those conservative groups in question. The progressive publication ProPublica admitted it obtained from the Internal Revenue Service illegally leaked confidential tax forms from nine organizations.

All of the groups whose records were improperly released were conservative. Why did the IRS leak these records? What was their goal? Why did only conservative organizations have their confidential information leaked? Why did the White House senior staff, including the White House Counsel and the White House Chief of Staff, fail to inform the President of this egregious government overreach by the IRS?

Former Special Counsel to President Clinton, Lanny Davis, recently wrote an opinion piece in the Hill:

> With all due respect to someone who has impeccable legal credentials, if she did have such foreknowledge and didn't inform the President immediately, I respectfully suggest Ms. Ruemmler is in the wrong job and that she should resign.

Politico recently reported—the story keeps changing:

> The White House explanation of what it knew about the IRS story ahead of the first press reports on the controversy shifted once again Thursday.

Let me repeat that, ''shifted once again.''

It seems that some folks from the White House cannot get their facts straight. Why? The White House Press Secretary admitted yesterday that officials in the White House discussed how and when the IRS would tell the public the agency had been targeting conservative groups. The eventual public disclosure was made by IRS Tax Exempt and Government Entities Division Director Lois Lerner, who revealed the pattern of government abuse with an intentionally planted question at an otherwise little-noticed Washington, DC, lawyers conference.

It is outrageous that despite numerous congressional inquiries asking the IRS for answers in both public hearings and formal letters, the IRS would first reveal the truth through a charade of a ''planted'' question. Then Lerner went on to earn herself a ''bushel of Pinocchios'' from the Washington Post fact checker for her series of misstatements and ''weasley wording.''

Whatever happened to the President's worthy goals of promoting the most accountable, the most transparent, the most open administration in history? I do not appreciate being misled, and Nebraskans do not either.

Regarding the secret collection of the Department of Justice of over 100 Associated Press journalist phone records, two key questions remain. Why didn't the Department of Justice ask the Associated Press to voluntarily cooperate before issuing those subpoenas as the law requires? And why did the Department of Justice fail to abide by the law

and inform the Associated Press that the records were subpoenaed, denying them the opportunity to appeal that heavy-handed play?

Washington Post columnist Eugene Robinson put it well:

> The Obama administration has no business rummaging through journalists' phone records, perusing their e-mails and tracking their movements in an attempt to keep them from gathering news. This heavy-handed business isn't chilling, it's just plain cold.

But, once again, the overreach does not stop there. Recent news has surfaced that a Fox News journalist was criminally investigated for doing his job, lawfully soliciting information from a government source. The Post describes the investigation in vivid detail. They used security badge access records to track the reporter's comings and goings from the State Department, according to a newly obtained court affidavit. They traced the timing of his calls with a State Department security adviser suspected of sharing the classified report. They obtained a search warrant for the reporter's personal e-mails.

This assault on the First Amendment is unacceptable and the intimidation of reporters through unnecessary criminal investigations and excessive surveillance raises serious questions about the freedom of the press. The President and the Department of Justice have yet to come forward with credible answers. The American people are still waiting.

Finally, I would like to briefly touch on the tragic attack on our consulate in Benghazi. Much attention has been paid to the internal White House e-mails and changes to U.N. Ambassador Susan Rice's talking points explaining the source of the attacks.

I believe a key question still remains to be answered: Why for 2 weeks did the administration propagate the tale that it was a YouTube video-inspired attack when officials knew almost immediately it was carried out by affiliates of al-Qaida? That is a pretty simple question.

Why were the American people told an anti-Islam YouTube video prompted the attacks when it was known it was not? No one has answered this very basic question.

Instead of providing answers to these questions, a top White House adviser has impugned the integrity of those seeking the truth by decrying persistent questioning as a ''witch hunt.'' It is time for the President to put politics aside, demand accountability from his staff, and step up and do his job.

Congress is doing its part by conducting serious oversight hearings on both the IRS overreach and the Benghazi attack. Yet critical government witnesses—such as the IRS Tax Exempt and Government Entities Division Director Lois Lerner—refuse to cooperate, insisting on pleading the Fifth Amendment during hearings to set the record straight.

It is up to the President. It is up to the President to transform this culture of arrogance and change the above-the-law attitude that seems to have a grip over his departments and agencies. Ignorance, willful or otherwise, is not going to cut it anymore. We simply cannot afford to have a President on the sidelines. This unraveling saga of government gone wild demonstrates exactly one of two things: either the height of government incompetence or gross abuse of power. Rather than sending surrogates out on the Sunday talk shows to claim ''the law is irrelevant'' with regard to that IRS overreach, I call on the President to work with Congress to build back the people's trust.

This includes taking responsibility for the actions of those working within the executive branch, enforcing the laws, and removing all those responsible for this disturbing pattern of government overreach.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

WHITE HOUSE SCANDALS

Mr. CORNYN. Madam President, this last weekend White House adviser Dan Pfeiffer visited all five Sunday morning talk shows. What he tried to do there was to defend the Obama administration's handling of the various scandals we are all too familiar with. Unfortunately for the President, I think he only made things worse.

For example, he said President Obama's whereabouts on the night of the Benghazi terrorist attack were irrelevant. That is a strange use of the word. Where the President is when a terrorist attack kills four American citizens in Libya, to call that irrelevant strikes me as an odd choice of words.

He was also asked whether it is illegal for the IRS to target individuals and organizations for political reasons. Again, he said, ''It is irrelevant.'' Strange choice of words. In other words, if the American people were hoping that this White House would finally provide straight answers to basic questions, they were once again disappointed.

Let's review the facts starting with Benghazi, as the Senator from Nebraska was just talking about.

Eight months, of course, have passed since four brave Americans were killed by terrorists linked to al-Qaida. Eight months have passed since the Obama administration blamed the attack on a spontaneous demonstration incited by some amateur YouTube video.

Is it irrelevant that we don't know where the President of the United States was on the night of the attack or what he did or did not do to come to the aid of these four brave Americans who were at risk of losing their lives and did, in fact, lose their lives? Is it irrelevant that members of the Obama administration deliberately misled, time and time again, the American people about this act of terrorism? Is it irrelevant that Ambassador Susan Rice was blaming the massacre on a YouTube video the very same day Libya's President was calling it a preplanned terrorist attack? Is it irrelevant that the former deputy to the late Ambassador Chris Stevens has said that everybody at the U.S. Embassy believed from the start that it was a terrorist attack? Finally, is it irrelevant that this former deputy, Gregory Hicks, was punished by the State Department for cooperating with congressional investigators so the truth could get out?

That is a strange choice of words—''irrelevant.'' I don't think the American people believe that is irrelevant—any of these facts. In fact, I think what we can only conclude is that the culture the White House, unfortunately, has created is one where coverups, misdirection, prevarication and dissembling are OK, not being straight with the American people.

No wonder the American people doubt their leadership in Washington and particularly in the White House if the White House is going to create a culture in which these sorts of coverups are OK or, in the words of Dan Pfeiffer, simply irrelevant. When the American people can't trust the White House to be honest with them—and refuses to accept responsibility for their mistakes—it is not irrelevant.

As for the IRS scandal, some people have tried to dismiss the targeting of various conservative groups as a rogue operation managed by a few renegade staffers in the Cincinnati office. Yet the more we learn about this scandal, the bigger it seems.

Anybody who has been around a big bureaucracy—and certainly the IRS qualifies as a big bureaucracy—knows that when you ask the bureaucrats something, the easiest answer is no because they don't get in trouble for saying no. They may not be very helpful or responsive, but they don't get in trouble.

What strikes me as so bizarre about this idea that there are a number of free agents in Cincinnati who decided to cook this up on their own is it really goes against the grain of everything we know about bureaucracies. Why in the world would they take the initiative to target political speech unless they thought they either had the explicit or the implicit approval of their higher-ups? It just doesn't make any sense otherwise.

Last week one Cincinnati IRS employee told the Washington Post—and I think this has the ring of truth—that ''everything comes from the top. We don't have any authority to make those decisions without someone signing off on them. There has to be a directive.'' Now, that sounds like the bureaucracy that I know and am familiar with.

So I would like to ask the White House if it is irrelevant that America's tax collection agency was turned into a political attack machine, deciding that they were the ones who could police political speech and activity protected by

the First Amendment to the Constitution? Is it irrelevant that an agency with the power to destroy people's lives adopted the tactics of a dictator? Is it irrelevant that senior IRS officials learned about these abuses at least 2 years ago and lied to Congress and the American people when we asked them about them?

When I got reports from the King Street Patriots and True the Vote in Houston, TX, and the Waco and San Antonio tea parties in 2011 and 2012 about some of the tactics they were being exposed to, I and other Members of the Senate wrote to the Commissioner of the IRS Mr. Shulman, and Mr. Miller, the Acting Commissioner, and they failed to disclose what we now know is the truth. Senator HATCH, the distinguished ranking member of the Finance Committee, yesterday told Mr. Miller that was a lie by omission at the very least. Certainly it was not telling the whole truth to the Members of Congress, whose responsibility is to provide oversight to the American people of the IRS and of the Federal Government. I don't think it is irrelevant when IRS Commissioner Douglas Shulman categorically denied these abuses in sworn testimony before the House Ways and Means Committee in March of 2012.

Furthermore, I don't think it is irrelevant that IRS officials may have committed criminal offenses. I realize that is a serious statement and charge to make, but we know this morning that the director of the Internal Revenue Service division overseeing nonprofit organizations has taken the Fifth Amendment when asked for sworn testimony by a congressional oversight committee.

To refresh everybody's memory, the Fifth Amendment to the U.S. Constitution means that you cannot be compelled to incriminate yourself and possibly expose yourself by virtue of your own testimony to a criminal prosecution. That is what taking the Fifth Amendment is.

While she is within her rights to take the Fifth Amendment, if she has a credible fear of prosecution for violating the criminal laws, I believe this elevates this scandal to a new level.

Finally, I would suggest to our friends at the White House that it is not irrelevant that a Texas businesswoman named Catherine Engelbrecht was targeted not only by the IRS but by the FBI, the ATF, and OSHA after she founded a pair of organizations in Houston, TX, known as the King Street Patriots and True the Vote.

I think most Americans would agree that all of this information is quite relevant, quite reprehensible, and something that Congress ought to, on a bipartisan basis, investigate.

I congratulate the chairman of the Senate Finance Committee, MAX BAUCUS, a Democrat—not a member of my political party—and Senator ORRIN HATCH, the ranking Republican on the Finance Committee, for the bipartisan way they have begun the investigation into this IRS scandal. What we all recognize, Republicans and Democrats alike, is that this is a threat to the public's trust in government institutions and that this culture of intimidation is not something we can stand for, using the extraordinary power of the Federal Government to target American citizens for exercising their constitutional rights. Indeed, if President Obama wants to know why the American people's trust in the Federal Government has plummeted to an alltime low, all he has to do is look at these two scandals and consider how the administration is handling them.

When government officials consistently mislead, stonewall, and abuse their power, people take notice, they don't forget, and the day of reckoning will surely come.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. SHAHEEN. It is my understanding that I have 10 minutes to speak. Will you confirm if that is correct?

The PRESIDING OFFICER. The Senator is correct.

SUGAR PROGRAM

Mrs. SHAHEEN. I am here today to speak to the importance of bringing much needed reform to the Federal Sugar Program. I understand that this is not something the Presiding Officer supports and that this is not something the Agriculture Committee addressed in the farm bill. I think it is important to try to address some of the misinformation that is out there.

We have been hearing a lot of talk about the need to protect America's sugar farmers. What we haven't heard is that sugar remains the most tightly controlled commodity market in this country. We currently have what I believe is an outdated program that offers a sweet deal to a small group of sugar growers and processors at the expense of too many other American businesses and at the expense of American consumers.

What the amendment that I have offered with a number of cosponsors will do is reform the Sugar Program to make U.S. manufacturers more competitive and to reduce prices for consumers. It will lower sugar price support levels, and it will reform the excessive restrictions on domestic supply and import quotas for sugars.

These reforms would save taxpayers money. The Congressional Budget Office has estimated that this legislation would save $82 million over the next 10 years.

I think it is important to keep in mind the amendment we have introduced does not eliminate the safety net for sugar producers. It simply makes some moderate commonsense reforms in the program. Sugar growers would still be supported by the Sugar Loan Program and protected by import restrictions and domestic market allotments. In fact, this amendment simply returns us to the same policies that sugar producers themselves supported as recently as 2007.

Since 2008, sugar prices in the United States have soared to record highs and they have consistently reached levels that are about twice the world pricing of sugar. In fact, the Sugar Program has cost consumers and businesses as much as $14 billion over the last 4 years. This amendment would provide a smart, practical, and pragmatic fix to the policies that are currently in place, and it is a bipartisan proposal. There are 18 other Senators from both sides of the aisle who have joined on this amendment.

Again, we have been hearing about jobs that would be lost in the sugar industry if we make these moderate reforms, but the reality is we are already losing and have lost too many valuable manufacturing jobs across this country as businesses close or move overseas in search of lower prices. We can see some of this illustrated on this chart. These are sugar-using jobs in the food industry, and there are more than 30 times as many of these jobs as there are in sugar production and processing. So we can see sugar-using food and beverage jobs, which is the blue, compared to sugar farming, production, and processing, which is the red. That is 590,669 compared to 18,078. And where do these numbers come from? Well, in fact, they are from the U.S. Census and the Department of Commerce.

Unfortunately, between 1997 and 2011, nearly 127,000 of these jobs, the manufacturing jobs, were lost in sugar-using industries. In fact, the U.S. Department of Commerce has estimated that for every one sugar-growing job that is saved through high sugar prices, approximately three manufacturing jobs are lost. So again, let me put the numbers into perspective, as this chart does. There are less than 5,000 sugar growers and processors in the country. U.S. data shows there are about 18,000 total jobs in the sugar industry, compared with almost 600,000 jobs in the sugar-using industry.

We have also been hearing this amendment would allow for an increase in foreign sugar into the U.S. market. This amendment maintains the current import quotas for each country. Let me repeat that: It maintains the current import quotas for each country. It allows the Secretary of Agriculture to modify these quotas if he or she determines it is necessary, just as they were able to do before 2008. The fact is this amendment would have no impact on sugar imports from Mexico because under the North American Free Trade

Agreement or NAFTA, Mexico currently is the only country without a quota for sugar importation, and that is true whether we pass this amendment or not. That is true under the current system.

So even if we don't pass reforms, the argument that Mexico is coming in and bringing sugar into the country is true, there is sugar coming in from Mexico, but the fact is that is the way it is under the current program. Currently, sugar is the only—let me repeat, the only—commodity program that was not reformed in the committee-passed farm bill that is under consideration now.

Let me be clear: I think the Committee on Agriculture, Nutrition, and Forestry—Senator STABENOW and the committee—did a great job on that bill in most areas because they provided savings and they reformed the program. So it is particularly puzzling to me why they totally left the sugar subsidies out of the bill, that they did nothing to reform the Sugar Program.

I don't think any program the Federal Government operates should be immune from updates and improvements. We need to act, and we need to act now, to reform the Sugar Program and to protect those workers who are in the food industry that use sugar, and protect consumers who are spending more money than they should for the cost of sugar.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Madam President, I ask unanimous consent that the Senator from Maine Ms. COLLINS, and I be permitted to engage in a colloquy for up to 10 minutes.

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

SEQUESTRATION

Mr. UDALL of Colorado. Madam President, Senator COLLINS and I are here today to underscore the timeliness of a bipartisan solution we have been pushing since March. While I firmly believe we should replace the sequester with a balanced and comprehensive plan that delivers the same deficit-reducing punch, it appears to me, and to all of us, the sequester is here to stay for at least the remainder of the fiscal year ending September 30 of this year.

We need deficit reduction, but the way in which we are doing it under the sequester is terrible policy and it is time to fix it. Just after the fiscal year 2013 sequester was triggered, with Senator COLLINS' leadership, she and I introduced a commonsense plan that would empower Federal departments and agencies to replace the indiscriminate cuts of sequestration with more strategic cuts.

One only has to look at the way in which sequestration has endangered critical programs for working families, our senior citizens, and the middle class to know we have to do more than we are doing today. Throwing up our hands and doing nothing is poor governing. Senator COLLINS and I believe we have a responsibility here as leaders to inject some measure of common sense into the process.

With that, Madam President, I wish to turn to my colleague Senator COLLINS for her thoughts on the necessity of the Collins-Udall legislative proposal.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, of course my friend and colleague from Colorado is exactly right, and I want to thank him for his leadership on this issue and for working with me to develop a bipartisan, commonsense plan that would help to mitigate the harmful effects of the automatic spending cuts known as sequestration that took effect on March 1.

I want to emphasize that under our proposal, budget targets would still have to be met. We understand the need to confront our enormous Federal debt, which is approaching $17 trillion. But our plan does so in a sensible way. It recognizes that rather than imposing meat-ax cuts, we should be setting priorities. Our bill would give the heads of Federal agencies and departments affected by sequestration the flexibility to implement the required cuts in a much more thoughtful way by preserving vital programs and reducing or eliminating lower priority programs.

Our bill also ensures appropriate congressional oversight of these decisions by requiring the agency heads to submit their spending plans to both the House and Senate appropriations committees 5 days before implementing these decisions. These committees and their subcommittees know the budgets of these agencies inside and out and will be able to effectively monitor their spending decisions, just as the committees now oversee reprogramming requests.

Congress has already demonstrated that providing flexibility to Federal agencies in a commonsense way to address the unprecedented problems caused by sequestration makes a great deal of sense. Recently Congress passed a bill we authored that gave the Department of Transportation the flexibility to end the furloughs of air traffic controllers and to, instead, reduce spending by transferring unused balances from a grant program. That is the kind of decisionmaking flexibility we are talking about. In this case the furloughs were causing terrible flight delays and had the potential to truly harm the economies of Maine, Colorado, and countless other States that count on tourists visiting our amazing scenery, sampling our extraordinary food, and being with our great people. Had we not come together to pass this bill, the impacts could have been devastating to Maine and to Colorado businesses and their employees.

In Maine it would have affected everyone from our wait staff and our innkeepers to our countless tourist attractions. It would have even affected Federal institutions such as the gem of Acadia National Park and our State parks as well. In our States, each season, but particularly during those key peak summer months, we welcome with open arms visitors from around the globe. If those visitors were going to have to sit on a tarmac for 3 hours awaiting a flight, they most likely were going to cancel their trips.

I am proud of the work Senator UDALL and I did to pass this bipartisan bill, but more can and should be done to give other agencies the same kind of flexibility to set wise spending priorities.

I would turn to the Senator from Colorado to ask him if he agrees that isn't a better approach than across-the-board cuts with no flexibility?

Mr. UDALL of Colorado. The Senator from Maine has it exactly right, and I commend her for her leadership.

I want to point out to those who were critical of what we did when it came to the FAA, it is not just elite business travelers or Members of Congress who use our air transportation. It is families, it is seniors, it is businesswomen, and every American possible using our air transportation system. We see the egalitarian nature of our air transportation system when we are in our airports.

Senator COLLINS brokered a sensible compromise that kept our airports running, flights on time, and commerce flowing smoothly. I remember Senator COLLINS standing here on the floor, somewhat late at night, appealing to both of our leaders. So Senator COLLINS led the way.

We also moved in the furloughs for meat inspectors. If we can deal with these small corners of sequestration, we can go all in. We have proven we can find consensus. It is time to finish that job.

I want to turn back to my colleague for any final thoughts she might have to make about our bill and the importance of this effort we have underway.

Ms. COLLINS. I want to thank my good friend and colleague. It wouldn't have happened without his support. We took a bipartisan approach, and that is the kind of approach we are taking today in urging our colleagues to look at our bill and our leaders to move it.

Many agencies face the same challenges that were encountered by the FAA, and many agencies know of better ways to meet the sequestration targets. I have long believed these across-the-board cuts where we don't prioritize simply do not make sense.

Last week, the Department of Defense announced that because the Navy was able to identify cost-effective ways to meet its budget targets, thousands of hardworking men and women at our Nation's naval shipyards, such as the Portsmouth Naval Shipyard in Kittery, ME, would not have to be furloughed. I had long argued the Department of Defense has the flexibility to minimize

the furloughs because we gave them that authority as part of the continuing resolution.

I would be remiss if I did not note, however, my disappointment that some of the workers at the shipyard, and others, such as those in the National Guard and at other facilities, such as the Defense Accounting Services Center in Limestone, ME, still face furloughs.

There are other important programs as well. Biomedical researchers and school superintendents are also in a quandary of having little or no flexibility to implement the sequestration targets.

Instead of enacting piecemeal fixes—whether it is the FAA or it is the meat inspectors—our bill would empower administrators to head off this problem and avoid indiscriminate spending cuts. We can mitigate the harmful effects of sequestration, protect jobs, and avoid mindless spending cuts while tackling the very real problem of excessive and unnecessary spending by simply allowing managers to distinguish between vital programs, to be creative, and to cut those that are of lesser importance.

I know my colleague from Colorado would agree that no business facing the need to cut expenses would ever treat every program and function and service of that business as if they were of equal worth. Instead, the business managers and executives and employees would evaluate all the programs and set priorities. That is all we are asking.

I thank the Senator from Colorado, my good friend Senator UDALL, for his strong partnership on our effort to protect the jobs of hard-working Americans, prevent arbitrary spending cuts, yet deal with an unsustainable $16.8 trillion debt. We know our approach would go a long way toward allowing priorities to be set. After all, if we are not going to set priorities, to make the tough decisions and distinguish among absolutely vital programs and those that could be cut or eliminated, then we might as well go home and just have a computer apply a formula to the budget.

That is not why we are here and that is not what the American people expect. They expect us to exercise judgment and make good decisions.

Mr. UDALL of Colorado. Madam President, I believe our time has expired or is beginning to expire, but I wish to underline what Senator COLLINS has said. We are passionate about this. Some say a passionate problem solver is an oxymoron or a passionate moderate is an oxymoron. That is not the case here. We want to solve this. We both have private sector experience. This is not how you would run a concern in the private sector. We can do this. We have shown we can do this. Let's move forward and provide certainty, not just to the Federal agencies but to the people in this country. At a time of tough economic challenges with a fragile recovery underway, we need to create more certainty and need to budget in a wiser, smarter way.

I thank the Senator from Maine for her leadership. I value our partnership, and I know we are going to see this to a successful conclusion.

Ms. COLLINS. Madam President, could the Presiding Officer inform me of whether there is an order to proceed right now or whether there is some additional time for morning business.

The PRESIDING OFFICER. There is 4 minutes remaining for the majority in morning business.

Mr. UDALL of Colorado. I ask unanimous consent the Senator from Maine be recognized for 4 minutes.

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

IRAN

Ms. COLLINS. Madam President, I understand that Senator BALDWIN is on her way to make her maiden speech, and I promise I will stop talking the moment she enters the Chamber. I thank my colleague from Colorado.

Later today, the Senate will vote on a resolution that has been introduced by Senators MENENDEZ and GRAHAM. I am pleased to join my Senate colleagues in cosponsoring this resolution, which reaffirms our commitment to a strong U.S.-Israeli relationship and to preventing Iran from becoming a nuclear power.

At this time in our history, it is more important than ever that we demonstrate a firm commitment to our allies—even if the neighborhood they are in looks more like a tinderbox than it has in decades. This resolution reaffirms that the United States will be a reliable friend and a determined ally, even in dangerous times—indeed, especially in dangerous times.

We are at a critical juncture in our efforts to prevent Iran from obtaining a nuclear weapons capability. During my time in the Senate, I have repeatedly supported legislation imposes sanctions on Iran and puts pressure on the regime to change course. I worked with my good friend former-Senator Lieberman to pass legislation which ensures that organizations that inspect commercial ships for the U.S. government are not also providing services to governments like Iran that sponsor terrorism.

This resolution reiterates the significance that we place on keeping the full force of sanctions on Iran.

In the face of an existential threat to our country, the American people would expect the U.S. to take action. This resolution says that we will support Israel's right to do the same.

Let me read the powerful language in the resolution. Congress ''declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense.''

Congress ''urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.''

I look forward to continuing to work with my colleagues in the United States Senate as well as with President Obama to close the loopholes in current sanctions legislation and to ensure that the cooperation that has existed between the United States and the State of Israel for over 60 years remains steadfast and unshakeable.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Ms. BALDWIN. Madam President, I ask unanimous consent to speak in morning business for as much time as I may consume.

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

MOVING FORWARD

Ms. BALDWIN. Madam President, as I make my first remarks on the Senate floor, I have the honor of occupying the same Senate seat, and in fact occupying the very Senate desk, once used by Senator Robert M. LaFollette, Sr. ''Fighting Bob LaFollette,'' as he was known, was a Republican Senator from Wisconsin a century ago who is credited as the founder of the Progressive Party and progressive movement in this Nation. I admire Fighting Bob's legacy in many ways. But I wish to assure my colleagues who are present in the Chamber at this moment that I will not emulate his maiden speech, which went on for 3 successive days.

Bob LaFollette ran for this office because he was concerned that while corporate interests were being well served in Washington, ordinary people weren't even being heard. He traveled all around the State of Wisconsin, literally speaking from makeshift stages of soap boxes and hay wagons at county fairs. His message came to define my State's progressive tradition. The things he talked about in that day still ring true.

As I have traveled the State Wisconsinites have told me that the powerful and well-connected seem still to write their own rules while the concerns and struggles of middle-class families go unnoticed in Washington. They believe our economic system is tilted toward those at the top and that our political system exists to protect those unfair advantages instead of making sure everybody gets a fair shot.

They see Washington happy to let Wall Street write their own rules but unable to help students pull themselves out of debt. They see Washington working to protect big tax breaks for powerful corporations but unwilling to protect small manufacturers from getting ripped off by China's cheating.

They see Washington bouncing from one manufactured fiscal crisis to the next but never addressing the real and ongoing crisis of our disappearing middle class.

The truth is, while we hear a lot about the wide distance between Democrats and Republicans, the widest and most important distance in our political system is between the content of the debate in Washington and the concerns of hard-working people in places such as Wisconsin. That distance parallels the large and growing gaps between rich and poor, between rising costs and the stagnant incomes, between our Nation and our competitors when it comes to education and innovation—and it is truly hurting people.

When my grandparents were raising me, I learned that if you worked hard and played by the rules, one can get ahead. The Wisconsinites I talked to grew up learning that very same thing. They are working as hard as ever to get ahead, but many are finding they are hardly getting by. People are still working for that middle-class dream: a job that pays the bills, health coverage they can rely on, a home they can call their own, a chance to save for their kid's college education, and a secure retirement. But, instead, too many are finding that even two jobs are not enough to make ends meet, and those jobs are hard to find and hard to keep. They are finding the homes they worked so hard to own are not even worth what still remains on their mortgage. They are finding that the cost of college is going up, and they are worried they might never be able to retire comfortably.

That is the biggest gap of all, the gap between the economic security Wisconsinites worked so hard to achieve and the economic uncertainty they are asked to settle for.

If we cannot close that gap, we might someday talk about the middle class as something we used to have, not something each generation can aspire to. We all get it. We all see this happening. While Wisconsinites do not agree about what we should do, they want to see us working together to find a solution, even if it takes some spirited debate.

But when they look across that yawning divide to Washington, they see us advancing talking points and playing politics instead of putting our varying experiences and talents to work solving these problems.

But I am optimistic. I did not run for the Senate just because I agree with those complaints. I ran for the Senate because I think we can do better. I know I have a great example to follow in the people of Wisconsin. These are particularly tough times for my State. Even as the National economy is rebounding, businesses in Wisconsin and middle-class families in my State remain stuck in neutral.

The manufacturing sector that sustained our prosperity for generations has taken a lot of hits—some that could have been prevented and others that are simply a factor of our changing economy and our changing world. But we do not see Wisconsin workers and business owners wallowing in crisis or looking for someone to blame. Our State motto is one word, ''Forward.'' That is the only thing we know.

In the short time I have been here, I have made it my mission to fight to make sure Wisconsinites have the tools and skills they need to succeed in a ''Made in Wisconsin'' economy that revitalizes our manufacturing sector and rebuilds our prosperity—and this means respecting our labor.

It means investing in regional hubs of collaborative research and development, supporting the technical colleges that are working to provide a skilled workforce, and encouraging public and private partnerships to revitalize our manufacturing sector. But it all relies on the talent of individuals who are working hard to help our communities move forward.

Years ago John Miller, a disabled Marine Corps veteran who lives near Milwaukee, invented a new kind of motorcycle windshield that uses LED lights embedded in acrylic. For years he has been working hard to find investors to bring his idea to market. He has been testing different acrylics, showing off his work at trade shows, and spending months trying to get approvals from the Department of Transportation. Investors are lining up at John's door. Harley-Davidson even wanted to buy his patent. But he doesn't just want to make a profit, he wants to make a difference. He is holding out until he knows that everything in his product will be made and manufactured in the United States—hopefully by other disabled veterans, who often have a hard time finding work when they come home.

Wisconsin is full of John Millers—ordinary people with ingenuity, determination, and civic spirit to become not just successful but engines of economic opportunity for their whole communities, committed to the common good.

I am so proud of all the remarkable potential I have seen in Wisconsin: the Global Water Center in Milwaukee, which will open this summer as an incubator for water technology businesses; the partnership of Johnson Controls and UW-Milwaukee for the Innovation Campus research park in Wauwatosa; the advances in energy-efficiency technology being realized at Orion Energy Systems in Manitowoc, WI; the work on sustainable biofuels at the Great Lakes Bioenergy Research Center in Madison; and small business incubators at technical colleges across our State helping to build the dreams of entrepreneurs.

These stories of innovation and cooperation and these exciting opportunities to build an economy made to last are happening all over our country.

I am going to let people in on a little secret. We here in the Senate can be innovative too. We can cooperate. We can get excited by these opportunities. It is true of Democrats and Republicans alike because none of us came here just to audition for cable news or to win our next election before the bumper stickers from the last one even come off the cars.

I have already had the great joy of working with colleagues from both parties, and I know neither party has a monopoly on compassion or common sense. There is nothing liberal or conservative about wanting to help our manufacturers compete and win on the world stage. There is not a Senator in this body whose heart has not broken when listening to a constituent who cannot seem to get ahead. We cannot fix all of those gaps in our economy with one bill. Not even ''Fighting Bob'' La Follette could close that divide in our political system with one speech.

I am using this speech, my first here on the Senate floor, to say that I am ready to work hard and work with anyone to make progress on these challenges and help move this great country forward.

I yield the floor.

Ms. STABENOW. Mr. President, before the Senator from Wisconsin leaves the floor, I would like to indicate how thrilled I am to have another Great Lakes Senator with us in the Senate. Senator BALDWIN is an invaluable member of the Budget Committee. She is fighting hard for Wisconsin agriculture. Now that we are in the middle of the efforts on the farm bill, I know she is deeply involved and concerned about our men and women who provide the food we put on our tables every day.

We thank the Senator for her leadership. We are so pleased to have Senator BALDWIN in the Senate.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AGRICULTURE REFORM, FOOD, AND JOBS ACT of 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 954, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 954) to reauthorize agricultural programs through 2018.

Pending:

Stabenow (for Leahy) amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 960

Mr. INHOFE. Madam President, I ask unanimous consent to set aside the pending amendment and call up Senate amendment No. 960 and ask for its immediate consideration.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE], for himself and Mr. GRAHAM, proposes an amendment numbered 960.

The amendment is as follows:

(Purpose: To repeal the nutrition entitlement programs and establish a nutrition assistance block grant program)

On page 351, between lines 12 and 13, insert the following:

PART I—REAUTHORIZATION OF THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

On page 390, between line 17 and 18, insert the following:

PART II—NUTRITION ASSISTANCE BLOCK GRANT PROGRAM

SEC. 4001A. NUTRITION ASSISTANCE BLOCK GRANT PROGRAM.

(a) IN GENERAL.—For each of fiscal years 2015 through 2022, the Secretary shall establish a nutrition assistance block grant program under which the Secretary shall make annual grants to each participating State that establishes a nutrition assistance program in the State and submits to the Secretary annual reports under subsection (d).

(b) REQUIREMENTS.—As a requirement of receiving grants under this section, the Governor of each participating State shall certify that the State nutrition assistance program includes—

(1) work requirements;

(2) mandatory drug testing;

(3) verification of citizenship or proof of lawful permanent residency of the United States; and

(4) limitations on the eligible uses of benefits that are at least as restrictive as the limitations in place for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) as of May 31, 2013.

(c) AMOUNT OF GRANT.—For each fiscal year, the Secretary shall make a grant to each participating State in an amount equal to the product of—

(1) the amount made available under section 4002A for the applicable fiscal year; and

(2) the proportion that—

(A) the number of legal residents in the State whose income does not exceed 100 percent of the poverty line (as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2), including any revision required by such section)) applicable to a family of the size involved; bears to

(B) the number of such individuals in all participating States for the applicable fiscal year, based on data for the most recent fiscal year for which data is available.

(d) ANNUAL REPORT REQUIREMENTS.—

(1) IN GENERAL.—Not later than January 1 of each year, each State that receives a grant under this section shall submit to the Secretary a report that shall include, for the year covered by the report—

(A) a description of the structure and design of the nutrition assistance program of the State, including the manner in which residents of the State qualify for the program;

(B) the cost the State incurs to administer the program;

(C) whether the State has established a rainy day fund for the nutrition assistance program of the State; and

(D) general statistics about participation in the nutrition assistance program.

(2) AUDIT.—Each year, the Comptroller General of the United States shall—

(A) conduct an audit on the effectiveness of the nutritional assistance block grant program and the manner in which each participating State is implementing the program; and

(B) not later than June 30, submit to the appropriate committees of Congress a report describing—

(i) the results of the audit; and

(ii) the manner in which the State will carry out the supplemental nutrition assistance program in the State, including eligibility and fraud prevention requirements.

(e) USE OF FUNDS.—

(1) IN GENERAL.—A State that receives a grant under this section may use the grant in any manner determined to be appropriate by the State to provide nutrition assistance to the legal residents of the State.

(2) AVAILABILITY OF FUNDS.—Grant funds made available to a State under this section shall—

(A) remain available to the State for a period of 5 years; and

(B) after that period, shall—

(i) revert to the Federal Government to be deposited in the Treasury and used for Federal budget deficit reduction; or

(ii) if there is no Federal budget deficit, be used to reduce the Federal debt in such manner as the Secretary of the Treasury considers appropriate.

SEC. 4002A. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this part—

(1) for fiscal year 2015, $45,500,000,000;

(2) for fiscal year 2016, $46,600,000,000;

(3) for fiscal year 2017, $47,800,000,000;

(4) for fiscal year 2018, $49,000,000,000;

(5) for fiscal year 2019, $50,200,000,000;

(6) for fiscal year 2020, $51,500,000,000;

(7) for fiscal year 2021, $52,800,000,000; and

(8) for fiscal year 2022, $54,100,000,000.

(b) ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—

(1) IN GENERAL.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended by striking paragraphs (5) through (10) and inserting the following:

''(5) with respect to fiscal year 2016, for the discretionary category, $1,131,500,000,000 in new budget authority;

''(6) with respect to fiscal year 2017, for the discretionary category, $1,178,800,000,000 in new budget authority;

''(7) with respect to fiscal year 2018, for the discretionary category, $1,205,000,000,000 in new budget authority;

''(8) with respect to fiscal year 2019, for the discretionary category, $1,232,200,000,000 in new budget authority;

''(9) with respect to fiscal year 2020, for the discretionary category, $1,259,500,000,000 in new budget authority; and

''(10) with respect to fiscal year 2021, for the discretionary category, $1,286,800,000,000 in new budget authority.''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901A) is amended—

(A) by striking the matter preceding paragraph (1) and inserting the following: ''Discretionary appropriations and direct spending accounts shall be reduced in accordance with this section as follows:'';

(B) by striking paragraphs (1) and (2);

(C) by redesignating paragraphs (3) through (11) as paragraphs (1) through (9), respectively;

(D) in paragraph (2), as redesignated, by striking ''paragraph (3)'' and inserting ''paragraph (1)'';

(E) in paragraph (3), as redesignated, by striking ''paragraph (4)'' each place it appears and inserting ''paragraph (2)'';

(F) in paragraph (4), as redesignated, by striking ''paragraph (4)'' each place it appears and inserting ''paragraph (2)'';

(G) in paragraph (5), as redesignated—

(i) by striking ''paragraph (5)'' each place it appears and inserting ''paragraph (3)''; and

(ii) by striking ''paragraph (6)'' each place it appears and inserting ''paragraph (4)'';

(H) in paragraph (6), as redesignated—

(i) by striking ''paragraph (4)'' and inserting ''paragraph (2)''; and

(ii) by striking ''paragraphs (5) and (6)'' and inserting ''paragraphs (3) and (4)'';

(I) in paragraph (7), as redesignated—

(i) by striking ''paragraph (8)'' and inserting ''paragraph (6)''; and

(ii) by striking ''paragraph (6)'' each place it appears and inserting ''paragraph (4)''; and

(J) in paragraph (9), as redesignated, by striking ''paragraph (4)'' and inserting ''paragraph (2)''.

SEC. 4003A. REPEALS.

(a) IN GENERAL.—Effective September 30, 2014, the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is repealed.

(b) REPEAL OF MANDATORY FUNDING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, effective September 30, 2014, the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date) shall cease to be a program funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)) prior to the amendment made by paragraph (2)).

(2) DIRECT SPENDING.—Effective September 30, 2014, section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) is amended—

(A) in subparagraph (A), by adding ''and'' at the end;

(B) in subparagraph (B), by striking ''; and'' at the end and inserting a period; and

(C) by striking subparagraph (C).

(3) ENTITLEMENT AUTHORITY.—Effective September 30, 2014, section 3(9) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(9)) is amended—

(A) by striking ''means—'' and all that follows through ''the authority to make'' and inserting ''means the authority to make'';

(B) by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (B).

(c) RELATIONSHIP TO OTHER LAW.—Any reference in this Act, an amendment made by this Act, or any other Act to the supplemental nutrition assistance program shall be considered to be a reference to the nutrition assistance block grant program under this part.

SEC. 4004A. BASELINE.

Notwithstanding section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the baseline shall assume that, on and after September 30, 2014, no benefits shall be provided under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) (as in effect prior to that date).

Ms. STABENOW. Madam President, I say to my distinguished colleague from Oklahoma, if I might ask, before he proceeds on his amendment, if I could enter a unanimous consent about the vote.

Mr. INHOFE. I have no objection.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I ask unanimous consent that at 12 noon today, the Senate proceed to vote in relation to the Inhofe amendment No.

960; that the time until noon be equally divided between Senators INHOFE and STABENOW or their designees; further, that no second-degree amendment be in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. I thank the gentlelady. We will be prepared to vote on the amendment at noon today.

I find it kind of interesting that when I go back to Oklahoma—I know this is offensive to some people—I am back where normal people are. I was giving a speech, I say to the gentlelady who is managing this bill. Ironically, it was Duncan, OK, where they had the first hydraulic fracturing in 1949. I was there talking to them, and this was Democrats and Republicans. When they asked about the farm bill, I said: What farm bill, because 80 percent of the farm bill is not a farm bill, it is a welfare bill. We are talking about the food stamp program.

This is a shocker to people. They don't understand this. Why would they call this a farm bill if 80 percent of it is talking about the food stamp program? It is now at $800 billion over 10 years. In the first 5 years, enrollment in the food stamp program has grown by 70 percent. It has gone from 28 million families to 47 million families, and that is almost doubling in a period of 4 years. I don't say this critically. There are some people who are very liberal and feel government should have a greater involvement in our lives, and certainly that is what this system is all about. We sort of weigh these things and see. I cannot think of anyone who could rationally say that this program of food stamps could justify being increased by 100 percent in a period of 4 years.

It reminds me of a time many years ago when most of us had gone through elementary school. At that time we heard about Alexis De Tocquevile, a guy who came to this country. He looked at the wealth of America, and in the last paragraph of the last chapter of his book, he says: Once the people of this country finally vote themselves money out of the public trust, the system will fail. What he talked about there is that it gets to the point where 50 percent of the people are on the receiving end of government. I know we all remember that, and maybe a lot of people think that times have changed, but we have to stop somewhere.

I think this amendment is the most important amendment on the farm bill because it actually turns this into a farm bill. I would think that people who are as concerned with agriculture as I am—my State of Oklahoma is a big agriculture State, and I am very concerned about agriculture. I cannot find anyone in my State who says this should be part of a program that would be a charity bill and could be voted on on its own merits and not thrown in with the farm bill.

So over the same time period in the last 4 years, this has grown. It has increased by 100 percent. The cost has gone from $37 billion to $75 billion. That is a 100-percent increase in one program.

Enrollment in the program has even increased as the employment rate has declined. In 2010, when the average unemployment rate was 9.6 percent across the country, enrollment was 40.3 million people or families. In 2012, when the unemployment rate was 8 percent, which is 1.5 percent lower than it was in 2010, enrollment had increased to 46 million people. Unfortunately, as the farm bill is written, it only makes a 4-percent cut in the program over 10 years, which is a cut of less than 0.5 percent. I think those who say: Wait a minute, we are cutting that program—when it is cut by 0.5 percent, that is not really a cut.

The amendment is very straightforward and very simple. It converts the program into a block grant so that the States will have all the authority they need to ensure the program prevents the impoverished from going hungry. The funding provided is sufficient to provide benefits to the same number of participants as were enrolled in the mid-2000s. Money would be divided among the States proportionately based on the number of individuals who are living below the Federal poverty line. It would have to be fair. It is not going to go according to population, it is not going to go according to size or wealth, but to those who are living below the poverty line.

The new program would give States the ability to keep the money they received for 5 years so they can build flexibility into their programs which will allow their programs to shrink and grow as the economy changes. After 5 years, any unused money would return to the Treasury for deficit reduction.

While the amendment is careful to give States maximum control over the design and implementation of their own programs—which is what we want to happen—it does require them to include work requirements, mandatory drug testing, and verification of citizenship prior to qualifying anyone to participate in the program.

If we go out in the street in any of the towns of any of the States in this country and ask people if it is unreasonable to require people to have work requirements—certainly the last time when President Clinton was in office, we enacted some major reforms that included work requirements, and most of the Democrats were very supportive of that. Certainly people should not be concerned about mandatory drug testing and verification of citizenship. The citizenship issue is something we hear quite often. Further, States would not be allowed to authorize users to purchase alcohol, tobacco, dog food, and items like that.

In total, I expect this amendment to save some $300 billion over 10 years relative to the current funding baseline.

I feel very strongly about this. This is one of those issues people are talking about all over the country. I know when my wife comes back and she talks about how people who are perfectly capable of working are buying items such as beer, among other things, with their food stamps—this is something that offends Democrats, Republicans, liberals, and conservatives alike throughout America.

That amendment is going to come up at noon, 15 minutes from now, and I encourage my colleagues to vote for this amendment and turn the farm bill into a farm bill instead of a charity bill.

If no one else wants to speak, I would like to make one comment about what happened in Oklahoma.

I came back yesterday from my State of Oklahoma. We have all seen on the media the disaster and the heart-wrenching things happening in Moore, OK. I remember so well that 14 years ago, in 1999, another tornado came through. If we look at it, it was on the same path as this tornado which came through 2 days ago, and it was just about the same devastation. I stood there and recalled what I saw in 1999. It breaks my heart when we see these people. They were trying to match missing parents with missing kids. Think about that.

We had two schools. When we looked at the rubbish, we felt that all the kids could have been killed in there. It was hard to imagine that anyone could have survived. Yet some did survive.

The early reports of the deaths were a lot higher, and the deaths are very important, but that is not the only thing. There are people in the hospitals right now who are trying—one of the hospitals had to evacuate every bed in that hospital when they saw it coming, and it is a miracle that not one person—not one of the people who was in that hospital—was killed. No one can understand how that could have happened.

We watched this going on and we saw parents—I have 20 kids and grandkids and I can't imagine what it would be like to go through something like that. I have to say the Federal Government, the State government, the county government, the city of Oklahoma City, the city of Moore, and all the private sector have joined in together. I have never seen any effort, including the 1999 effort, that drew people together the way this has. We have seen companies represented by people who are builders and developers who have heavy equipment and trucks and things such as that and they are donating them to this cause to help these people.

I want everyone to pray for these people, for the families, and for us to pull together and make this thing survivable. I know Oklahoma is in the tornado belt. Everybody reminds me of that all the time, and it is true. I remember being closely involved, either at the time of or right after, in almost every tornado in the last 25 or 30 years. A little town called Picher, OK, had a

tiny tornado, but it wiped out everything. That is the thing that is characteristic about tornadoes: No one survived, with one exception. They are now talking about accelerating the number of safe rooms and tornado shelters.

This is a program that started in 1999, and I can't tell my colleagues—we are trying to evaluate right now how many more people in Oklahoma are alive today because they were taking advantage of that program and I am sure many more will as well.

I know others wish to speak on this bill, but I want to say that we in Oklahoma appreciate the love and the help on all government levels as well as the private sector levels and ask sincerely for the prayers of everyone within earshot.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, before speaking on the amendment, I wish to share—and I know everyone in the Senate wishes to share—their thoughts and prayers with the people of Oklahoma.

As the distinguished Senator from Oklahoma knows, I have a strong connection with Oklahoma. My mom grew up on a farm picking cotton in Oklahoma, and we have talked before about my grandparents, until they passed away, being there. It was a wonderful trip for my family to go to Ponca City, OK, in later years to my grandparents to visit every summer. I will never forget that in the backyard my grandparents had a tornado shelter, basically. It was on a little mound of dirt. We opened the door and it was just like Dorothy and the Wizard of Oz, opening the door and going down into the cellar. A couple of times in the middle of the night we had to get up and go use the cellar, and I know how frightening it was for me as a child to experience that.

I know the storms have gotten more and more intense with more and more devastation. We all hope for the very best in the recovery for all the families involved.

Mr. INHOFE. Madam President, if I could quickly respond, I recall the Senator from Michigan speaking about her family background in Oklahoma. The only thing I disagree with is we have always had these. Statistics show they are not any more intense; they are not showing that they are getting more intense, and worse, they are just bad. The storm shelters the Senator from Michigan is speaking about, you drive through Oklahoma in the rural areas, everybody has them. We have dug them, because we have been using them for many years.

The major difference here is in the major cities; they don't have them as we do. I would say 95 percent of people in the rural areas have them, but in the city, maybe half of 1 percent, so that will be getting some attention from us.

I thank the Senator from Michigan for her thoughts.

Ms. STABENOW. I thank the Senator from Oklahoma.

Madam President, I rise in opposition to the amendment. I appreciate the concerns raised by the Senator, but I rise in strong opposition to block granting and cutting the food assistance program called SNAP, the Supplemental Nutrition Assistance Program, for our country.

I have always viewed, as chair of the Agriculture Committee, two programs very similarly. The first is crop insurance, which is there when there is a disaster for a farmer. The second one is SNAP or the Supplemental Food Assistance Program, which is there when there is a disaster for a family. They both go up when the disasters go up, and they go down when things get better. So when we have droughts, when we have what has been happening to our farmers over the last year and before, we see costs go up for crop insurance. We don't cap that arbitrarily saying, We don't like these droughts, we don't like these breezes, we don't like all this stuff, so even though it is real important to the farmers, we are going to cap how much we will help them. The crop insurance is there.

The same thing is true for a family. It wasn't that long ago—in fact, the beginning of 2009—when we in Michigan had the highest unemployment rate in the country. I believe it hit 15.7 percent unemployment at that time. We had an awful lot of people at that time—and many who have continued although things are getting a lot better—who have paid taxes all of their lives; never thought in their wildest dreams they would ever need help putting food on the table for their families, but they did. It was temporary. The average length of time someone needs help is 10 months. But I consider that to be a point of pride for our country, that we have a value system which says we are going to make sure when families are hit with hard times through no fault of their own, they are not going to starve; they are going to be able to put food on the table for their children. I think that is the best about us.

Now that things are getting better and the unemployment rate is coming down, the cost of these programs is coming down. Our farm bill shows a cut in spending not because we have decided we are only going to help some people and not other people—some children, not other children—but because people are going back to work. They didn't need the help anymore, so we are seeing those lines go down. By the way, as crop insurance goes up because disasters and weather events have gone up, we are seeing family disasters going down, which is where we want it to go.

Unfortunately, this amendment would cap the amount of help we would give on supplemental nutrition. It would cap it for 2014 at just over half of the current levels, so we would say we don't care how many families have a problem, we don't care what happens; we don't care what happens because of weather that wipes out a business and suddenly folks who have worked hard all of their lives find they need some help they never thought they would need. This would arbitrarily cap at just over half the current levels needed to maintain the current help. It would mean absolutely devastating results for millions of families who are trying to feed their children.

If we consider the fact that about 47 percent of those who get help right now are children—almost half of the food help in this country is for children—and then we add to that another 17 percent for senior citizens and the disabled, and we put that together, we find this amendment would be insufficient to even cover those individuals, let alone the other 37 percent of men and women who get help right now. Unfortunately, block granting this program would not only—and capping it and cutting it—would not only hurt families who are counting on us for temporary help but it would create a situation where we couldn't respond during an economic recession as we can right now.

Again, crop insurance means we respond. When there is a disaster, costs and spending go up. I support that. But in this area, if we are capping and block granting and sending it back to the States, there would be no ability to be able to do that.

The other thing that I think is absolutely true for many of our States—and certainly, unfortunately, I regret to say, in my own State right now; it is a fact—is that by block granting and not requiring that the dollars be used for food assistance for families, there is no guarantee it will go to food assistance. None. When we look at the pressures on budgets and other areas for critical needs or things people feel are important, we have absolutely no guarantee that this would go to food for families.

We have a very efficient program right now. It has one of the best error rates of any Federal program right now—maybe the lowest—and we are able to efficiently support families and do it in a way that guarantees they actually get the nutritious food they need.

I am deeply concerned about the amendment. I do not support it. I think it takes us in exactly the wrong direction as a country. It leaves a whole lot of families high and dry in an economic disaster, or any kind of disaster that could occur for them. At their most vulnerable point, when they are trying to figure out what to do to get back on their feet, we create a situation where they don't even have enough food for their families to be able to feed them during their economic crisis.

I strongly urge colleagues to vote no on the amendment.

Mr. INHOFE. Madam President, would the Senator yield for a question?

Ms. STABENOW. I would be happy to.

Mr. INHOFE. In listening to the comments of the Senator from Michigan in opposition to this amendment, this occurred to me: Does the Senator from Michigan see that there is anything wrong with the fact that this program has increased by 100 percent in the last 4 years? And, secondly, does the Senator from Michigan see nothing objectionable about projecting this for another 4 years to be another 100-percent increase in costs?

Ms. STABENOW. First, to my friend from Oklahoma, I would say the budget office has indicated it will not only not go up another 100 percent, it is going down. So they have projected about an $11.5 billion reduction which we have put into our farm bill. It is going down because the economy is getting better.

We know that with food assistance, as the unemployment rate goes up, one of the lagging indicators, the things that aren't affected as quickly in coming down, is food assistance for families. So it is now coming down. In my judgment, it is coming down the way it should come down, which is the fact that people are going back to work; that is why it is coming down.

Again, to arbitrarily cap something as basic as food going on the table for a family is something that I, with all due respect, can't support.

Mr. INHOFE. Madam President, if I may ask my colleague one last question. The Senator from Michigan believes it is going to be going down, but it did not go down when the unemployment rate went down between the 2 years of 2010 and 2011. What would be different about this time?

Ms. STABENOW. Here is what we are finding—and it is not my belief, it is the CBO scoring. The Congressional Budget Office, which we rely on, provides objective scoring—not my judgment—and it is telling us it is going down. The Senator is correct that it is slow to go down. As unemployment goes down, it takes a little longer before food help goes down, because we provide some help to people as they are getting back to work even if they are not at full speed back to work. So it does go down more slowly, but they have adjusted it over the next 10 years showing that, in fact, the spending on food assistance is going down because the economy is getting better. That comes from the CBO and is built into the dollars we have in the bill.

Mr. INHOFE. One last question. Even though I disagree with the answer of the Senator from Michigan for the second question, the first question is whether the Senator from Michigan finds it objectionable that it increased by 100 percent over the past 4 years from 2010?

Ms. STABENOW. What I find objectionable is so many people lost their jobs. The reason it went up is because people were out of work. So I find that objectionable because a lot of those folks were in my State.

I have worked very hard to do everything I can to support the private sector, and the good news is that manufacturing is coming back and agriculture is strong and moving forward. So in my judgment, yes, I find it very concerning that more people needed help putting food on their table. The good news is that less of them are going to in the next decade, and that is because people are going to be getting back to work.

I believe our time has expired. I don't know if we have others who wish to speak at this point.

Madam President, I ask for the yeas and nays on the amendment.

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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

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

The result was announced—yeas 36, nays 60, as follows:

[Rollcall Vote No. 132 Leg.]

YEAS—36

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Rubio
Burr	Heller	Scott
Coats	Inhofe	Sessions
Coburn	Johanns	Shelby
Cornyn	Johnson (WI)	Thune
Crapo	Kirk	Toomey
Cruz	Lee	Vitter
Enzi	McCain	Wicker

NAYS—60

Baldwin	Franken	Murkowski
Baucus	Gillibrand	Murphy
Begich	Hagan	Nelson
Bennet	Harkin	Portman
Blumenthal	Heinrich	Pryor
Boxer	Heitkamp	Reed
Brown	Hirono	Reid
Cantwell	Hoeven	Roberts
Cardin	Isakson	Sanders
Carper	Johnson (SD)	Schatz
Casey	Kaine	Schumer
Chambliss	King	Shaheen
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Udall (CO)
Corker	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCaskill	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden

NOT VOTING—4

Lautenberg	Murray
Menendez	Rockefeller

The amendment (No. 960) was rejected.

Mr. REID. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. KLOBUCHAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. STABENOW. I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENTS NOS. 992 AND 1056

Ms. STABENOW. I ask unanimous consent that the following amendments be considered and agreed to: Franken amendment No. 992 and Vitter amendment No. 1056.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 992

(Purpose: To provide access to grocery delivery for homebound seniors and individuals with disabilities eligible for supplemental nutrition assistance benefits)

On page 351, between lines 12 and 13, insert the following:

SEC. 4001. ACCESS TO GROCERY DELIVERY FOR HOMEBOUND SENIORS AND INDIVIDUALS WITH DISABILITIES ELIGIBLE FOR SUPPLEMENTAL NUTRITION ASSISTANCE BENEFITS.

(a) IN GENERAL.—Section 3(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (4) the following:

''(5) a public or private nonprofit food purchasing and delivery service that—

''(A) purchases food for, and delivers the food to, individuals who are—

''(i) unable to shop for food; and

''(ii)(I) not less than 60 years of age; or

''(II) individuals with disabilities;

''(B) clearly notifies the participating household at the time the household places a food order—

''(i) of any delivery fee associated with the food purchase and delivery provided to the household by the service; and

''(ii) that a delivery fee cannot be paid with benefits provided under the supplemental nutrition assistance program; and

''(C) sells food purchased for the household at the price paid by the service for the food without any additional cost markup.''.

(b) ISSUANCE OF REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue regulations that—

(1) establish criteria to identify a food purchasing and delivery service described in section 3(p)(5) of the Food and Nutrition Act of 2008 (as added by subsection (a)(3)); and

(2) establish procedures to ensure that the service—

(A) does not charge more for a food item than the price paid by the service for the food item;

(B) offers food delivery service at no or low cost to households under that Act;

(C) ensures that benefits provided under the supplemental nutrition assistance program are used only to purchase food, as defined in section 3 of that Act (7 U.S.C. 2012);

(D) limits the purchase of food, and the delivery of the food, to households eligible to receive services described in section 3(p)(5) of that Act (as added by subsection (a)(3));

(E) has established adequate safeguards against fraudulent activities, including unauthorized use of electronic benefit cards issued under that Act; and

(F) such other requirements as the Secretary considers appropriate.

(c) LIMITATION.—Before the issuance of regulations under subsection (b), the Secretary may not approve more than 20 food purchasing and delivery services described in section 3(p)(5) of the Food and Nutrition Act of 2008 (as added by subsection (a)(3)) to participate as retail food stores under the supplemental nutrition assistance program.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on the date that is 30 days after the date of the enactment of this Act.

AMENDMENT NO. 1056

(Purpose: To end food stamp eligibility for convicted violent rapists, pedophiles, and murderers)

At the end of subtitle A of title IV, insert the following:

SEC. 4019. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN CONVICTED FELONS.

Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) (as amended by section 4004) is amended by adding at the end the following:

''(s) DISQUALIFICATION FOR CERTAIN CONVICTED FELONS.—

''(1) IN GENERAL.—An individual shall not be eligible for benefits under this Act if the individual is convicted of—

''(A) aggravated sexual abuse under section 2241 of title 18, United States Code;

''(B) murder under section 1111 of title 18, United States Code;

''(C) an offense under chapter 110 of title 18, United States Code;

''(D) a Federal or State offense involving sexual assault, as defined in 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

''(E) an offense under State law determined by the Attorney General to be substantially similar to an offense described in subparagraph (A), (B), or (C).

''(2) EFFECTS ON ASSISTANCE AND BENEFITS FOR OTHERS.—The amount of benefits otherwise required to be provided to an eligible household under this Act shall be determined by considering the individual to whom paragraph (1) applies not to be a member of such household, except that the income and resources of the individual shall be considered to be income and resources of the household.

''(3) ENFORCEMENT.—Each State shall require each individual applying for benefits under this Act, during the application process, to state, in writing, whether the individual, or any member of the household of the individual, has been convicted of a crime described in paragraph (1).''.

The PRESIDING OFFICER. The Senator from Virginia.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mr. KAINE. Madam President, I rise to speak briefly about the Senate budget. At the close of my comments, I will make yet another motion to put the Senate budget into conference with the House.

As we all know, we were here until 5 a.m. on March 23 to pass the first Senate budget through regular budgetary order in 4 years. It was a full, open process both in committee, with numerous amendments, and then on the Senate floor, with over 100 amendments voted on and over 70 passed.

It is now past time, many days past time, for us to begin a budget conference process. This will enable the Senate to return to normal budgetary order, and it is what our voters, both Democratic and Republican, in all of our States expect us to do to have a meaningful conference about this budget with the House.

Good news. We are seeing some recent examples of normal compromise in this body that I think is worthy of some attention: the appropriations bill we passed through a regular order process for the remainder of 2013 in March; the marketplace fairness bill we passed, the problem that had been searching for a solution for 15 to 20 years; the WRDA bill we passed last week; and the debates we are having about the farm bill today. All have involved significant open processes in a committee, significant open processes on the Senate floor. The Senate action then moves in a regular order action into discussion with the House.

I think it is up to this body to show the public we don't just embrace regular order and normal processes on these important issues, but that we also embrace them on something as critically important as the Federal budget.

For that reason, I would ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to, the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees on the part of the Senate; that following the authorization, two motions to instruct conferees be in order: motion to instruct relative to the debt limit and motion to instruct relative to taxes/revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to votes in relation to those motions; further, that no amendments be in order to either of the motions prior to the votes; and all of the above occurring with no intervening action or debate.

I make that motion.

The PRESIDING OFFICER. Is there objection by the Senator from Florida?

Mr. RUBIO. Madam President, reserving the right to object, I would ask the Senator from Virginia if he would consider adding—I would ask consent that the Senator modify his request that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The reason I make that is as follows: First of all, I do respect regular order tremendously. In fact, I want to take this brief opportunity to congratulate the Judiciary Committee on the lengthy process with regard to the immigration bill, which I think will help us in the process of having a better product.

Obviously, also, although we disagree with the outcome because of the way it was constructed, I also disagree with the way this budget is constructed. This issue of the debt limit is an extraordinary measure. That is why I would ask the Senator from Virginia to modify his request.

The PRESIDING OFFICER. Does the Senator still modify his request?

Mr. KAINE. I do not agree to the modification because I think that would be modifying the budget that was passed by this body on March 23.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. RUBIO. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arizona.

Mr. MCCAIN. Madam President, I rise again in regret. The normal regular order of this body after both sides of the Capitol have agreed on a budget is to meet and that we have a proper process to instruct conferees to have a budget. A motion to appoint conferees to be bound by a requirement, no matter how worthy it is, is not the way the regular order functions in this body, and that is a fact.

For 4 years I sat here and beat up on the majority leader for his failure to bring a budget to the floor of this Senate. We brought a budget to the floor. We spent many hours on all kinds of amendments, and now we can't go to conference unless we agree not to raise the debt limit.

Does my colleague from Florida believe the House of Representatives, dominated by Republicans, is going to raise the debt limit? Does my colleague from Florida believe any conferees who are appointed, where we have to place certain restrictions on those conferees, that would apply to the other body as well? I don't think so.

I don't think that is the way this body is supposed to function. We are in a gridlock. Here we are, 4 years without a budget. We finally get a budget, we stay up all night, and because somebody doesn't want to raise the debt limit we are not going to go to conference. That is not how this body should function.

The American people deserve better. They deserve a budget. Every family in America has to live on a budget. Here we are objecting because there is a concern about raising the debt limit.

All I can say to my friend from Florida is that the American people don't like it, and I don't like it. Most of his colleagues and the Republicans in this Senate don't like it that we are blocking budget conferees from going forward and doing what conferees are supposed to do. I would imagine the majority leader will continue to raise this motion to move forward.

By the way, it is the regular order to have motions to instruct the conferees. A motion to instruct the conferees on the debt limit should be in order. A motion to instruct relative to taxes and revenue should be in order. That is

the regular order to do it. It is not the regular order to demand certain conditions on the conferees. We instruct the conferees.

The conferees are appointed by both the majority and Republican leader, and we place our confidence in those conferees to reflect the will of the majority.

I have to say I am disappointed in the Senator from Florida, in his objection and his demand that we do something that is not in the regular order.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, thank you. To the Senator from Arizona, for whom I have great respect, I would point out two things: The first is in his argument when stating the issue of the debt limit is a nonissue. Hence, I don't understand the objection to having language in this motion that says there will not be a raising of the debt limit. There should be a discussion of the debt limit in the context of the broader issues this country is facing. As a result, I don't understand why we can't just put it in that we are not going to raise the debt limit.

I would also further say that I do respect this institution tremendously, and I do believe in regular order to the extent that we are talking about procedure. The problem is that the regular order of Washington has given us a $17 trillion debt. In fact, that is one of the reasons I ran for the Senate. I would submit to you, with all due respect to all of my colleagues who serve here, I don't think we can run up a $17 trillion debt without some bipartisan cooperation.

To some extent what I am concerned about is the regular order of doing things in this city, where the debt limit has been raised consistently without any conversation about the fact that this government borrows 40 cents out of every dollar it spends. Never in the history of this country and of this Republic has a generation of leadership robbed a future generation like this generation of leadership has done.

That is my concern. My concern is that I do not have trust in Washington, DC. I do not have trust—I don't care who is in charge—that we will not recklessly, once again, raise the debt limit of the greatest country on Earth without any consideration for limiting the way we spend money in the future so that we do not bankrupt this extraordinary Nation, and the implications that could have on our children.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I will yield to the Senator from Tennessee in just 1 second.

The Senator from Florida is saying, if he has an issue he feels strongly about, then that has to be included in any conference that is convened over any bill that is passed by the Senate, the House, and goes to conference. That is not a precedent I believe should be established in the Senate.

I think I share the concern of the Senator from Florida about the debt and the deficit. I will match my record against anybody's as far as trying to eliminate the debt and the deficit, including that of the Senator from Florida.

We are about to establish a precedent that if any conferees are appointed on bills that are passed by the House and the Senate, that we are free then to put certain restrictions on those conferees. If the Senator from Florida believes that is the right way this body should function, then I would suggest to him that most people would disagree with this kind of violation of the regular order.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I am reluctant to break up this conversation among my fellow Republican Senators because they seem to be at odds, but I do want to remind all of the Senators—and I think the Senator from Arizona has alluded to this—we were slapped around unmercifully for not passing a Senate budget resolution.

Mr. MCCAIN. And deservedly so.

Mr. DURBIN. I expected that. I would say to the Senator from Arizona there were answers, and I thought good answers, but not good enough. We passed a budget resolution. The Senator was here. It passed by one vote. We stayed until early in the morning hours to get it done.

Senator PATTY MURRAY did a masterful job in putting this together. Of course, our passing the resolution is only half of the story. The way this is supposed to work is the so-called regular order, if it differs between the Senate and the House, is we come together in a conference to work out the differences. How long have we been trying—how many weeks have we been trying?

Mr. REID. Sixty-one days.

Mr. DURBIN. Sixty-one days we have been begging the Republicans—we have been begging the Republicans, not all of them, to give us an opportunity to go to conference and work out our differences, if we can.

That is the regular order. And each time we have asked, as Senator KAINE of Virginia did this morning, there has been a condition to it: No, you can't sit down to try to work out your differences unless you agree ahead of time to take certain things off the table. That is not reasonable. It is not reasonable if you are serious about the deficit, if you are serious about the debt of the United States.

I could dream up a half dozen things. All right, I won't allow us to go to conference if it in any way is going to touch Social Security benefits. All right? I think I would need a lot of support for that, and we wouldn't go to conference. But at the end of the day, if we are serious about the deficit, we are supposed to sit down and work out our differences, House and Senate, Democrats and Republicans. When Senator KAINE makes this unanimous consent request to go to a conference committee, he is asking for the regular order of business around here.

Mr. CRUZ. Will the Senator yield for a question?

Mr. MCCAIN. May I ask my friend from Illinois, isn't that what the regular order is, that makes it perfectly applicable, if we instruct the conferees, which is what we are asking for in this unanimous consent agreement?

Mr. DURBIN. Yes. The Senate majority leader is on the floor, and he has said if there is to be a motion to instruct conferees on the debt ceiling, for example, then we can have a vote on the floor of the Senate. That is the regular order.

Mr. CRUZ. Will the Senator yield for a question?

Mr. DURBIN. But to condition the granting of the unanimous consent request to go to conference on the concern du jour of whichever Senator comes to the floor is unproductive.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. DURBIN. Madam President, I haven't yielded the floor as yet, and I think the Senator from Texas had a question for me.

Mr. CRUZ. I thank my friend from Illinois, and I would ask him, if the position he is championing is the regular order, then why is it the Democrats are asking unanimous consent to set aside the regular order to go to conference?

The only reason unanimous consent is needed is because you are endeavoring to circumvent the regular order, and by doing so opening the door for a procedural trick to raise the debt ceiling with 50 votes rather than 60.

Mr. DURBIN. I just checked with the majority leader to make sure my memory is correct. The Senator from Texas will learn that when we go to a conference committee, we are subjected to a possibility of a filibuster. Does that ring a note of familiarity on your side of the aisle? If we are going to face a filibuster and 60 votes, it is not going to happen.

What we are trying to do is to establish ahead of time we are going to a conference. So if we go through the so-called regular order to go to conference, we will reach the same impasse with the Republicans objecting and the Republicans potentially raising the issue of a filibuster. That is why we are trying for this unanimous consent, which I would think, from the Republican side, we would have bipartisan agreement that we move to a conference committee.

Mr. CRUZ. Would the Senator yield for another question?

Mr. DURBIN. I am sorry, I am mistaken, and, thankfully, have been corrected. It is not a filibuster. It would call for using the House resolution of 50 hours of debate and another vote-arama to go through the regular order of things. It is not a filibuster. I stand corrected on that.

But the net result of it is to drag out as long, if not longer, than the earlier

debate on the Senate budget resolution. That is why the unanimous consent request has been made.

Mr. CRUZ. Will the Senator yield for an additional question?

Mr. DURBIN. I am happy to yield.

Mr. CRUZ. So if I understand correctly, we are agreed now this is not the regular order. The Senate is not following the regular order that would have been taking up the House budget resolution and voting on that. That is not what is being pursued here, which is why the majority is seeking unanimous consent to set aside the rules.

But let me ask the question, if I might——

Mr. DURBIN. I yielded for a question, and I will respond. Then you may ask another, if you wish.

It is the regular order of things to ask for unanimous consent, and it is the usual and customary way the Senate works so that we don't have to repeat all over again the debate on the budget resolution to take up the House version. So it is not unusual. It is the regular order.

Mr. CRUZ. I would suggest that unanimous consent is used to circumvent the regular order——

Mr. DURBIN. No.

Mr. CRUZ. And in particular the debt ceiling was not contained in the budget, it was not debated in the budget, it is not part of the budget, and the only question here—we could have gone to conference 60 days ago if the Democrats had simply agreed not to use reconciliation as a backdoor trick to raise the debt ceiling, which has happened three times in the past. So this is not a hypothetical risk. This is, I believe, the intention of the majority, and it is why we are objecting to raising the debt ceiling—to issuing an unlimited credit card—and digging the hole deeper without actually fixing the problem.

Mr. DURBIN. To respond to the Senator from Texas, we have been through this before. In the House of Representatives they threatened not to extend the debt ceiling of the United States and caused severe damage to our economy. Business leaders, labor leaders, families across America asked: How could the Congress do something so irresponsible as to not extend the debt ceiling of the United States? The President said he is not going to get into a political bargain over the debt ceiling of the United States. He is right. This ought to be something both parties take very seriously, as to whether we would jeopardize the full faith and credit of the United States of America, whether we——

Mr. MCCAIN. Will the Senator yield for a further question?

Mr. DURBIN. I will in one moment, as soon as I finish replying to the Senator from Texas.

So the notion this debt ceiling is something we can casually say whether it is approved and extended makes no difference—it makes a big difference. And whether it is included in this, in terms of the budget resolution, remains to be seen. But we could have a motion to instruct the conferees relative to the debt ceiling. I think that has already been discussed.

What I am saying is: Why in the world aren't we sitting at a table this day, Democrats and Republicans, House and Senate, trying to work out our differences? I think most American people would ask: Isn't that why we sent you to Washington? Yet we run into these objections to unanimous consent requests.

I yield to the Senator from Arizona for a question.

Mr. MCCAIN. Isn't it a little bizarre, this whole exercise we are going through, when some of us are asking to go to conference with a body that is dominated by the Members of our own party? We don't have, apparently, enough confidence the majority of the conference appointed by the other side of the Capitol will be a majority of Republicans and not Democrats? Isn't that a little bizarre?

And really, what we are talking about here, I will be very honest with my colleague from Illinois, is a minority within a minority. Because the majority of my colleagues in the Senate on this side of the aisle, with motions to instruct the conferees, want to move forward and appoint these conferees and do what every American family has to do in America and that is to have a budget.

Mr. DURBIN. I will yield the floor, because others wish to speak, but I will say that at this point in time we have passed a Senate budget resolution. We were challenged by the Republicans to do it, and we did it. It wasn't easy. It was a close vote, but we did it. Now we want to move to the next logical step and sit down with the House, resolve our differences and move on so we can reduce the debt of this United States in a responsible and orderly way.

The objection on the other side of the aisle for 61 days should come to an end. I salute my friend from Arizona.

Mr. MCCAIN. I would ask my friend again, basically what we are saying here on this side of the aisle is that we don't trust our colleagues on the other side of the Capitol who are, in the majority, Republicans. I guess that is the lesson that can be learned here.

But far more importantly than that—far more importantly than that—in a recent poll I saw, 16 percent of the American people approve of Congress. When I go home and have townhall meetings and I say: You know what, my friends, we don't even have a budget. We can't even agree, Republicans and Democrats—Republicans and Republicans in this case—to have a budget, the same as every American family does. Does that contribute to the approval and the respect the people of this country have for us? The answer is obviously no.

So I urge my colleagues again, let's put some confidence in, if not the conferees appointed here, the conferees who will be appointed on the other side of the Capitol who are from our party, who are fiscal conservatives just as we are, instead of this blocking by what I assure my colleagues—all three of them here—is a minority of the minority of Republicans in the Senate who do not want to move forward with a budget that we spent so many hours and so much effort in achieving. Do not block it from going forward.

Mr. DURBIN. Madam President, I salute the Senator from Arizona for his intuitive, wise analysis of this situation. I am sorry we still have an objection from the Republican side of the aisle to go to a conference committee with Republican House Members dominating that conference on their side. Apparently, they do not have confidence those House Members can speak for them, but I think it is important we do move to this conference committee as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Madam President, I rise to associate myself briefly with the comments of both Senators MCCAIN and DURBIN. This is not primarily about the budget. This is not primarily about Senate rules. This is about compromise. In Congress, a bicameral body, the Framers established compromise was necessary to take action. Will we allow processes to go forward so we can listen to each other, dialog, and find compromise, or will we use procedural mechanisms to block processes of dialog and compromise even from starting?

The Senate budget is a very different budget than the House budget. We are all free to have our preferred option. But the way we get to a final budget is to have Senate and House conferees sit down together, in what no doubt will be a difficult discussion, and to compare budgets and debate and dialog and find compromise.

The Senate acted on the 23rd of March by a majority vote in accord with the rules of this body to pass a Senate budget after 4 years. The effort to object to the beginning of a conference, make no mistake about it, is fundamentally an effort to block processes of compromise. In the living organism of government that was established by our Framers, compromise is the blood that keeps the organism alive. Efforts to block compromise are fundamentally efforts that are destructive of this institution.

So I stand by the motion I have made. I ask my colleagues to allow processes of compromise to go forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, the senior Senator from Arizona urged this body to trust the Republicans. Let me be clear: I don't trust the Republicans and I don't trust the Democrats. I think a whole lot of Americans likewise don't trust Republicans and the Democrats because it is leadership in

both parties that has gotten us in this mess.

My wife and I have two little girls at home. They are 5 and 2. When Caroline was born, our national debt was $10 trillion. Today it is nearly $17 trillion. In her short 5 years of life, the national debt has grown by over 60 percent. What we are doing to our kids and grandkids is immoral.

I commend the Democrats in this body for their candor. The Democrats and President Obama have been very explicit. It is their intention to raise the debt ceiling, and to do so with no conditions whatsoever—to keep borrowing and borrowing and borrowing money without any structural reforms to fix the problems. That is an intellectually consistent position. I think it is a dangerous position but it is at least candid. That is the reason why every day, for 60 days, the Democrats have opposed taking the debt ceiling off the table in this discussion.

Unfortunately, one of the reasons we got into this mess is because a lot of Republicans were complicit in this spending spree. That is why so many Americans are disgusted with both sides of this body, because we need leaders on both sides to do as my friend from Virginia said, to roll up our sleeves, to compromise and to work together and fix the problem—fix the enormous fiscal and economic problems and stop bankrupting our country.

What this issue is all about is very simple: Will we allow the debt ceiling to be raised in an unlimited amount with a 50-vote threshold? And if the answer to that is yes, we have, in effect, just voted to raise the debt ceiling because the Democrats hold a majority of this body—55 seats—and the Democrats are explicit that they want to raise the debt ceiling. If we go to conference without the debt ceiling being taken off the plate, it is a 100-percent certainty the debt ceiling will be raised. It has been done three times in recent history. Every Republican who stands against holding the line here is saying: Let's give the Democrats a blank check to borrow any money they want, with no reforms, no leadership to fix the problem. I don't think that is consistent with any of our responsibilities.

A final point. Much has been said about the budget was debated, the budget was considered, and that is surely true. But the budget contains nothing about the debt ceiling. The budget did not consider the debt ceiling. When all of us were here all night debating the budget, we didn't debate the debt ceiling. The question here is whether the majority of the Senate will be able to bootstrap the debt ceiling—a totally different issue—onto the budget. And the reason for doing it is to use a political trick. It would allow the majority to pass a debt ceiling increase on just 50 votes.

I think it would be profoundly irresponsible for this body to raise the debt ceiling without fixing the problem—without getting the economy going, without getting jobs back, and without stopping the path we are on of bankrupting this country. That is what this fight is about.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I want to follow up on some of the comments made by my friend and colleague, the junior Senator from Virginia. I agree wholeheartedly that we need to have this debate. We need a budget. The American people want it, they deserve it, they have been without it for 4 years.

It is because we want this debate and it is because we want this issue debated in public that we have this concern. In other words, as the Senator from Texas pointed out a moment ago, there are a lot of issues that were discussed and debated and voted on when we were addressing the budget resolution a couple of months ago. We were here until 5 in the morning making sure we could get through all the amendments.

At no point during that very lengthy discussion in connection with the budget resolution did we discuss or address or have a vote on or in any way make a decision regarding the debt ceiling. That is a separate debate, one that did not come up in connection with the budget resolution. It is a debate that needs to happen. Just as the discussion of the budget resolution needs to move forward, we do need to have a public debate and ultimately a vote with regard to the debt ceiling. The American people expect us to have this debate. They expect us to have it in the light of day and not under cover of darkness behind closed doors, resulting in one of those infamous backroom deals that have given Washington its often much-deserved bad name.

The debt ceiling was not in the bill. It was not in the budget resolution. We have not debated it. All we are asking for is that the other side agree that they will not use budget reconciliation as a mechanism for working a backroom deal to raise the debt limit. The American people expect us to debate this, not in secret but in public. That is what we are trying to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, since I raised the objection today, I wanted to close my comments by accurately describing to the people at home or in the gallery or elsewhere what is happening here. Maybe some folks are wondering what this is all about. It is pretty straightforward. In fact, for over 1,000 days the Senate did not pass a budget under the leadership of the current majority, and we did complain about that because that was problematic. Ultimately, this year, they finally passed a budget—one which, quite frankly, doesn't deal with our debt and doesn't help grow our economy, but they passed a budget.

The House has passed its budget. The Senate has passed a budget. The way it works is that now both sides are supposed to sit down and negotiate. What is happening is that a motion is being made to start these negotiations. Nobody here is objecting to these negotiations. That can begin today. This process they want can happen right this very moment. The only thing we are asking is that it be clear that as part of that negotiation—an increase in the debt limit not be part of it. Here is why it is so important that it not be part of it: because we have not discussed it. As the Senator from Texas pointed out, when we debated the budget we did not debate the debt limit.

Let me tell you what the debt limit is. It is the credit line of the United States. It is how much money the government is allowed to borrow. This is not a trivial matter. I heard people stand here today, my fellow Senators, and say: You can raise any objection to any issue you want to stop the whole process. This is not a trivial objection. I am not asking that key lime pie be made the official pie of the United States or some ridiculous thing. This is the debt limit, something that has been called the single greatest national security problem facing the United States of America by a national security official.

All we are saying is that you cannot come back from that conference with an increase in the debt limit because if that happens, it will be a 51-vote majority here to do it as a matter of routine.

Frankly, the problem is that the debt limit increases have become a matter of routine, and that is how we get from $10 trillion to $16.5 trillion in such a short period of time.

Ultimately, you are right. We should not treat the debt limit casually. That means we should not just casually and cavalierly say we will never raise it no matter what, no matter you do, but we also should not just casually raise it as a matter of routine, and that is the fundamental problem. The impact this is having on our economy is serious.

I deeply respect this institution. One of the reasons I ran for the Senate is I thought I could make a difference because in this Senate even a minority within the minority can make a difference.

Let me tell you, one day in the future I will not serve here anymore, and someday in the future my children, who today are very young, will have to deal with the consequences of the decisions we make or fail to make in my time in the Senate. If what they inherit is an economy crippled by the horrifying decisions that have been made here now and in the past, I am going to have to answer for that. I am going to have to explain to them.

What did you do or what did you not do when you were in the Senate? How could you have allowed this debt to go forward? What did you do to do something about this debt issue?

My answer to them cannot be, well, I followed the regular order. I played along to get along. I went ahead and acquiesced to what my colleagues wanted.

That cannot be my answer. That will not be my answer.

The bottom line is that we can move to conference right now, we can begin negotiating with the House this very day. All we are asking—all we are asking is that as part of that negotiation, they cannot come back here with a debt limit as part of it. The debt limit is an important issue. It should be discussed on its own as it relates to the entire economy, not simply the 1-year budget of the United States of America. That is the basis of our objection.

If the majority would reconsider their position and come to the floor and offer the same motion but with language that clearly says it cannot include reconciliation instructions to raise the debt limit, we will be in conference with the House this very day. But if they fail to do that, we cannot move forward because what we cannot do is continue to routinely raise the debt limit of this country without any serious conversation about how we are going to begin to put our fiscal House in order because the impact it is having on our economy is disastrous.

Our economy is not growing. There are people in America right now who are unemployed or underemployed because the debt is scaring people away from investing in our economy and in our future. If we do nothing about that, then, my colleagues, we will be the first generation of Americans to leave the next generation worse off. That has never happened in our history.

I hope we can come together to prevent that from happening because I think that if we do some simple but important things for our country, including bringing our debt under control, I believe that if we do that, this new century, this 21st century, can also be an American century.

My hope is that at some point today or tomorrow or the next few days we come to this floor and make a motion to go to conference with very simple and straightforward language that says the conference report cannot include reconciliation instructions to raise the debt limit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. I would like to speak as in morning business.

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

TRAGEDY IN OKLAHOMA

Mr. BLUNT. Madam President, I want to talk about the tragedy this week in Oklahoma. This is the 2-year anniversary of the Joplin tornado we had 90 miles from my home, a district that I represented for a long time before I came to the Senate and still get to represent now as part of our State. But I want to be sure we take time yet again today to let people in Oklahoma know that our thoughts are with them, our prayers are with them.

First responders are continuing to search and rescue. Their recovery efforts are happening. Words clearly cannot describe the loss these communities and the community particularly of Moore, OK, have had in the last few days. I know the Nation is praying for them. I am too—for the people who lost children at the local elementary schools. The thought of sending somebody to school in the morning and them not coming home that day is a tragedy that will affect people's lives forever. The friends who are lost, the family members who are lost will always be part of the ongoing impact that they have on that family and that community.

In Joplin, MO, 2 years ago we had 161 people die. The community has come back in incredible ways, but you never want to minimize in any way the loss of those 161 lives. Every one of them had a story to tell, just as every one of the people lost in Moore, OK, and in other places in Oklahoma in recent days has a story to tell.

It was a big storm. It affected people. Pretty quickly you figure out that while you regret the property you lost, the property you lost is not really all that important, but the lives that were lost are. In addition to the 161 people killed in Joplin, MO, on May 22, 2011, 7,000 homes were gone. I was there the next day or the day after. They were gone. It was like a nuclear blast. The pictures from Moore, OK, remind me of that. Five hundred businesses were gone.

I will say for the people in Joplin, they immediately began to think about Joplin tomorrow instead of Joplin yesterday. Two years later it is still a community dealing with loss, but it is a community that is building new schools and new businesses, and houses are under construction. I talked to someone just yesterday. Their family member was about to get into a house that Habitat helped them build.

One of the things I found out that I had never really thought about even though I had a lot of experience with storm loss—never anything like 7,000 homes at one time—the people who are the least likely to have insurance are the people who have their house paid for. In that group, they are the least likely, or the people who may have inherited the house from their parents, because there is no banker to tell them they have to have an insurance policy. Maybe it was just kind of a seamless moving back home or staying home and suddenly that house is gone.

By the way, this is something the Federal Government—really probably rightly—does not have a role in. If you do not have insurance, you made that choice not to have insurance. When we talk about Federal aid, we are almost always talking about cleaning up the streets, the water systems, the power facilities, getting the community back in order. There are some programs for public buildings that are available. It is not that we are going to go in and help you rebuild your house if you chose not to have insurance. That is not what happens.

But volunteers immediately show up. The first volunteers are your neighbors. The first responders are your neighbors. It happened this week in Oklahoma. It happened 2 years ago in Joplin. As soon as people had brushed themselves off and found their own family members, they began to look up and down the street to see whom they could help, whom they could help dig out of rubble or whom they could help secure something they were concerned about. Those are the first responders.

Then your neighbors from not too far away—in fact, Oklahoma is right on the edge of our State. They are our neighbors. There were people from—public officials, fire and water and police from Joplin who were there within 12 hours, and they will be back when they are needed.

There is a lot to be done. The one thing I would advise people who want to know what they can personally do to help—there are places to send money, there are charities to help. They are helping. All those things are important and good. My personal advice if you want to help, if you can at all, find out before you go what it is you are going to be doing. The last thing communities in this kind of situation need is a lot of people wandering around, wondering what they can do to help. There are plenty of people wandering around already. But if you come through your church, your civic club, through some organization you have helped in the past, through Habitat for Humanity, through a group you have worked with before that does this—link up with them and go. That is probably the better thing to do.

There is a lot to be done. First responders, as I said, are your neighbors. By the way, they are also the last responders. The people still there 2 years later helping build a Habitat for Humanity house are probably at that point your neighbors. They are probably not Habitat for Humanity from 1,000 miles away. They are local people who have finally found another family who needs help, and they are helping them.

This disaster, by all recent standards, deserves Federal assistance. FEMA is there, but beyond that, the Federal assistance that we give when a disaster is too big for a community to handle on its own and too big for the community and the State they are in to handle on their own, that is where the Federal Government should step in and does and will.

There are people all over the country who want to help, but they also are going to be helping as taxpayers. It appears that the resources to do that are in the current pipeline. As I said, FEMA is there. We are going to be there, I am sure, working in this body with our colleagues, Senator COBURN

and Senator INHOFE, to do our best to reach out to our fellow Americans who have a real tragedy, and that is a tragedy where all the American people can step up and help by doing what we do when these disasters strike.

Mr. FRANKEN. Mr. President, I would like to associate myself with the wise words of my colleague from Missouri, whose State has experienced so much tragedy last year much like the devastation in Oklahoma. On behalf of the State of Minnesota, our hearts and thoughts are with the people of Oklahoma.

I would also like to thank Senator BLUNT for cosponsoring an amendment in the farm bill which will make it easier for seniors and those with disabilities to receive groceries in their homes that is delivered by volunteers. They pay for it with their SNAP dollars.

I am grateful to the whole Senate for adopting the farm bill package by unanimous consent. I am very grateful for that.

I am very pleased the Senate has taken up the farm bill, and I hope we can pass this in the Senate and the House so our Nation's farmers have the certainty they need to provide food for the rest of us.

There are so many important pieces to this bill which will be great for Minnesota and Wisconsin. For example, it contains provisions to support beginning and young farmers to help them start farming operations. I think the average age of a farmer in Minnesota is about 58. We need young and beginning farmers.

The farm bill also contains important conservation measures so farmers can better protect their land. It also contains a comprehensive energy title—that I helped to write—in order to make our agriculture sector and our Nation more energy independent.

Above all, the farm bill provides a safety net for farmers, and that safety net is the centerpiece of this bill. The reason it is there is because agriculture is inherently risky. Just last year we witnessed a historic drought which devastated the Nation's corn and soybean crops and forced ranchers to cull their livestock. Agriculture is prone to weather disruption such as drought, flood, hail, pests, disease, and global market forces which can drastically disrupt prices, and that is why the farm bill safety net is so essential and important.

The farm bill safety net provides disaster assurance for livestock producers, and it contains crop insurance so farmers have certainty over their planting decisions. It also contains a dairy program to make sure we have a healthy dairy economy in Wisconsin, Minnesota, Vermont, New York, and other States.

That is why we have the Sugar Program, to help protect our sugar growers. The program is important to Minnesota's sugar growers and to growers across the Nation. In addition to protecting farmers, these programs enhance the domestic supply of food that is so important to our Nation. Unfortunately, some of my colleagues don't support a strong farm safety net, and they have decided to go after the Sugar Program in the farm bill this year.

Let's be clear about one thing: By attacking the Sugar Program, or any other farm safety net, they are helping to send jobs overseas. Ironically, this attack comes just a week after 60 Senators supported a provision to make sure some of the funds used in water infrastructure projects are used to purchase U.S. iron and U.S. steel. Some of the very same Senators who are fighting for a domestic steel industry are now turning their backs on our farmers by pulling the plug on our Sugar Program. I also heard some argue that we should just let the free market work.

Madam President, did you know that the government of Mexico is Mexico's biggest producer and exporter of sugar? That is not much of a free market.

Brazil, the world's largest sugarcane producer, spends billions of dollars to subsidize its Sugar Program. Let's be clear: Removing the protections we have for our domestic sugar producers will do nothing but kill an American industry and outsource jobs to our competitors.

Some have depicted the amendment of Senator SHAHEEN and TOOMEY as nothing more than a rollback of U.S. policy to the pre-2008 policy.

Let's be clear: The reason Congress modified the U.S. sugar policy in the 2008 farm bill was primarily because the provision in NAFTA, which allows subsidized Mexican sugar unfettered access to U.S. markets, kicked in in 2008. The reason the bill changed in 2008 is because the Sugar Program changed. Let's be clear: Eliminating or weakening the Sugar Program is going to kill rural jobs in America.

I urge my colleagues to stand for agriculture and American jobs. I ask that my colleagues oppose the amendment of Senator SHAHEEN and Senator TOOMEY.

I see the Senator from Illinois is here and about to join us on the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. The tragedy that hit Oklahoma earlier this week—killing innocent people and children and destroying homes, businesses, and schools—just reminds us of how vulnerable we are to the forces of nature. It wasn't the first time the wind blew in Oklahoma. In fact, that same community had been victimized by a tornado years ago.

If we go back in history to the 1920s, the State of Oklahoma faced what we have now characterized as the Dust Bowl. I didn't know much about that, but I read about it. I kind of knew it destroyed lives, farms, and many people had to pick up and leave. They moved to California and other places.

I ran across an excellent book written by a man named Tim Egan. Tim is from Seattle, WA. I don't know him personally, but Senator MURRAY and Senator CANTWELL know him. He writes for the New York Times and also writes excellent books. He wrote a book called ''The Worst Hard Time,'' which tells the story about the Dust Bowl.

What happened, as I understand it, was there was speculation on wheat during World War I. There was a scarcity of wheat because of the war in Europe. People in the United States saw the prices of wheat going high, so they started planting. They planted on fragile ground. As a consequence, they were churning up the ground to plant the wheat and were not mindful of some serious possibilities that the topsoil would blow away.

One thing led to another and it became a natural disaster—the Dust Bowl. As a consequence, many people left Oklahoma and many people saw their lives change forever. Tim Egan's book, ''The Worst Hard Time,'' tells about that in detail.

As a result of that experience in the 1920s, a couple of things happened. First, we started taking conservation seriously; for example, how to conserve the topsoil of our land so it doesn't blow away. Ultimately, this gift from God is what gives us such fertile soil.

Secondly, because we know a farmer is at the mercy of nature, we started to think of ways—under President Franklin Roosevelt—to make sure the farmers could get through hard times, such as a bad year, a bad crop, or low prices.

Starting in the 1930s with the New Deal, we started dreaming up farm programs, and there were many of them. I can recall when I was elected to Congress in 1982, I represented an agricultural district. At the time I knew little or nothing about farming. I was trying to learn as fast as I could as to the options and history of these programs. I learned some things, but I am certainly not an expert.

Over the years we have tried a lot of different ways of protecting farmers from the vagaries of nature and the market. Not that long ago—10 or 15 years—we had a situation where we were seeing these natural disasters—such as floods, droughts, and disease—that claimed crops. Many of the farmers affected by those came to Congress and asked for help. We were giving them disaster payments, we called them, to get them through another year.

Well, the decision was made about 10 years ago that it would be better for us to deal with that unpredictability of nature and move away from disaster payments to a program which is known as the Crop Insurance Program. It speaks for itself. It is a program where a farmer can buy insurance and with that insurance protect that farm from a bad productive season or low prices in the market.

More and more farmers started looking for that protection, but they were not that happy with crop insurance as

it was too expensive. So what we did was make a calculation that if we subsidized the crop insurance premiums and if the Federal taxpayers kept them low, more farmers would buy it and we would pay less in natural disaster payments since the insurance program would take care of that exposure.

That is basically what we decided 10 years ago, and since then there has been a decrease in the cost of premiums and an increase in farmer participation and crop insurance, which is a good thing.

I might also say that during the same period of time we had some income protection for farmers in what was known as direct support payments. Unfortunately, those payments were guaranteed even in good times, and they became indefensible. We had some farmers with record profits on their farms and still getting a direct Federal support payment check.

We have the farm bill pending on the floor. Senator STABENOW of Michigan has done a remarkable job—again, for the second time—in writing a farm bill. She wrote a farm bill last year, which we sent to the House of Representatives after we passed it with a strong bipartisan vote, and they basically ignored it. They didn't want to call it so it could be considered on the floor of the House, but they could not come up with their own farm bill.

We are hoping for a better outcome this time. Once again, Senator STABENOW sat down with the agriculture committee in the Senate and produced this farm bill which is before us.

I am here today to describe an amendment which Senator TOM COBURN of Oklahoma and I are offering. Senator COBURN, a very fiscally conservative Republican, and I have come to an agreement on an amendment which we are offering to the Senate—a Republican and a Democrat.

Here is what it comes down to: Our amendment would reduce the level of premium subsidy for crop insurance policies by 15 percentage points for farmers with an adjusted gross income of over $750,000.

Let me explain what is behind this. Crop insurance is not a real insurance program by private sector standards. In other words, the premiums being paid by the farmers do not create a reserve large enough to cover the amounts that are paid off or paid out for losses each year, so the Federal Government makes up the difference.

Currently, on average, when it comes to crop insurance policies, the Federal taxpayers—not the farmers—pay 62 percent of the premiums and the farmers pay 38 percent, so it is a heavily subsidized program. That is understandable because we want to keep the premium costs low so there is more participation, but it is also the reality. So we are dealing with a program that is important to our farmers and important to our Nation with a heavy Federal subsidy.

Last year farmers put in $4 billion in the purchase of crop insurance across America. The Federal taxpayers put in $7.1 billion in subsidies to the same Crop Insurance Program. So this is not a traditional insurance program, it is one that is heavily subsidized and heavily leveraged by the Federal Treasury.

I might also add the taxpayers are on the line for the cost of administering the program, which recently was $1.3 billion in a year, so $7.1 billion in premium subsidies and $1.3 billion in administrative expenses. We are basically saying the taxpayers, by a margin of 2 to 1, are putting more money in the crop insurance program than the farmers who are protected.

Going back to the Dust Bowl story, remember that one of the things we decided to do was to protect fragile lands from wind and water and the type of erosion that reduces their value. Over the years we had these conservation programs saying to farmers, if you have a wetland or a land that is particularly fragile or vulnerable, set it aside; don't plant on it. This bill Senator STABENOW brings to the floor makes this conservation practice a condition for buying crop insurance. I think that is a good thing, and I totally support that. And, from the viewpoint of the Federal taxpayers, I don't think it is too much to ask that the farmers participating in the crop insurance program also participate in conservation practices to protect farmland across this country. That is included.

Four percent of the most profitable farmers in America account for nearly 33 percent of all the premium support by the Federal Government. In other words, there are a lot of small farmers with crop insurance who don't have much exposure, don't pay much in premiums, but there are a lot of large operations that are quite different.

This is a GAO study that was put out in March of 2012. They analyzed the crop insurance program. Interesting reading. ''Savings would result from program changes and greater use of data mining.'' That was their conclusion, after investigating this program last year.

What they are talking about when they say ''data mining'' is taking a look at the farmers who are buying crop insurance. Who are these people? Well, they came up with some interesting examples, if I can find them. In the year 2010, according to the GAO, the average value of the premium subsidy received by participating farmers was $5,339. Thirty-seven participating farmers each received more than $500,000 in premium subsidies—that is subsidies from taxpayers—37. The participating farmer receiving the most in premium subsidies, a total of $1.8 million in Federal subsidies for one farmer—was a farming operation organized as a corporation that insured cotton, tomatoes, and wheat across two counties in one State.

There is another one here. Another of the 37 participating farmers was an individual who insured corn, forage, potatoes, soybeans, sugar beets, and wheat across 23 counties in 6 States for a total of $1.6 million in taxpayer subsidies for his crop insurance. In addition, the cost of the administrative expense subsidies the government spent on behalf of this farmer—one farmer—administrative expenses: $443,000. This is a farmer farming in 23 counties across 6 States.

The point I am trying to get to is this: When we think of farmers and the struggles they face, we shouldn't ignore the obvious. For the wealthiest 1 percent of the farmers in America, they are doing quite well. I think—and Senator COBURN agrees—the Federal subsidy in crop insurance to those farmers should be diminished some to save money for the program and to reduce the deficit. That is what our amendment is all about.

What we are suggesting, as I said at the outset, is that instead of 62 percent of the premium being paid by taxpayers for the richest farmers in America, it be 47 percent of the premium. That is still pretty generous, is it not, for someone who is getting $1.8 million in subsidies already and $400,000 plus in administrative expenses? We are helping that farmer in 23 counties over 6 States with over $2 million in Federal subsidies. I think he can afford to pay a little more. That is what this amendment says.

This farm bill is a good bill. It eliminates direct payments. I salute Senator STABENOW for doing that. Eliminating direct payments made regardless of need saves about $4.5 billion a year, $40.8 billion over 10 years. Hats off to Senator STABENOW. She is reducing the deficit with this farm bill.

I think crop insurance is a much better safety net than direct support payments and much more defensible. But Senators who are concerned about the growth of government and its costs ignore the fact that this heavily subsidized crop insurance program cost the Federal Government more than $14 billion last year. While this growth is mostly due to costs associated with drought, we have to find commonsense ways for savings in the program. That is why we have suggested that farmers with an adjusted gross income of over $750,000 pay 15 percent more when it comes to their premiums for crop insurance.

Let me add something which is not a very well-kept secret: Many of these very large farming operations divide up their farms and their income between husband and wife. So when we are saying $750,000 adjusted gross income, it is actually from a couple that is making over $1.5 million in adjusted gross income in many instances. Our amendment says if the adjusted gross income; that is, after deducting business expenses, health care costs, and other deductions, is at $750,000, premium support is reduced by 15 percentage points. The amendment is roughly estimated to impact the wealthiest 1 percent of farmers. Who is going to pay this? Who

is going to pay the extra premium? Twenty thousand farmers across America will pay the extra premium. I just described a couple of them. Twenty thousand out of two million. Twenty thousand. Well, what is it worth to those 20,000 farmers to pay 15 percent more? It is worth $1 billion over ten years; $1 billion coming into our Treasury.

When I think of the ways we are cutting spending to reduce our deficit, which include taking 70,000 children out of Head Start as an example, how can we possibly justify, for the wealthiest multimillionaire farmers in America, not asking them to pay a little more when it comes to their crop insurance premium? How can we excuse them and say, No, no, no, these very rich farmers absolutely deserve the maximum when it comes to the Federal taxpayer subsidy? I don't think that is acceptable.

The amendment may sound familiar to some of my colleagues. It was adopted before by a vote of 66 to 33 in the Senate. Of the 33 who voted against the amendment, 29 voted for a nearly identical amendment that only varied in the scope of the study. This is a study associated with our amendment.

Some may come to the floor and say that following last year's drought, we shouldn't change crop insurance at all. Last year was the worst drought in over a decade. Eighty percent of agricultural production felt it and my State of Illinois certainly did. The USDA declared 2,245 counties in 39 States disaster areas. Crop insurance worked for those covered and has allowed those producers to plant again this year without missing a beat. Our change in the law would not change that circumstance at all.

I recognize the importance of crop insurance. It is far preferable to disaster payments. But for goodness sake, if we can't say to 1 percent of farmers—the wealthiest in this country—that they are going to take a slightly diminished Federal tax subsidy for their crop insurance, then we aren't very good as budget cutters. We say to a lot of people who have a lot less to work with in life, You are going to have to face up to the reality of the deficit. Can't we say it to 1 percent of the farmers, that they are going to have to face up to the same basic reality? That is what this amendment is all about.

I asked my staff to come up with a couple of examples of farmers and the premiums they pay for the RECORD. One example: An Illinois corn and soybean grower received $740,000 in premium subsidies to cover the crops he planted in 18 counties in Illinois. This is no small mom-and-pop farmer; this is a big operator. And while I love my Illinois farmers, I can't justify this kind of a subsidy of $740,000 to one farmer in my State. While his exact additional costs are impossible to calculate without knowing all the circumstances, even if he is caught by this amendment and purchased the same policy, instead of a $740,000 taxpayer subsidy he would have a $639,000 Federal taxpayer subsidy.

Another example: A South Dakota corn and soybean farmer received $1.4 million in premium subsidies to cover crops in eight different counties; $1.4 million Federal taxpayer subsidy for his crop insurance. This producer would only receive $1.19 million in premium support under this amendment. Would he stop participating in the program? Of course not. If he is that large a producer he needs this program and the subsidy is still very generous.

This is an issue which I know is a little complex, but when I listen to the speeches on the floor about the deficit—and we have heard plenty of them today and we will hear plenty of them tomorrow—I have to ask myself, Will Senators on both sides of the aisle stand with Senator COBURN and myself and say the wealthiest 1 percent of farmers in America should have their Federal subsidy for crop insurance reduced by 15 percent? Not unreasonable. They will still make a lot of money and the taxpayers will see $1 billion more coming into the Treasury.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. I ask unanimous consent to speak as in morning business.

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

The Senator from Georgia.

Mr. CHAMBLISS. Madam President, would the Senator allow me to propound a unanimous consent to be allowed to speak for 10 minutes as in morning business following the Senator from Connecticut?

Mr. BLUMENTHAL. I have absolutely no objection.

Mr. CHAMBLISS. I make that unanimous consent request.

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

The Senator from Connecticut.

SEXUAL ASSAULT IN THE MILITARY

Mr. BLUMENTHAL. Madam President, in the past couple of weeks we have seen some major encouraging efforts in the Senate to rid our military of sexual assault, to punish it more aggressively and effectively, to deter it, and to aid victims who may suffer from sexual assault—victims of both sexes who may be survivors of this spreading scourge. Last year alone, an estimated 26,000 cases of unwanted sexual contact; only about 3,300 of them reported. So the key to more effective prosecution and deterrence is more reporting as well as swifter, surer punishment and a better program within the military to deal with it.

I will be proposing over the next few weeks additional measures. I have already cosponsored the Military Justice Improvement Act, a very important measure sponsored by our colleagues Senators GILLIBRAND and COLLINS that would transfer prosecuting and charging authority from military commanders to a separate, trained, experienced cadre of prosecutors in the military.

I have also cosponsored the Combating Sexual Assault in the Military Act proposed by my colleagues Senator MURRAY and Senator AYOTTE; again, very important legislation providing special victims counseling to survivors or victims of sexual assault, and the Ruth Moore Act sponsored by my colleague Senator TESTER, that provides aid for disabled veterans who suffer from this problem.

Today I rise to praise Secretary of Defense Hagel for his decision and his leadership in avoiding furloughs of any of the civilian sexual assault prevention personnel as a result of the sequester. As we know, the sequester has caused furloughs of many civilian employees at the Department of Defense as well as some similar personnel decisions across the Federal Government. I wish to say that all of us who are advocating this cause did express appreciation to our Secretary of Defense for his leadership as well as to the military leadership at all levels for their focus on this issue. These measures are good, their intention is commendable, but it is not yet enough, as many of them would acknowledge very candidly and have done so to all of us in the Senate who are interested in this issue.

We need to hire more civilians trained and qualified to help victims, not just avoid the furloughs of the advocates and sexual assault response coordinators we have in place right now, but to hire more of them.

I raise this issue because—and here is the statistic everyone should keep in mind—the U.S. Army has hired only 80 out of the 446 whom it should have in place right now among the sexual assault prevention personnel—80 out of 446.

Let me give a little bit of the history. At the end of 2011, Congress set in Public Law 112–81 that new requirements should be expanded in the provision of victims advocates and that they either be in uniform or civilian employees who have the proper training and qualifications to perform this important service. The Army announced in June of last year—almost a year ago—that it would have 829 victims advocates. Of those, 446 would be civilians. As a result, each brigade and equivalent-sized unit would be covered by a full-time victims advocate and below that level have the role of victims advocate performed as a collateral duty.

So I was troubled to hear in April of this year, just a couple months ago, when Secretary McHugh testified before the Senate Armed Services Committee, that the Army's Sexual Harassment/Assault Response and Prevention Program—known as SHARP—had hired only 63 of that number; in other words, 63 out of 446. I understand the most updated number is 80 out of 446.

These civilian sexual assault prevention personnel, very simply, are needed

today. The military and our leadership know that this problem is a scourge that is a direct threat to the good order and discipline of our military personnel. It has confronted this problem in many commendable ways. But hiring victims advocates and sexual assault response coordinators is vital to the effort. It is vital to encouraging both men and women victims to come forward and have the courage and strength to report these incidents when they occur.

These incidents are more than just disciplinary infractions. They are vicious, predatory criminal acts. They should be punished as vicious, predatory criminal acts. Victims of them need advocates and counselors to have that strength and courage to come forward and participate in the grueling and often painful process of supporting a successful prosecution. Without successful prosecutions, there can be no punishment, and successful prosecutions require witnesses and cooperation and support from the victim.

My hope is that the Army will swiftly stand up this force, that it will do more than just avoid furloughs, that it will, in fact, recruit actively and successfully. Other branches of our military service should also be asked: How are you doing in this process? And if you are doing better, what are the keys to your success?

All across the military there must be a robust SHARP program, Sexual Harassment/Assault Response and Prevention Program. It is a mouthful. It is a long term, but it stands for a program that must be successfully and carefully built and sustained.

I will be introducing legislation tomorrow focusing on victims' rights and what can be done to bolster not only the substance of those rights but the remedies to make those rights real.

For today, I say thank you to the Secretary of Defense for the step he has taken and hope we can count on additional steps to make these rights real, to guarantee successful prosecution, to make sure our military rules and remedies against sexual assault and abuse are worthy of the greatest, strongest, best military in the world, staffed by men and women second to none in their training and dedication. The system of military justice must be worthy of their service and sacrifice.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I rise to speak on S. 954, the legislation to reauthorize agricultural programs.

As a former chairman and ranking member of the Agriculture Committee, I recognize how difficult it is to combine all the diverse interests into a single piece of legislation that meets the needs of all crops, all regions, and all rural and urban communities the farm bill impacts.

I thank Chairwoman STABENOW and Ranking Member COCHRAN for the work they have done to craft a reform-minded bill that not only saves $24 billion with sequestration cuts included but also provides an effective safety net for farmers and ranchers all across the country to rely on in times of need.

This bill embodies reforms, streamlining, and consolidation, and with the biggest issue facing our country today being our growing debt and deficit, I commend the members of the Agriculture Committee for stepping up and doing the work necessary to find savings. While we take these essential steps, we must also do it in an equitable and a fair manner.

Agricultural producers face a combination of challenges such as unpredictable weather, variable input costs, and market volatility that all combine to determine profit or loss in any given year. The 2008 farm bill provided a strong safety net for producers, and successor legislation must adhere to and honor the same commitment we made 5 years ago. It is also important to note that this bill must not only work to protect producers in times of need, but it must responsibly serve as the Nation's safety net for the nutritional well-being of low-income Americans.

Last year, when we went through this process, I was unable to support the bill. However, I appreciate the chairwoman and ranking member for making improvements to last year's bill. While the bill before us is not perfect, I believe everyone who is involved in agriculture understands that it addresses the needs of U.S. agriculture, which is what the policy coming out of this body should address.

While I understand there are different ideas about what safety net is best, I urge my colleagues to recognize that one program does not work for all crops. The bill before us attempts to provide producers with options to find what works best for them, and that is a step in the right direction.

A new program known as Adverse Market Protection seeks to serve the needs of those who are not protected by the Agriculture Risk Coverage—ARC—and Crop Insurance Programs. It is imperative that the farm safety net provide protection for multiyear declines, especially for southern crops such as rice and peanuts, since the protection provided by ARC and crop insurance is not sufficient.

Also, I would like to recognize that the upland cotton policies contained in the chairwoman's mark represent fundamental reform in the support provided to cotton farmers—reforms that contribute $2.8 billion toward savings in the committee's budget target. The legislation eliminates or changes all title I programs providing direct support to those involved in cotton production and puts us down the path to resolving our WTO dispute with Brazil.

Further, I would like to express my support for a provision in this bill that ties conservation compliance to crop insurance. My amendment last year on the floor relinked the two, and since then 32 leading agricultural, conservation, and crop insurance groups have come to support this provision and have come together with ideas to form a compromise on details of this linkage. The compromise will provide a strong safety net for our farmers and natural resources, while allowing them to be wise stewards of the taxpayer resources.

For those of us who enjoy hunting and fishing and the outdoors, this provision will provide for future generations of Americans the same opportunity we have to hunt and fish today.

There is another provision that did not come up in the discussion in the Agriculture Committee that I would like to briefly comment on, and that is the dairy program. The dairy program is always an integral part of every farm bill, and I am not anywhere near an expert on the dairy program. In fact, I kind of leave that to States where it has a more significant impact. But in my State, when I came to Congress almost 20 years ago, we had in excess of 700 dairies in Georgia. Today we have less than 300. In fact, it is closer to 250.

I do not know what the problem is, but I do think, as we move this bill off the floor and into conference—particularly with what has been going on in the House relative to dairy and the discussion over there—we need to be mindful of the fact that we need to address this program long term. If the way it is designed now is the best we can do, so be it. But I do think it is going to merit a significant discussion on dairy once we get to conference and have our ideas shared with the House and the House ideas shared with us.

This will be my fourth and final farm bill as a Member of Congress. As a member of the Agriculture Committee and as a strong supporter of Georgia agriculture for my nearly 20 years in Congress, I have witnessed several disputes, especially regional disputes. However, I am confident we can balance the needs and interests between commodities and regions to reach our common goal of getting a farm bill across the line.

Ultimately, the reason we are here is to represent those who work the land each and every day to provide the highest quality agricultural products and the safest agricultural products of any country in the world. We have the opportunity to write a bill that is equal to their commitment to provide the food, feed, and fiber that allow America to be the greatest Nation on Earth.

Madam President, I thank you, and I look forward to the forthcoming debate on the remaining amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I came here today first of all to talk about the farm bill. I am a member of the Agriculture Committee. We are very proud of this bill. It is a strong bill. As Senator CHAMBLISS just pointed

out, it enjoys broad bipartisan support. Of particular importance to the State of Minnesota is the safety net that is in the bill; the focus on ag research, which the Presiding Officer from the State of Wisconsin, with her great universities, knows is very important; and the work we have done with dairy in trying to improve the dairy program.

The dairy farmers have been the hardest hit in our State of any of the agricultural groups. I have done some new things for new and beginning farmers.

Then, of course, there is the Sugar Program—something that has been a topic today, as some of our colleagues are trying to strip the Sugar Program out of the bill. I would argue that this is 30,000 jobs in the Red River Valley of Minnesota and North Dakota. American sugar is actually much less expensive than you see in the price on the global marketplace. The Sugar Program works. It works for workers, it works for America, and we need to continue it.

THE BUDGET

I would like to turn to the focus of my remarks today, which is, first of all, on the budget. I thank Senator MURRAY for her leadership on the Budget Committee and for all her hard work in advancing a smart, balanced budget to meet our country's fiscal challenges.

This is not the first time I have come to the Senate floor in the last year or in the last several years to stress the critical need for Democrats and Republicans to come together and focus on smart solutions to reducing our debt. I think it is a good sign that both the House and the Senate have passed budgets and that the President introduced his budget last month.

I see this time as a real opportunity to come together to work through this budget process and get a deal done. That is why we must take the next step in the process, which is to move forward under regular order and have the House and Senate conference on a budget deal.

For years we have been hearing from our colleagues across the aisle about how the Senate did not have a budget. Well, the Senate passed a budget, and all we want to do is to move this into conference committee so that the House and the Senate can work together so that we can get a budget for this country.

There is growing bipartisan support for going to conference and starting the conversation so that we can come to an agreement on a long-term budget. Last night Senators MCCAIN and COLLINS came to the floor and talked about how we need to return to regular order in the Senate, and regular order means going to conference to come to a budget deal.

Doing so will allow us to stop lurching from crisis to crisis and address our fiscal challenges in an open, bipartisan way. I believe this is what folks outside of Washington, especially the people I talk to in Minnesota, want; for us to put politics aside for the good of the country and come together on a budget deal that reduces our deficit in a balanced way but also lays a foundation for sustained economic growth.

In the past 2 years Congress has made some progress in reducing the deficit. We have already achieved $2.4 trillion in deficit reduction, with a goal of a $4 trillion reduction in 10 years within our grasp. Last week the Congressional Budget Office reported that deficit will fall to $642 billion this year, $200 billion less than what the CBO projected just 3 months ago. The better numbers reflect good news in housing and larger than expected increases in tax revenue.

But I believe that resting on those numbers would be a mistake. If we are to get closer to reaching a new deficit agreement, it is only going to happen if we work in a bipartisan way through regular order to get a deal done. Along with addressing our fiscal challenges, working through the budget process and coming to agreement will create a stronger, more resilient framework for economic renewal.

We certainly see how we got a major bill done through the Judiciary Committee last night when we were able to get the immigration bill done. There is no reason a conference committee should not be at work right now taking the Senate budget that we have heard for years needs to be done and paring it up with the House budget and coming together. In the bigger picture, this presents an opportunity for us to reinforce our role as a world leader in innovation, entrepreneurship, exporting, education; in other words, that which we have always taken pride in. We want to be a nation that produces, that invents, that exports to the world. Part of that is showing the world we have our fiscal house in order.

I believe the Senate proposal is the right blueprint for moving us forward. On the most immediate front, it will allow us to build on the progress we are already seeing in the economy. Last month, the national unemployment rate dropped to 7.5 percent, the lowest level in 4 years. Our housing market is turning around. Consumer spending has picked up in the first months of the year as has private business investment. The unemployment rate in my State of Minnesota is at 5.4 percent.

But even with this progress, our economy remains vulnerable to headwinds. We should keep this good economic momentum going but only if we are willing to find common ground on a budget plan that also moves our economy forward.

We need to take a balanced approach to deficit reduction. You do not have to take my word for it. Nearly every commission that has offered ideas for reducing our debt has stressed the importance of balance. This includes the original Bowles-Simpson plan, the Rivlin-Domenici plan, and even the revised Bowles-Simpson plan, which calls for another $2.4 trillion in deficit reduction, one-quarter of which would come from new revenue totaling $600 billion.

We do not just need a balanced budget; we need a budget that is in balance. I believe the Senate's budget achieves that goal. It includes an equal mix of responsible spending cuts and new revenue from closing loopholes and ending wasteful spending in the Tax Code. Our budget builds on the $2.4 trillion in deficit reduction we have already achieved in the last 2 years, with an additional $975 billion in targeted cuts and $975 billion in new revenue, surpassing the bipartisan goal of $4 trillion.

Just this morning I was at the Joint Economic Committee—I am the Senate chair of that committee—where Chairman Bernanke testified. He warned us about the negative impact—that cuts solely focused in the short term can negatively impact economic growth. He noted that policies such as sequestration are creating headwinds against short-term economic growth and that Congress needs to take a broader, long-term view toward our debt and deficit.

That is what this conference committee is about. That is what regular order is about. We have a Senate budget. We have a House budget. We have that opportunity to bring those budgets together in a conference committee. Some of the most important points in the Senate budget include the fact that it replaces the sequester with smart targeted cuts while also making critical investment in areas such as education, workforce training, and infrastructure.

It produces savings in Medicare and Medicaid by eliminating waste and fraud, promoting efficiency, and emphasizing cost alignment. Our budget also recognizes there is a massive amount of spending that takes place through the Tax Code, to the tune of over $1 trillion per year in tax expenditures. The Senate budget eliminates wasteful tax loopholes and subsidies.

All told, the Senate budget cuts the deficit by approximately $2 trillion. This continues us on a downward path where our debt-to-GDP ratio will be about 70 percent by 2023. Getting the Federal budget on a sustainable path will only promote growth and stability. The American people want us to get this done. They want us to compromise. They want us to work together to get the economy on the right track.

I urge my colleagues to support moving to conference so we can begin the work of finding solutions to a very important matter.

GAS PRICES

I wish to speak briefly on one other topic that is an important economic issue for families and businesses in Minnesota; that is, the recent spike in gas prices. We do have some good things in the farm bill that will help us, including the promotion of energy and biofuels, but I came to discuss the recent spike in gas prices in Minnesota,

a problem that is disrupting commerce and hurting consumers, small businesses, and farmers across the State and throughout our region.

In Minnesota, the average gas price is $4.25, 40 cents higher than 1 week ago and over 80 cents more than only 1 month ago. In fact, a few days ago it was the highest in the country, higher than Honolulu. It happened all of a sudden, in literally a 2-week period. That is a significant increase which puts family budgets under severe pressure.

I am focused on immediate relief. I am taking actions now so we can avoid similar gas price spikes in the future. With Memorial Day around the corner and the start of the summer driving season upon us, this kind of price spike is simply outrageous. To cut back on costs, some families are already putting off family trips and scaling back vacations. I have already heard from families who have canceled or scaled back their plans.

But there are some things people cannot put off, such as driving to work, such as going to the doctor's office. More money to fill the tank means less money for food, housing, and everything else families need. Families in Minnesota cannot afford an 80-cent spike in the price of a gallon of gas, neither can business owners who need to ship their goods to market or farmers who rely on diesel fuel to keep their equipment running.

We know what is causing the price increase—supply shortages resulting from the simultaneous closing of several oil refineries in the Midwest. We also know what is not causing the price increase. The price of crude oil has not moved. We are about $96 a barrel, similar to where prices were 1 month ago. In fact, the national trend in gas prices, which tracks the price of crude, has not moved much either. OPEC has not been jacking up their prices. We did not have a hurricane or even a blizzard that would affect supplies or prices. The increase has not been caused by a pipeline rupture or geopolitical threats.

Rather, the price spike has resulted largely from the combination of a number of refineries going offline for scheduled and unscheduled maintenance which serve the upper Midwest to prepare for the summer fuel blend. I understand that refineries need to adjust their blends and occasionally perform upgrades to protect worker safety and repair equipment.

But scheduled routine maintenance should not be an excuse for major gasoline shortages and price spikes. Three refineries in Indiana, Illinois, and Flint Hills, MN, currently are shut down for maintenance or upgrade. A fourth refinery in Wisconsin is currently offline as they turn their productions over to summer fuel blend. A fifth refinery in St. Paul Park, MN, remained down longer than expected, but I understand that refinery is again operational.

The result of all these closures is Minnesota and other parts of the Upper Midwest simply did not have enough refined gasoline to make it to the market right now. In this day when we have a surplus of fuel, when we are drilling record amounts in North Dakota, when we do not see a huge increase in the price of oil, this just should not be happening. That is why last Thursday I called on the Department of Energy to thoroughly review the timing of scheduled maintenance operations and to take action to address future supply problems that are preventable. I have also spoken with the Department of Energy about ways to resolve the issue quickly and prevent disruptions down the road. I am working with DOE and industry partners on legislation that addresses known scheduled closures of refineries for maintenance.

Having improved information could serve as an early warning system to protect consumers from production problems within the refinery industry. With more transparency and more lead time, fuel retailers will have the opportunity to purchase fuel at prices that better reflect the underlying cost of crude oil and better reflect supply and demand across the country.

I also believe refineries should give immediate notification of any unplanned outages. I am working to address this as well. I am also working with the Secretary of Energy to look at the potential for additional refined fuel storage capacity in our region. Minnesota has less storage capacity for refined products than other parts of the country, making us more vulnerable to the kinds of refinery outages we have experienced this year, both planned and unplanned.

If we had additional storage in place, we could better ensure fair and consistent prices for our consumers. This week I talked to all of the major oil companies that own these refineries. It looks as though additional shipments from another pipeline are helping to increase supplies. This should provide some relief.

Petroleum markets in Minnesota have reported the spot prices in the wholesale markets were down by 30 cents, but that drop has not yet reached our consumers. I believe we need an all-of-the-above plan to get serious about building a new energy agenda for America. This, of course, means less dependence on foreign oil, more domestic production of oil as we are seeing in North Dakota, natural gas, and, of course, biofuels. It also means tougher vehicle efficiency standards that help cars to go farther on a tank of gas.

But my focus is on our immediate problem. We need to get refineries up and running and get gas prices down so we can all we begin to enjoy this summer. I look forward to continuing to work with the Department of Energy and my colleagues on both sides of the aisle to address the recent and unnecessary spike in gas prices and prevent this from happening again.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Michigan.

AMENDMENT NO. 925

Ms. STABENOW. Mr. President, on behalf of Senator SHAHEEN, I called up her amendment No. 925.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Ms. STABENOW], for Mrs. SHAHEEN, Mr. KIRK, Mr. TOOMEY, Mr. DURBIN, Mrs. FEINSTEIN, Mr. ALEXANDER, Ms. AYOTTE, Mr. CORKER, Mr. LAUTENBERG, Mr. PORTMAN, Mr. COATS, Mr. MCCAIN, Mr. COONS, Mr. COBURN, Mr. WARNER, Mr. JOHNSON of Wisconsin, Mr. KAINE, and Mr. HELLER, proposes an amendment numbered 925.

Ms. STABENOW. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To reform the Federal sugar program, and for other purposes)

In title I, strike subtitle C and insert the following:

Subtitle C—Sugar Reform

SEC. 1301. SUGAR PROGRAM.

(a) SUGARCANE.—Section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) is amended—

(1) in paragraph (4), by striking ''and'' after the semicolon at the end;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(6) 18 cents per pound for raw cane sugar for each of the 2014 through 2018 crop years.''.

(b) SUGAR BEETS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking ''2012'' and inserting ''2018''.

(c) EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 1302. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.

(a) IN GENERAL.—Section 359b of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb) is amended—

(1) in subsection (a)(1)—

(A) in the matter before subparagraph (A), by striking ''2012'' and inserting ''2018''; and

(B) in subparagraph (B), by inserting ''at reasonable prices'' after ''stocks''; and

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking ''but'' after the semicolon at the end and inserting ''and''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) appropriate to maintain adequate domestic supplies at reasonable prices, taking into account all sources of domestic supply, including imports.''.

(b) ESTABLISHMENT OF FLEXIBLE MARKETING ALLOTMENTS.—Section 359c of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359cc) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''but'' after the semicolon at the end and inserting ''and''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) appropriate to maintain adequate supplies at reasonable prices, taking into account all sources of domestic supply, including imports.''; and

(B) in paragraph (2)(B), by inserting ''at reasonable prices'' after ''market''; and

(2) in subsection (g)(1)—

(A) by striking ''ADJUSTMENTS.—'' and all that follows through ''Subject to subparagraph (B), the'' and inserting ''ADJUSTMENTS.—The''; and

(B) by striking subparagraph (B).

(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Section 359j of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359jj) is amended by adding at the end the following:

''(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Notwithstanding any other provision of this part, the Secretary may suspend or modify, in whole or in part, the application of any provision of this part if the Secretary determines that the action is appropriate, taking into account—

''(1) the interests of consumers, workers in the food industry, businesses (including small businesses), and agricultural producers; and

''(2) the relative competitiveness of domestically produced and imported foods containing sugar.''.

(d) ADMINISTRATION OF TARIFF RATE QUOTAS.—Section 359k of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359kk) is amended to read as follows:

''SEC. 359k. ADMINISTRATION OF TARIFF RATE QUOTAS.

''(a) ESTABLISHMENT.—Notwithstanding any other provision of law, at the beginning of the quota year, the Secretary shall establish the tariff-rate quotas for raw cane sugar and refined sugar at no less than the minimum level necessary to comply with obligations under international trade agreements that have been approved by Congress.

''(b) ADJUSTMENT.—

''(1) IN GENERAL.—Subject to subsection (a), the Secretary shall adjust the tariff-rate quotas for raw cane sugar and refined sugar to provide adequate supplies of sugar at reasonable prices in the domestic market.

''(2) ENDING STOCKS.—Subject to paragraphs (1) and (3), the Secretary shall establish and adjust tariff-rate quotas in such a manner that the ratio of sugar stocks to total sugar use at the end of the quota year will be approximately 15.5 percent.

''(3) MAINTENANCE OF REASONABLE PRICES AND AVOIDANCE OF FORFEITURES.—

''(A) IN GENERAL.—The Secretary may establish a different target for the ratio of ending stocks to total use if, in the judgment of the Secretary, the different target is necessary to prevent—

''(i) unreasonably high prices; or

''(ii) forfeitures of sugar pledged as collateral for a loan under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272).

''(B) ANNOUNCEMENT.—The Secretary shall publicly announce any establishment of a target under this paragraph.

''(4) CONSIDERATIONS.—In establishing tariff-rate quotas under subsection (a) and making adjustments under this subsection, the Secretary shall consider the impact of the quotas on consumers, workers, businesses (including small businesses), and agricultural producers.

''(c) TEMPORARY TRANSFER OF QUOTAS.—

''(1) IN GENERAL.—To promote full use of the tariff-rate quotas for raw cane sugar and refined sugar, notwithstanding any other provision of law, the Secretary shall promulgate regulations that provide that any country that has been allocated a share of the quotas may temporarily transfer all or part of the share to any other country that has also been allocated a share of the quotas.

''(2) TRANSFERS VOLUNTARY.—Any transfer under this subsection shall be valid only on voluntary agreement between the transferor and the transferee, consistent with procedures established by the Secretary.

''(3) TRANSFERS TEMPORARY.—

''(A) IN GENERAL.—Any transfer under this subsection shall be valid only for the duration of the quota year during which the transfer is made.

''(B) FOLLOWING QUOTA YEAR.—No transfer under this subsection shall affect the share of the quota allocated to the transferor or transferee for the following quota year.''.

(e) EFFECTIVE PERIOD.—Section 3591(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking ''2012'' and inserting ''2018''.

Strike section 9008 and insert the following:

SEC. 9008. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

(a) IN GENERAL.—Section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 359a(3)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa(3)(B)) is amended—

(A) in clause (i), by inserting ''and'' after the semicolon at the end;

(B) in clause (ii), by striking ''; and'' at the end and inserting a period; and

(C) by striking clause (iii).

(2) Section 359b(c)(2)(C) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(c)(2)(C)) is amended by striking '', except for'' and all that follows through '' of 2002''.

Ms. STABENOW. Mr. President, for the information of Members, we are working to set up a vote later this afternoon on this particular amendment. I am working with Senator COCHRAN and his Republican colleagues in order to set up that vote.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

IMMIGRATION REFORM

Mr. VITTER. Mr. President, I come to the floor to discuss a very important topic and one that itself is coming to the Senate floor soon. That is the problem of illegal immigration and proposals for so-called comprehensive immigration reform. Specifically, of course, the Gang of 8 bill, as it has been dubbed, is being reported out of the Judiciary Committee. We will be debating that bill, and hopefully a lot of important amendments to it soon, in June, on the floor.

Let me say at the outset, I think there are at least a couple of things we can all agree on. No. 1, I think we can all agree that the United States is an immigrant nation with a proud history of immigration—legal immigration. It is absolutely one of the core features of our Nation that makes us unique and that makes us strong. So I wish to say that upfront, very proudly, very strongly. I support that tradition, that history of being an immigrant nation. All of us are the children of immigrants—not a question of if, it is just a question of when, because that is the nature of America. That goes to the core of our strength.

No. 2, the other thing I think we can all agree with is our present immigration system is broken. In fact, it is badly broken, and we need to fix the system.

As I said a minute ago, we have a proud history of immigration, legal immigration. That is the tradition, the history we need to get back to. Unfortunately, right now we have a system of wide open illegal immigration, almost open borders in some cases and some areas, and that desperately needs to be fixed.

Having said that, I have real and fundamental concerns with the so-called Gang of 8 bill, and they fall into five or six big categories. I want to talk about each of those important categories in turn.

First and foremost, my biggest and my most fundamental concern, I think the so-called Gang of 8 bill repeats mistakes of the past because, at its core, it is amnesty now, enforcement later, and maybe never. We have tried that model before. We have tried it several times before, and it has never worked.

The most clear example is the 1986 immigration overhaul. That bill, at its core, was the same model, amnesty now and enforcement later, and maybe never. In fact, much of that enforcement was never. That is why it didn't work. The amnesty kicked in immediately, the millisecond the bill was signed into law. That was a powerful message to invite more and more illegal crossings across the border, more and more illegal immigrants into the country. That part of the bill, that part of the message, was heard loudly and clearly. The promises of enforcement never fully materialized. Many of them never materialized at all.

What happened when you had that combination of immediate amnesty with promises of enforcement that never materialized? Again, you attracted more illegal crossings, and you had no capability or will to do anything about them.

The promise then was we are going to have to do this once; the system will be fixed; we will never have to look back. We will never have to look in the rearview mirror. The problem will be solved.

What happened? Well, we all know the problem wasn't solved. In fact, the problem simply wasn't continued, the problem was quadrupled. What were 3 million illegal immigrants then were mostly made legal. But that number 3 million quadrupled, and now today we have 11, 12 million illegal immigrants, some think more.

That, at its core, is the Gang of 8 bill, and immediate amnesty, promises of enforcement. That is not good enough, particularly when we have decades—decades—the Federal Government, Republicans and Democrats, who have promised us before and have never ever delivered. The American people say we will trust but we want to verify. Trust but verify. We need to see this enforcement in action before we move on to anything else.

In fact, in some ways this Gang of 8 bill is worse in terms of that basic

model than previous versions such as 1986. If you look at page 70 of the bill, it actually has a period of an enforcement holiday, so 2½ years of a pure enforcement holiday. Not only is this amnesty now and enforcement later, it may never apply to folks who are in the country illegally now. They can keep coming. The message will be sent out, and they can come the day after the bill passes, the week after the bill passes, the year after the bill passes, 2 years after the bill passes, and it is part of the same amnesty. They would get the benefits of that amnesty as well. That enforcement holiday, 2½ years, makes that combination of a big amnesty now, with promises of an enforcement later, even more potentially disastrous.

The second big problem I have with the bill as it is currently put together is it doesn't enforce the law, and it doesn't enforce the border, particularly the troublesome southern border with Mexico. It doesn't enforce other enforcement provisions. It doesn't actually guarantee that those are put into place and executed in an effective way.

The proponents of the bill talk about so-called triggers in the bill before the amnesty, before the new legal status is granted. When you look hard at what the triggers are, they are triggers on a toy plastic gun, not real triggers in any meaningful sense of the term. The triggers basically narrow down to two things. First of all, the Secretary has to submit two reports, two plans. The Secretary of Homeland Security has to submit plans or reports, a so-called comprehensive ''southern border security strategy,'' so she has to submit a strategy. Great. This was promised for three decades but now she has to submit a strategy, a piece of paper and a southern border fencing strategy, so that is one trigger.

The other triggers are certification that the border strategy is ''substantially deployed'' and ''substantially operational.''

What is the problem with that? Two things. Who the heck knows what ''substantially deployed'' means and, No. 2, even more troublesome, do you know who has to certify that? The Secretary of Homeland Security, who has not been effective at enforcement to date in any way, shape, or form. Those so-called triggers are absolutely meaningless.

The bill doesn't require a fence, as is actually required under present law, so we are weakening that. We are walking away from that. It weakens current law regarding border security. Operational control is the standard now, and that is being weakened, changed to effective control. It doesn't require a biometric data system for entry and exit screening. That has been pushed by Congress since 1996. Congress started mandating this in 1996, and it was one of the prime recommendations of the 9/11 Commission, full deployment of the US–VISIT system. The 9/11 Commission said that needs to be a high priority. That is exactly how the 9/11 terrorists got into our country and overstayed their visas. It doesn't do any of that. Again, there is an enforcement holiday for 2½ years and no border security now before the amnesty kicks in.

No. 3, I am very concerned that we will continue the present status quo, which is significant benefits being available to these immigrants, which act as a magnet to incent other illegal immigrants to come into the country. The so-called Gang of 8 made all sorts of promises about certain promises not kicking in until full citizenship is granted down the road. Many benefits would kick in immediately, certainly participation in the Social Security system, certainly all those Social Security benefits, and their loopholes about these benefits. I think many illegal immigrants will clearly gain access to public benefits far sooner than any 13 years as advertised. That is another serious weakness of the bill.

Fourth, I am very concerned about the cost of this bill. Authors of this bill have been very clever. They saw that cost issue coming, and they devised the bill so the big costs of the bill are outside the 10-year budget window. Why is that important? Well, not to get into the weeds, but it is very important because CBO scores legislation primarily on its impact on taxes and spending in the first 10 years. The authors of the bill were very careful, very clever in devising a bill that would look OK in the first 10 years with regard to cost. After that first 10-year window, the costs explode and none of that will be reflected by this CBO score.

We have seen this movie before, because this is exactly the same approach to CBO scoring and costs of legislation, exactly the same approach the proponents of ObamaCare put forward. They were very clever to push many of the costs in the outyears beyond the first initial scoring window, and that is why they were able to wave CBO scores around to somehow suggest this would help lessen the deficit. It is perfectly clear now, ObamaCare is not going to make our fiscal situation better, it is going to make it far worse and far more onerous.

I believe exactly the same thing is true with this bill in terms of the costs, and I believe the proponents of the bill, quite frankly, have gamed the system in the same way to hide those costs, given the way CBO scores legislation.

In contrast to that, there is an objective study of the full costs of the bill, and that is a study by Robert Rector of the Heritage Foundation. He went into extreme detail tracking the full costs and fiscal benefits of the bill. His conclusion was that the full costs of the bill are $6.3 trillion over the full life and the full impact of the bill, $6.3 trillion, with a T. He concluded that the bill, because of all the folks it would legalize, would kick in $9.4 trillion in benefits. There are more government benefits we are going to have to pay out, $9.4 trillion.

These folks being legalized would pay some taxes into the system, which they do not pay now, and that would be $3.1 trillion. When you subtract 3.1 from 9.4, that obviously doesn't net out to zero. That is a net increase in the deficit, increased cost to the government, to society, to the taxpayer, of $6.3 trillion net. That is a serious impact on these budget and fiscal issues we are already very concerned about.

The Robert Rector study is very credible, it is very detailed. I have seen no comparable study in terms of the detail of the analysis. I would challenge anyone who cares about this issue, wherever they are coming from, to put up any other study that can compete with the Rector study in terms of detail and analysis. I think currently that is the last and final word on costs of the bill.

Two final points. A fifth big concern I have about the bill is I believe this bill is very unfair to legal immigrants and folks who are waiting in line in the legal immigration system now. It puts some people—not everybody who would be made legal, but some people—ahead of them in line and dishonors the fact that these would-be legal immigrants are following the rules now and following the law now.

Sixth and finally—and this is no trivial matter—I am very concerned that this would depress wages in the United States for many hard-working Americans, legal immigrants, others who have followed the law who are working hard in a very tough economy now. I think it would depress the general wage situation and make that more difficult for them to deal with.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. VITTER. In closing, I urge all my colleagues to look carefully at these and other concerns and try to address them fully, directly, completely, on the Senate floor.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, as we continue debate on the Agricultural Reform, Food and Jobs Act, I want to remind my colleagues how important this bill is for our economy and for the 16 million people whose jobs rely on agriculture. When we go home at night and sit down at the dinner table, it is because those 16 million people have worked hard to make sure we had safe, affordable food on the table. They are the men and women who farmed the land. They are also the people who manufacture and sell the farm equipment, the people who ship the crops from one place to another, the people who own the farmers markets and the local food hubs, the people who work in processing and crop fertility, not to mention the researchers and the scientists who work hard every day to fight pests and diseases that threaten our food supply.

I want to talk specifically for a few moments about the work we are doing in the conservation title of the farm bill. Our farm bill improves 1.9 million acres for fish and wildlife habitat. This is about jobs as well. Healthy wildlife habitats, clean fishable waters, are not only good for our environment, but they also support hunting, fishing, and all of our other outdoor recreation that benefits our economy and creates jobs. In fact, outdoor recreation supports over 6 million jobs in our United States.

In this farm bill we are including a new historic agreement around conservation—the most powerful conservation work in decades. It is truly amazing what can happen when people actually sit down and listen to one another and work together. If farmers want to participate in title I commodity programs, including the current Direct Payments Program, they must take steps to use best conservation practices on their land when it comes to highly eroded soil and wetlands. This has been the case for many years.

Of course, the Agriculture Reform, Food and Jobs Act we are debating now eliminates those subsidies.

Instead, we are strengthening crop insurance, which farmers need to purchase, and we are making market-oriented reforms to the commodity programs. But here is the issue: If we eliminate direct payment subsidies, we don't want to create unintended consequences by not having that link any longer. It is important for all of us that sensitive lands be managed in the best possible way. That is how we avoided having a dust bowl during the droughts. It is important for us to continue protecting wetlands, which help prevent flooding and are important to wildlife habitats for ducks and other waterfowl.

Commodity groups and conservation groups were on different sides of this issue for a long time. They looked at the issue from vastly different viewpoints, and they didn't agree on the best approach. They could have followed the very typical Washington playbook. They could have gone to their corners, fired off e-mails and press releases, brought the lobbyists in and demonized each other. But that is not what happened.

Like farmers and families across the country, they sat down together around a table and did something we don't do enough. They listened to each other. They listened and tried to see the other's viewpoint and they came to understand one another. It turned out their differences weren't so great after all. With a little compromise and a lot of hard work these groups were able to come together with a plan that conserves soil and water resources for generations to come and protects the safety net on which our farmers rely.

This has been called the greatest advancement in conservation in three decades. I want to underscore for my colleagues that this is an important historic agreement, and others deserve credit. As much as I certainly would like to take credit for this, or I am sure Senator COCHRAN would—and we certainly were very supportive in encouraging this—the agreement came about from a group of people working together.

I know a number of my colleagues are planning to talk about amendments on crop insurance. Some have already been on the floor talking about amendments. I know a number of colleagues voted for some of those amendments the last time around, but this conservation agreement puts us in a very different situation this year. For one thing, we want to make sure the biggest landowners who control the most acres are using crop insurance.

Crop insurance is voluntary. Prior to crop insurance, there were subsidies and then ad hoc disaster assistance. Now we are encouraging them to purchase crop insurance, and we want them to have it, which means now they would need to use conservation practices to preserve sensitive lands and wetlands on those largest tracts as well as small tracts.

So amendments that weaken crop insurance would reduce the number of farmers participating in crop insurance, raising premiums for family farmers and reducing the environmental impact and the environmental benefits of this historic conservation agreement. With this new agreement, the math is very simple: The more acres that are in crop insurance, the more we have environmental and conservation benefits.

My dear friend from Illinois came to the floor a while ago and said: The majority of crop insurance is with a small number of farmers. Well, that is true. The larger the farm, the more one would use crop insurance. It is just like saying anybody who buys insurance for a bigger home has more insurance than the smaller home. Bigger businesses—manufacturers—probably buy the biggest part of insurance rather than small businesses. I am not sure what the point is of saying that. Of course, we have large farmers buying more crop insurance than small farmers. We want to make sure we have the environmental and conservation benefits on those large farms just as on smaller farms.

Here is another reason my colleagues should reevaluate these amendments, and I would encourage, as they come before us, that we vote no. This chart shows the counties that were declared disaster areas last year. An awful lot of red. And 2012 was one of the worst droughts on record ever in the United States.

In the past, in situations such as this we would have passed ad hoc disaster assistance for the corn growers, the wheat growers, the soybean growers, and the other crop farmers. But we didn't have to do that because crop insurance works.

Crop insurance is not a subsidy. When people have crop insurance they get a bill to pay. We share in that cost to make sure there is a discount so they can afford the bill, but they get a bill. They do not get a check. The only farmers last year who needed disaster assistance were the ones who can't participate in crop insurance, which we fix in this farm bill.

We address permanent livestock disaster assistance. They do not have access to the same crop insurance. We address farmers, such as my cherry growers, who were wiped out when it got warm in the spring and then froze again and completely wiped out the cherries. They do not have crop insurance now. They need some extra help. In this farm bill we are giving them access to crop insurance, which is the primary risk management tool for farmers.

Producers purchase crop insurance so they are protected when there is a disaster, but if we weaken crop insurance, resulting in premium hikes of as much as 40 percent on small farmers, we are going to be going back to the days of ad hoc disaster assistance, something we cannot afford in today's tight budget climate.

Finally, we need to keep this historic agreement in place through the conference committee. We owe that to the folks who sat down and worked out this agreement. So I ask colleagues to stand with the 34 different organizations that came together—and I ask unanimous consent to have printed in the RECORD the names of the groups in the coalition that put this together.

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

GROUPS IN CONSERVATION COMPLIANCE COALITION

American Association of Crop Insurers, American Farm Bureau Federation, American Farmland Trust, American Society of Agronomy, American Soybean Association, American Sugar Alliance, Association of Fish and Wildlife Agencies, Audubon, Crop Insurance and Reinsurance Bureau, Crop Science Society of America, Ducks Unlimited, Environmental Defense Fund, Land Improvement Contractors of America, National Association of State Conservation Agencies, National Association of Conservation Districts, National Association of Resource Conservation and Development Councils, National Bobwhite Conservation Initiative.

National Conservation District Employees Association, National Corn Growers Association, National Cotton Council, National Council of Farmer Cooperatives, National Farmers Union, National Wildlife Federation, Pheasants Forever, Pollinator Partnership, Quail Forever, Soil and Water Conservation Society, Soil Science Society of America, Southern Peanut Farmers Federation, Theodore Roosevelt Conservation Partnership, The Nature Conservancy, USA Rice Federation, Wildlife Mississippi, World Wildlife Fund.

Ms. STABENOW. Mr. President, we need to make sure our colleagues in the House, as well as in the Senate, stand with all of these groups who worked hard to compromise and forge this very historic constructive agreement. If we want to preserve conservation wins we have in this farm bill, we

need to support the farmers, the environmentalists, and the conservationists who have made it very clear this agreement is something they stand behind. We should not be weakening crop insurance or making it harder for large producers, who have the majority of the land we want to conserve, to have less of an incentive to participate in the program.

Let me just say—and I know my colleague from Vermont is here to speak as well—that I want to thank again the 34 organizations—everyone from the American Farm Bureau Federation, the American Soybean Association, the Audubon Society, Ducks Unlimited, the Environmental Defense Fund, National Wildlife Federation, National Cotton Council—and right on down the line—the National Farmers Union, Nature Conservancy, World Wildlife Fund, and USA Rice Federation.

This is an incredible coalition, and it speaks very loudly both to the fact we need to keep in place the No. 1 risk management tool for our growers but that we need to also make sure they are providing the conservation practices to protect our soil and our water which is so critical for the future—for our children and grandchildren.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me begin by congratulating Senators STABENOW and COCHRAN for their hard work on this very important piece of legislation, especially for rural States such as Vermont, but I guess for everybody who eats, which is the majority of the people in our country, I would imagine.

I want to spend a few minutes talking about some important amendments I am offering. I think one of them—the amendment I will talk about first—will be coming up for a vote either later tonight or tomorrow, and that deals with the right of States to label genetically engineered food. That is amendment No. 965.

This year, the Vermont State House of Representatives passed a bill by a vote of 99 to 42 requiring that genetically engineered food be labeled. I can tell you with absolute certainty the people of Vermont want to know what is in their food and are extremely supportive of what the State legislature has done. But this is an issue certainly not just limited to Vermont.

Yesterday, as I understand it, the Connecticut State Senate, by an overwhelming vote of 35 to 1, also passed legislation to require labeling of genetically engineered food. In California, our largest State, where the issue was on the ballot last November, 47 percent of the people there voted for labeling, despite the biotech industry spending over $47 million in a campaign in opposition to that proposition. That is an enormous sum of money, and yet 47 percent of the people voted for labeling of GMOs.

In the State of Washington, some 350,000 people signed a petition in support of initiative 522 to label genetically engineered foods in that State. In fact, according to a recent poll done earlier this year, approximately 82 percent of the American people believe labeling should take place with regard to genetically engineered ingredients.

All over this country people are increasingly concerned about the quality of the food they are ingesting and the food they are giving to their kids. People want to know what is in their food, and I believe that is a very reasonable request.

What I am proposing today—the amendment I am offering—is certainly not a radical concept. In fact, the requirement of labeling genetically modified food exists today in dozens and dozens of countries throughout the world, including our closest allies in the European Union, including Russia, Australia, South Korea, Japan, Brazil, China, New Zealand, and other countries. So this is not some kind of new and crazy idea. In fact, it exists all over the world.

At a time when many of my colleagues express their strong conviction about States rights and that States should be allowed to have increased responsibilities, this amendment should be supported by those people who, in fact, believe in States rights. The reason for that is when the State of Vermont and other States go forward in passing legislation to label genetically modified food, they have been threatened by Monsanto and other large biotech companies with costly lawsuits. So States are going forward, doing what they think is proper for their own people, and then Monsanto and other very large biotech companies are coming forward and saying: We are going to sue you.

Now, Monsanto is arguing, as one of the major grounds for their lawsuit—which I believe is absolutely incorrect—that States do not have the right to pass legislation such as this; that it is, in fact, a Federal prerogative and not something a State can legally do.

I believe very strongly that Monsanto is wrong, but that is precisely what this amendment clarifies.

Today we have an opportunity with this amendment to affirm once and for all that States do have the right to label food that contains genetically engineered ingredients.

Let me briefly tell you what is in this amendment. This amendment finds that the 10th Amendment to the Constitution of the United States clearly reserves powers in the system of federalism to the States or to the people. This amendment finds that States have the authority to require the labeling of foods produced through genetically engineering or derived from organisms that have been genetically engineered.

Furthermore, this amendment requires that 1 year after the enactment of this act, the Commissioner of the FDA and the Secretary of Agriculture shall undertake the necessary regulations to carry out this amendment.

There is strong precedent for labeling GMOs. The FDA already required the labeling of over 3,000 ingredients and additives. If you want to know if your food contained gluten, aspartame, high-fructose corn syrup, trans fats or MSG, you simply read the ingredient label. Millions of people every day look at labels: How many calories are there in the food? What are the ingredients in the food? This simply does what we have been doing as a nation for many years, only right now Americans are not afforded the same right for GE foods.

Monsanto and other companies claim there is nothing to be concerned about with genetically engineered food. Yet FDA scientists and doctors have warned us that GE foods could have new and different risks, such as hidden allergens, increased plant toxin levels, and the potential to hasten the spread of antibiotic-resistant disease.

This is a pretty simple amendment. It basically says the American people have a right to know what they are eating. This is legislation I know the people of Vermont, I gather the people of Connecticut, and I think people all over this country would like to see agreed to. I ask for its support.

There are a couple of other amendments I would like to briefly discuss, having to do with SNAP. One of them deals with the need for seniors to be better able to access SNAP. It is no secret that in our country today, millions of seniors are struggling to get by on limited incomes. The result of that is that after they pay their prescription drug costs or their rent or their utilities, they do not have enough money to spend on food. It is estimated that some 1 million seniors are going hungry in the United States of America. That is something we should be embarrassed about and an issue we should address as soon as possible.

Clearly, the toll that inadequate nutrition has for seniors impacts their overall health. My strong guess is that this amendment will end up saving us money because when seniors get good nutrition, they are less likely to fall, break their hips, end up in the emergency room, end up in the hospital.

I think from a moral perspective, from a cost perspective, we want to make sure all seniors in this country, regardless of their income, have the nutrition they need.

SNAP plays a crucial role in our country in reducing hunger. In 2011, SNAP raised nearly 5 million people out of poverty. But here is the main point I wish to make: Only 35 percent of eligible individuals over age 60 participated in SNAP in 2010. In other words, there are many seniors out there who could benefit from SNAP but for a variety of reasons, one of which I am addressing right now, they do not participate.

As you may well know, the SNAP application process can be confusing and cumbersome for many households, especially for seniors. Individuals apply

for SNAP sometimes by visiting an application center, which is a challenge for people with mobility issues. If you are a senior and not able to get out of your home, if you cannot afford transportation, getting to that center can be very difficult.

It is also challenging when dealing with an application over the telephone if you are hard of hearing—which clearly many seniors are. At the same time, the complicated interview process costs local, State, tribal, and Federal governments additional administrative dollars.

The SNAP amendment I am offering is pretty simple. It will help alleviate hunger by allowing seniors to more easily apply for and access SNAP benefits in order to reduce barriers for seniors applying for SNAP.

This amendment proposes to do the following. It allows States to deputize, which in this case means to certify nonprofit organizations and area agencies on aging that are meeting with seniors directly and helping them with their SNAP application to conduct the interview on behalf of the State. The State agency would still determine eligibility.

Further, States would have the flexibility to deputize only the agencies that have the capacity to fulfill the State's interview requirements on their behalf. This amendment does not waive any documentation requirements or ease any other requirements. Eligibility for the benefits must still be verified. What it does do is reduce duplication of effort and ease the burden on vulnerable families and seniors for whom it is a challenge to travel to a State office or wait for days at a friend's house who has a phone to make a call.

All this is doing is saying: If we want to make sure seniors stay healthy, get the nutrition they need, stay out of the emergency room, stay out of the hospital, let us make it easier for them to take advantage of the programs that are currently available. In this case, the SNAP eligibility process for seniors is pretty complicated and sometimes people who want to be in the program simply are unable to do that. I hope we could have support for that amendment.

The other SNAP amendment deals with an equally important issue of people who are wrongfully dropped from the SNAP, often due to an administrative error. The current system is inefficient. We are spending government money that should be going to help people buy food and instead we are spending it on paperwork and bureaucracy. Improvements I am proposing will help alleviate hunger as fewer people will go without the benefits they need, and State and Federal resources will be used more effectively.

My amendment requires the USDA to track information from States on the problem of churn. That is the term used when eligible people are dropped from the program and then must reapply. The USDA and advocacy groups have identified children as a key problem in the administration of SNAP benefits. Having people reapply who never should have been dropped from the benefit in the first place adds to the caseload burden.

Tracking the information is only a first step. Then we must find solutions to reduce the problem so people do not lose their benefits, whether that be improved training, clearer forms and notices or simpler recertification processes. These improvements will reduce hunger by making sure people get the benefits for which they are eligible and which they so desperately need.

The last issue I briefly wish to touch on deals with the need for the USDA to help us understand, through a study, the impact that global warming is having on agriculture. We all know we are looking at record-setting droughts in Australia, Brazil, and locations in America. U.S. cities matched or broke at least 29,000 high-temperature records last year. Ice-free Arctic summers will be with us within a couple of years. That is the reality of the moment.

The impact of global warming clearly will be felt far and wide, but farmers across the country are among those who will suffer the most. Warmer temperatures, water shortages and droughts and other extreme weather disturbances will force producers to alter practices, change crops, and spend more money to sustain their operations.

This amendment simply asks the USDA to do a study to provide us with a better understanding of how changing climate will impact agriculture across the country and help farmers plan and adapt to those changes. It will help local communities and States make critical adjustments now, and it will reduce the vulnerability of the entire agriculture sector to the damaging consequences of climate change.

We think this is an important amendment. State farmers need to have the information about what scientists believe will be happening, the work they are doing for years to come. I ask for support for that amendment.

In the past we have successfully offered an amendment on community gardens. In Vermont, now schools, communities are working on gardens all over the State. We had a national program passed last year as well. This would simply expand that program to allow schools and communities to engage with limited help from the Federal Government in community gardens, teaching kids about the foods they are eating and about agriculture. It is a very inexpensive concept, which has been working very successfully and I think needs to be expanded.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I rise to offer my support for the sugar reform amendment being offered on the farm bill by Senator SHAHEEN. This important amendment would begin a reform process that deals with a complicated and burdensome program that artificially raises sugar prices in the United States. For nearly three-quarters of a century now, American businesses and consumers have paid a premium price for sugar. This inflated price is due to a tangled web of price manipulation, stringent import quotas and tariffs. The net effect has been that Americans are paying as much as twice the world market base price for sugar.

We all realize the amount of sugar that is used in a number of products across the United States, but let me bring this down specifically to what impact it has on some of the confectioners in my home State. Albanese Confectionary Group, Inc, is a renowned Indiana-based manufacturer of a number of products that use a lot of sugars, including chocolates and Gummi bears—they call it the World's Best Gummies—and a lot of other confections. Their estimate is that they would save $3 trillion annually if they were able to buy sugar at the world price.

Lewis Bakeries, headquartered in Evansville, IN, is one of the few remaining independent bakeries in our State and in the Midwest and is the largest wholesale bakery we have. Artificially high prices for Lewis Bakeries contributes directly to higher food and beverage costs that weigh down family budgets. Even larger companies such as Kraft Foods, which has a marshmallow and caramel plant in Kendallville, IN, knows that phasing out the Sugar Program would enhance the competitiveness of U.S. sugar manufacturers.

Why is that important? Because these sugar prices for those in this business of using large quantities of sugar is driving them offshore. They are moving to Canada, they are moving to Mexico, they are moving to other places where they then can buy the most important ingredient for their product at world market prices and save a great deal of money.

I encourage my colleagues to support the Shaheen amendment. It promotes jobs, fights consumer price inflation. It reduces the level of government interference in private markets. I think we should be pursuing policies that allow the free market to determine the cost of sugar rather than this complicated web of tariffs and regulations and others that protect that price.

This amendment does not accomplish all of that, but it goes a long way toward beginning the process of unwinding this and making our companies more competitive around the world.

I would like to take a moment to address another issue with the farm bill. Senator DONNELLY and I are cosponsors of a bill called planting flexibility. We are hoping this provision we have offered will be included in the managers' amendment. I appreciate all the work that has been done behind the scenes to

address this important issue. Planting flexibility simply allows farmers to respond to market signals when making their planting decisions, rather than following requirements to grow a particular crop to participate in government programs.

For example, Hoosier tomato farmers were restricted on where they could plant their crop. Red Gold, a family-owned and operated tomato business in Elwood, IN, estimates that roughly 50 percent of its tomatoes are now grown on flexible acres. Red Gold produces a whole number of tomato products that are sold all over the United States and, in fact, all over the world.

Allowing this flexibility, again, is a free-market-based choice which producers can follow based on supply and demand. It gives them the flexibility they need to address crops outside the coverage of this particular bill.

I think both of these measures are commonsense, market-driven reforms that I hope will be included in the farm bill, and I ask that my colleagues support them.

Mr. President, unless the ranking member on the Agriculture Committee needs the time, and since no one else is on the floor, I would be remiss in not speaking a little longer.

If I could speak as if in morning business, I wish to do so.

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

OKLAHOMA TRAGEDY

Mr. COATS. Mr. President, the first thing I want to do is extend our sincere regrets over the tragedy which occurred in Oklahoma. Sincere thoughts and prayers are coming from many Hoosiers for those people who have suffered greatly.

Last year we had a serious tornado roar through southern Indiana along a 50-mile path. Fortunately, we didn't have the level of destruction they had in Oklahoma City. But having been there and viewed the destruction of that tornado in Indiana and the impact it had on the lives of so many people and then comparing it with what happened in Oklahoma, it certainly brings home the nature of this tragedy. Whenever Mother Nature's vicious wrath strikes, it not only tears apart homes but families.

During these times of tragedy—such as what I witnessed in southern Indiana and what we are witnessing on television as we watch what is happening in Oklahoma—we see the extraordinary heroism, generosity, volunteerism, and resolve of the American people to pitch in and help.

I ask all Hoosiers to keep our friends in Oklahoma in their hearts and prayers and to help wherever we can.

JOBS AND DEBT

Mr. President, in the last few weeks there has been scandal after scandal unfolding in Washington. Obviously this is a difficult period for the current administration, but more importantly, it has resulted in a difficult time for our Nation.

What we saw last week is further justification for the American people's deeply disturbing distrust of government. Under this current administration, there has been a pattern of misleading the American people and there has been a culture of intimidation toward those who disagree with their policies.

We saw it when the administration misled the American people with the events in Benghazi, and we saw it when the administration avoided letting people know about the IRS targeting conservative groups. Whether it is the IRS, Benghazi, or other issues we have become aware of in the last few weeks and months, they call into question the integrity of this administration. The American people deserve straight talk and the truth as to what happened rather than the mischaracterization or lack of revelation of what has happened.

Through calls, emails, and letters, I am hearing from concerned Hoosiers who are outraged with what they see taking place in Washington. Given the headlines they have seen in the last few weeks, they have every right to be concerned.

The only way to eliminate this current trust deficit in Washington is to hold people accountable, get complete answers, and make changes to ensure this abuse of power and misinformation which is coming out of this administration will not continue. We need to continue with these ongoing investigations until we get answers and determine who is responsible.

In the midst of these investigations, let me state there is another scandal we must not overlook, and that is the ongoing chronic debt and unemployment crisis.

Four-and-a-half years after the end of an admittedly deep recession, the fact that 22 million Americans are either unemployed or underemployed is a scandal. More than $16.8 trillion of debt, with its impact on future generations, is a scandal. Borrowing $40,000 per second and saddling each child born today in America with over $50,000 of debt is a scandal. These numbers are not partisan or political, they are the facts. Those are the facts that this body, as well as this administration, have to deal with because we are careening on an unstable fiscal path which will bankrupt the critical programs our seniors and retirees depend on and rob them of the benefits they have been promised.

We are seeing meager gains in jobs only to find out more and more Americans are being forced from full-time employment to part-time employment. In April alone, nearly 280,000 Americans involuntarily entered into part-time employment. At the same time, the average work week and weekly take-home pay continues to decline.

These two issues—our debt crisis and our jobs crisis—should consume the work of this Congress and this administration. Instead, we careen from drama to drama. We wait for the fiscal cliff and debt limit deadlines, and then we enact far short from what we need to do with legislation that is often flawed, such as the across-the-board sequestration policy. None of this remotely solves the problem we face.

In a recent Gallup poll, when asked what they would like Congress and the President to address, 86 percent of the American people named creating jobs and growing the economy. From Fort Wayne to Evansville and from Gary to Jeffersonville, Hoosiers tell me they want Congress to bring growth and certainty to our economy and create meaningful jobs for the underemployed and unemployed.

As we address the issues before us, let's not forget about this major debt crisis which faces our country and impacts every American. Let's not forget about those Americans who are looking for work and cannot find it, or those who have been forced into part-time jobs which will not begin to be enough to support a family. Let's not become distracted and drop the ball on tackling these issues because the daily headlines are simply pointing to something else.

The best way we can restore the trust deficit in this country is to do our job here, make the tough decisions we know we need to make, and address our greatest challenge.

We must come together on a credible, long-term plan to reduce our debt and put our country back on a path toward growth and job creation. The future of our country depends upon it. Each of us, starting with the President, has a moral obligation to address this most critical issue. I hope we will be willing to stand up and do this.

Yes, we have other issues. We have the farm bill, which we need to address. We will be talking about immigration a week after we come back from the break. We will be holding investigations and looking into some of these scandals that have surfaced over the last few weeks, but we still have not focused on the real problem here.

While we have to do these other tasks, let us not forget what the real challenge is before us: restoring economic growth and creating jobs. We owe it to the American people.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—S. RES. 65

Ms. STABENOW. Mr. President, I ask unanimous consent that notwithstanding the previous order, the Senate begin consideration of S. Res. 65 at 3:45

p.m.; that there be 50 minutes for debate, that the Republicans control 30 minutes and the majority control 20 minutes, and that of the majority's time, Senator MENENDEZ control 15 minutes and Senator BLUMENTHAL control 5 minutes; that all other provisions under the previous order remain in effect; and that upon disposition of S. Res. 65 the Senate resume consideration of S. 954; that there be 2 minutes for debate equally divided in the usual form and the Senate immediately proceed to vote in relation to the Shaheen amendment No. 925; and that there be no second-degree amendments in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. STABENOW. Thank you, Mr. President. As a result of this agreement, if all time is used, at approximately 4:35 p.m. there will be two rollcall votes, the first on adoption of S. Res. 65, the Iran sanctions resolution, and then in relation to the Shaheen amendment on the Sugar Program.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Pennsylvania.

AMENDMENT NO. 925

Mr. TOOMEY. Mr. President, I rise to address the Shaheen amendment No. 925 the chairman of the committee just referred to. I urge my colleagues to support this amendment. I wish to start by thanking Senator SHAHEEN for her leadership, Senator KIRK for his leadership, and Senator DURBIN for his support and leadership. We have all worked together on this amendment. I wish to briefly explain why I think it is important and why this amendment deserves the support of this body.

First of all, people ought to understand we have an extensive and complicated system by which taxpayers and consumers are forced to prop up, to an artificially high price, the price of sugar in this country. We subsidize a handful of wealthy sugar growers at the expense of everybody in America because I can't think of any consumer who doesn't consume sugar. Everybody uses some amount of sugar. It is in virtually all processed food. It is obviously in any kind of confectionery or any kind of sweets. It is a staple, a fundamental staple. In fact, the poorest Americans spend the highest percentage of their limited income on sugar because that is the nature of this food staple that is sugar.

Well, what do we do through our agricultural policy? One of the things we do is we put a limit on how much we can bring in from overseas. It just so happens there are some places in the world that can grow sugar cheaper than we can, and rather than take advantage of the opportunity to have a lower cost staple for all Americans—including the poorest of Americans—instead we establish a quota and say there is only so much we are going to bring in without imposing a big, huge, expensive tariff on them, and since we don't grow enough ourselves to meet the demand, when we hit that quota, we do, in fact, impose that huge tariff on the additional sugar we need to buy.

But that is not all we do to subsidize these handful of growers at the expense of American taxpayers and consumers. Another program we have is an extensive loan program where ultimately the taxpayer lends money to sugar producers, and it is a ''heads-I-win, tails-you-lose'' program for the sugar producer. If the price drops too low on sugar that the producer would actually have to reach into his own pocket to pay back the loan, guess what. He doesn't have to do that. He can say: Nevermind, I am not going to pay back the loan. I will just give you the sugar. This is classic ''heads-they-win, tails-we-all-lose.''

It goes beyond that because in an effort to prop up the price at artificially high levels so we are all paying more than we need to for sugar, we have a program that is called the Feedstock Flexibility Program. This program is one in which the USDA takes taxpayer money and buys up huge quantities of sugar in order to drive up the price for all of us. I know it is hard to believe this is true. I am not making this up. I am not creative enough to make this up. This is real.

Then what does the USDA do with the massive quantity of sugar it might buy? By the way, there was a front-page story in the Wall Street Journal just a few weeks ago about a huge purchase the USDA is seriously thinking about making, has the discretion to do it, and might very well make. If they don't use all of the sugar, they don't have anything to do with it, so they sell it at a huge loss. They sell it to somebody who is going to make ethanol or something with it. That is what we do with it. It is unbelievable, all the ways in which taxpayers or consumers are forced to subsidize a very wealthy group of sugar growers. So that is what we do as policy under existing law.

This amendment tries to push that back a little bit. That is all we are trying to do. What Senators SHAHEEN and KIRK and DURBIN and I have done with this amendment is say: Can we at least push back some of the most egregious features? Can we go back to the policy we had prior to the 2008 farm bill because prior to 2008, we did subsidize sugar, but at least not quite as much as we do today. So that is what we are trying to do. Let's just go back to the policies we had before 2008, and specifically let's eliminate this Feed Stock Program, this program whereby the USDA can go out and purchase huge quantities of sugar, driving up the price, and then turn around and sell it at a huge loss. Let's end that, and let's have a little bit more flexibility on this quota so American consumers can have the opportunity to buy more sugar at prices that are at least a little closer to the world prices.

Here are a few facts we ought to keep in mind. The net effect of all of these programs on all of our consumers—and as I say, everybody consumes sugar—is that we pay, on average, about 30 percent more than the world market price for sugar. That is what we are doing to our consumers now. By the way, that is separate and apart from the cost to taxpayers. That is just what consumers are forced to pay.

Now, does that have the effect of maybe protecting a handful of jobs among sugar growers? It probably does. So the Commerce Department decided to take a look at this, and they did a study. They discovered, sure enough, there are a certain number of jobs among sugar producers that are protected by the fact that we don't allow a free market in sugar and we don't allow imports from more efficient producers. But here is what else they discovered. They discovered for every job we save among sugar producers, we lose three jobs among companies that manufacture with sugar—companies that make cakes and desserts and candies and all the other kinds of goods we manufacture that require sugar as an ingredient. The reason we lose those jobs is because those companies can't compete with foreign imports that don't have this crazy Sugar Program.

So, for instance, we have candy companies that have left America and have moved to Canada because Canada doesn't do this. When they relocate in Canada, they can buy sugar at a normal world price, the same as anyone else anywhere in the world outside of America—maybe not anybody, but lots of people outside of America can buy sugar that is much cheaper than what they have to pay for sugar when they are an American citizen, an American company, so they can make candy much cheaper.

So we lose American jobs, which we have lost, they go to Canada or somewhere else, and how can that possibly be a good outcome to lose three jobs for every one we protect. It doesn't make any sense.

This is a badly flawed policy. I would advocate that we completely repeal all of this. That would be my personal view. That is not what this amendment does. All we do in this amendment is say let's just go back to where we were before the farm bill of 2008 expanded this program and created this new liability for taxpayers.

So I urge my colleagues to support the Shaheen amendment No. 925 for some good, commonsense improvements to our existing sugar policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, yesterday I came to the floor of the Senate to talk not only about the farm bill, but specifically about the importance of the Sugar Program to the compromise that is the farm bill. I talked about growers getting protections in terms of crop insurance, I talked about the dairy program, I talked about specialty crops, and I

talked about the importance of protecting the domestic sugar industry and using a no-cost approach which has been the approach we have dealt with for years in the Sugar Program.

Today I don't want to repeat all of that discussion. What I would like to do, however, is respond directly to the Shaheen amendment and some of the information we have been hearing about the Shaheen amendment going forward. I think it is important because we have heard the Shaheen amendment would simply roll back the Sugar Program to the policies in place before the 2008 farm bill. In reality, this amendment would do far more than what was included in the program prior to 2008 and would, in fact, threaten 142,000 American sugar-producing jobs in 22 States.

I want to be very specific about the uniqueness of this compared to pre-2008. So, specifically, the amendment institutes two new policies beyond repealing the 2008 farm bill changes to the Sugar Program that are damaging to our farmers and sugar manufacturers in the United States.

First, the amendment would mandate for the first time a 15.5-percent stocks-to-use ratio. Sugar supplies in the United States are already at historically high surplus levels at a stocks-to-use ratio in the 18-to-20 percent range. This proposal would mandate artificially inflated increased inventories in order, really—realistically—to push down prices for food processing companies. At a stocks-to-use ratio of less than 15.5 percent earlier this year, sugar producer prices were collapsing below average levels of the 1980s and the 1990s.

We hear over and over again about how we have had this dramatic increase in sugar prices, and that has led to the loss of American processing jobs. Really, nothing could be further from the truth. In fact, we have seen historically low prices. In fact, sugar prices earlier this year were collapsing below the levels of the 1980s and 1990s.

Second, it would make U.S. sugar import quota rights tradable—tradable—on the open market, and I think that would risk potential fraud and abuse and denial of quota benefits to developing countries that count on the quotas. So if a country could not, in fact, meet their quota, that quota could be traded on the open market. I think that is a formula for interjecting a factor that has never been instituted before in the sugar bill.

I think U.S. policy provides access to developing world countries to our sugar market, one of the largest in the world. Allowing governments of developing nations to trade their quotas does nothing to empower those farmers in developing countries. Instead, the quota rights will be traded to subsidized industries in powerful sugar companies such as Brazil, which could lead to further excess supply in the American market.

Because everybody seems to believe that pre-2008 was a panacea for sugar, and if we just went back there everything would once again be fine, I wish to set the stage for what the world was like before the 2008 farm bill. The 2008 farm bill updated the Sugar Program in response to a change in the relationship between the United States and Mexico regarding sugar. Under NAFTA, agricultural trade was liberalized between our two countries which removed barriers and allowed a more free flow of goods. The NAFTA provisions regarding sugar were fully realized in 2008.

If dropping the trade barriers resulted in a level playing field, this would have been no problem because our American farmers are the most efficient in the world, and we can win in a free market condition. However, a level playing field was not the case. Mexican sugar is highly subsidized. In fact, the government owns approximately 20 percent of their sugar industry.

Candy and major food-producing companies are having some of their most successful years in memory. When we hear the stories of lost jobs and additional burden, I think we need to look at reality, and I think reality is that nothing has—the price of sugar has not prevented them from achieving record profits, strong profits, and continued growth.

Another fact that doesn't get talked about much when we talk about the Sugar Program is that today the price of sugar is roughly the same as what it was in 1985. What product can we say that is true of? Sugar is the exact price as it was in 1985.

Additionally, the domestic price of sugar is often lower than the international price when factoring in transportation costs. To claim the Sugar Program is breaking the backs of American consumers, again, is not a fair or accurate statement.

The U.S. wholesale sugar price in April was 26 cents per pound. The internationally traded sugar price in April was 22 cents per pound. The transportation cost of bringing sugar to the United States from Brazil, the Dominican Republic, or the Philippines—three of the largest importers of sugar under the program—exceeds the 4 cents-per-pound difference.

So I think it is important that we at least have some response to this idea that, No. 1, things were good in 2008 so we should just roll back the program to 2008. If that were true, obviously, I do not think we would be standing here fighting this amendment. But I do not think it is true. Plus, I think there are provisions in this amendment that have not yet been revealed as provisions that were not included in the pre-2008 Sugar Program, and that concerns me.

It concerns me that this amendment has not had a discussion in committee. This amendment has not been something that the experts on the Agriculture Committee have deliberated.

Then I want to kind of pull back and look at a higher view, which is the American farmer, American agriculture, and what the farm bill attempts to do to guarantee a sure and steady supply of food for our country and, arguably, for the world.

The farm bill is a compromise package. The farm bill represents, in each one of those elements, a different provision for different parts of our country: dairy, important in Wisconsin; dairy, important in Vermont; dairy, not so important in North Dakota. But sugar is critically important to the economy of North Dakota. Sugar is important to the economy of Minnesota, the economy of Florida, the economy of Hawaii.

All of us have come together to fashion a farm bill that responds to the need for certainty in American agricultural policy. The farm bill is critical not only to our farmers but to the 16 million jobs the farm bill supports, and we forget that. We forget that this is much bigger than a sugar program, it is much bigger than any one individual commodity. It is about food security, combined with an effort to do what we need to do to provide certainty and surety to American producers.

My concern is that when you single out one commodity—whether it is soybeans or corn or sugar or tobacco or rice—when you single out one commodity, you threaten the effectiveness of the overall farm bill. So I would urge my colleagues to work within the structure of the Agriculture Committee, understand that where you may have individual concerns about each piece of this—and I may have individual concerns about varying pieces of this farm bill, this ag bill, but it is critically important that we not single out one commodity on which to reduce our support. Sugar is too important to our economy, it is too important to our food processing to risk simply that we are going to have enough sugar on the international market, that we are not going to have a domestic supply because many of these provisions would drive the domestic producer out of the market, making us beholden to foreign sources of sugar. I do not think that is why we have a farm bill. I think we have a farm bill so we can guarantee that farm commodities and farm products that we are able to grow in this country are available and local.

So I urge a ''no'' vote on this amendment. I think it is extreme. This amendment, which has basically been reported to be a simple rollback to 2008, is not exactly as it appears. I believe it is critically important that we keep the compromise, which is the farm bill as reported out of the committee, essentially intact by recognizing the needs of all the commodity groups.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOEVEN. 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. HOEVEN. I want to take several minutes to respond to some of the comments that were made here in regard to the farm bill, and specifically the Sugar Program. We have got a vote coming up.

The PRESIDING OFFICER. We currently have an order to move to the consideration of S. Res. 65 at 3:45 p.m.

Mr. GRAHAM. Mr. President, that is my resolution with Senator MENENDEZ. I do not mind yielding a couple of minutes to the Senator to make his points.

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

Mr. HOEVEN. I thank my colleague. I do want to respond to some comments that were made in regard to the Sugar Program and the cost of sugar for American consumers. It is very important to understand that the price of sugar in the United States is actually less than the international price. So because of the Sugar Program we have, American consumers benefit. Again, I want to reiterate that point.

Also I want to express how important it is to understand that we have low-cost producers in this country who are precluded from selling their sugar in markets such as the European Union because of tariffs and restrictions. As an individual who strongly supports international commerce and trade, on many of these issues I am down here talking about how we want to continue to expand our ability to export. I believe that. But at the same time, we have to make sure our companies and our farmers, our ranchers and our producers, particularly when we are talking about a farm bill, are treated fairly.

We have a situation where they operate internationally and they are precluded from many markets throughout the world, even though they are low-cost producers. That is what our Sugar Program is designed to do, to try to level that playing field. It does so effectively. The Sugar Program has cost this country nothing over the last decade. In fact, consumers in this country benefit from lower sugar prices than the international price, not higher prices.

I yield the floor.

SUPPORTING SANCTIONS ON IRAN

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. Res. 65, which the clerk will report by title.

The legislative clerk read as follows:

A resolution (S. Res. 65) strongly supporting the full implementation of the United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

The Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment.

[Strike the part printed in boldface brackets and insert the part printed in italic.]

S. RES. 65

Whereas, on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel;

Whereas, on March 28, 1949, the United States Government recognized the establishment of the new State of Israel and established full diplomatic relations;

Whereas, since its establishment nearly 65 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel;

Whereas the people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair, and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices;

Whereas, since the 1979 revolution in Iran, the leaders of the Islamic Republic of Iran have repeatedly made threats against the existence of the State of Israel and sponsored acts of terrorism and violence against its citizens;

Whereas, on October 27, 2005, President of Iran Mahmoud Ahmadinejad called for a world without America and Zionism;

Whereas, in February 2012, Supreme Leader of Iran Ali Khamenei said of Israel, ''The Zionist regime is a true cancer tumor on this region that should be cut off. And it definitely will be cut off.'';

Whereas, in August 2012, Supreme Leader Khamenei said of Israel, ''This bogus and fake Zionist outgrowth will disappear off the landscape of geography.'';

Whereas, in August 2012, President Ahmadinejad said that ''in the new Middle East . . . there will be no trace of the American presence and the Zionists'';

Whereas the Department of State has designated the Islamic Republic of Iran as a state sponsor of terrorism since 1984 and has characterized the Islamic Republic of Iran as the ''most active state sponsor of terrorism'' in the world;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hizballah, and Shiite militias in Iraq that are responsible for the murder of hundreds of United States service members and innocent civilians;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, and funding to the regime of Bashar al Assad that has been used to suppress and murder its own people;

Whereas, since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear weapons capability;

Whereas, since September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) has found the Islamic Republic of Iran to be in non-compliance with its safeguards agreement with the IAEA, which Iran is obligated to undertake as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT);

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding of the Government of the Islamic Republic of Iran its full and sustained suspension of all uranium enrichment-related and reprocessing activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas the Government of the Islamic Republic of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA;

Whereas, in November 2011, the IAEA Director General issued a report that documented ''serious concerns regarding possible military dimensions to Iran's nuclear programme,'' and affirmed that information available to the IAEA indicates that ''Iran has carried out activities relevant to the development of a nuclear explosive device'' and that some activities may be ongoing;

Whereas the Government of Iran stands in violation of the Universal Declaration of Human Rights for denying its citizens basic freedoms, including the freedoms of expression, religion, peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women;

Whereas in his State of the Union Address on January 24, 2012, President Barack Obama stated, ''Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.'';

Whereas Congress has passed and the President has signed into law legislation imposing significant economic and diplomatic sanctions on Iran to encourage the Government of Iran to abandon its pursuit of nuclear weapons and end its support for terrorism;

Whereas these sanctions, while having significant effect, have yet to persuade Iran to abandon its illicit pursuits and comply with United Nations Security Council resolutions;

Whereas more stringent enforcement of sanctions legislation, including elements targeting oil exports and access to foreign exchange, could still lead the Government of Iran to change course;

Whereas, in his State of the Union Address on February 12, 2013, President Obama reiterated, ''The leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations. And we will do what is necessary to prevent them from getting a nuclear weapon.'';

Whereas, on March 4, 2012, President Obama stated, ''Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.'';

Whereas, on October 22, 2012, President Obama said of Iran, ''The clock is ticking . . . And we're going to make sure that if they do not meet the demands of the international community, then we are going to take all options necessary to make sure they don't have a nuclear weapon.'';

Whereas, on May 19, 2011, President Obama stated, ''Every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat.'';

Whereas, on September 21, 2011, President Obama stated, ''America's commitment to Israel's security is unshakeable. Our friendship with Israel is deep and enduring.'';

Whereas, on March 4, 2012, President Obama stated, ''And whenever an effort is made to delegitimize the state of Israel, my administration has opposed them. So there should not be a shred of doubt by now: when the chips are down, I have Israel's back.'';

Whereas, on October 22, 2012, President Obama stated, ''Israel is a true friend. And if Israel is attacked, America will stand with

Israel. I've made that clear throughout my presidency . . . I will stand with Israel if they are attacked.'';

Whereas, in December 2012, 74 United States Senators wrote to President Obama ''As you begin your second term as President, we ask you to reiterate your readiness to take military action against Iran if it continues its efforts to acquire a nuclear weapon. In addition, we urge you to work with our European and Middle Eastern allies to demonstrate to the Iranians that a credible and capable multilateral coalition exists that would support a military strike if, in the end, this is unfortunately necessary.''; and

Whereas the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) stated that it is United States policy to support Israel's inherent right to self-defense: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF CONGRESS.

Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplores and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran's continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear weapon capability and to take such action as may be necessary to implement this policy;

(6) reaffirms its strong support for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense; and

[(8) urges that, if the Government of Israel is compelled to take military action in self-defense, the United States Government should stand with Israel and provide diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.**]**

(8) urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

SEC. 2. RULES OF CONSTRUCTION.

Nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war.

The PRESIDING OFFICER. Under the previous order, there will be now be 50 minutes for debate, with the Republicans controlling 30 minutes and the majority controlling 20 minutes.

The Senator from South Carolina.

Mr. GRAHAM. Mr. President, this is a debate where it does not matter who is speaking, Republican or Democrat, because we are speaking with one voice. That very seldom happens in American politics today, unfortunately. There will be 50 minutes divided, but really there is no division here.

S. Res. 65 has 91 cosponsors. That is very difficult to do. The Presiding Officer, Senator COONS, was an original cosponsor of the legislation.

What is S. Res. 65 all about? It is about the following: On March 4, 2012, President Obama stated:

> Whenever an effort is made to delegitimize the State of Israel, my administration has opposed them. So there should not be a shred of doubt by now. When the chips are down, I have Israel's back.

This resolution is in support of the President's statement. When I heard that statement, it was music to my ears, because the Iranian nuclear program, the efforts of the Iranians to develop a nuclear capability, marches on as I speak.

Today, May 22, there are two articles, one in the Associated Press, one in Reuters, talking about AIEA reports and diplomats saying that Iran is pressing forward with the construction of a research reactor that would add to their nuclear capability in terms of enriching uranium to make a bomb, and that they have increased the number of centrifuges dramatically since April.

We have been trying to sanction Iran—very successfully, I might add. Senator MENENDEZ, my cosponsor here, the original cosponsor, will be here around 4. As to BOB MENENDEZ, there is no stronger supporter of the U.S.-Israel relationship than BOB, who is chairman of the Foreign Relations Committee.

We have worked on a resolution. The guts of this resolution basically are as follows: It declares the United States has a vital national interest in and an unbreakable commitment to ensuring the existence, survival, and security of the state of Israel. It reaffirms the support of the United States for Israel's right to legitimate self-defense. In the last paragraph, it is not an authorization to use force, but it says the following: That if Israel is compelled to take military action in self-defense, the United States will stand with Israel and provide diplomatic, military, economic support in its defense of its territory, people, and existence.

The whole resolution is about Israel having to defend herself against a nuclear-capable Iran. So when our President said in 2012 that ''we have Israel's back,'' that his administration has Israel's back, this is a chance for the Senate to say we also have Israel's back.

From my point of view, you cannot separate the threat the nuclear program in Iran creates from the United States and Israel. They are the same. The same threat Israel faces from a nuclear-armed Iran, a nuclear-capable Iran, we face as a Nation. So people wonder, what will happen if that day ever comes? What would America do? Well, this is a statement by every Senator who votes yes—not an authorization to use force, but a statement—that if that day comes and Israel has to justifiably defend itself from a breakout by the Iranian regime to build a nuclear weapon, which could be the end of the Jewish state, we will have Israel's back economically, militarily, and diplomatically.

I cannot stress how important it is for that statement to be made by the Senate. Time is running out. Time is not on our side. As to the threat from Iran, since 1984 they have been characterized as the most active state sponsor of terrorism in the world. As we have sanctioned them to stop their nuclear ambitions, the amount of enriched uranium has grown. As we talk, they enrich.

We are going to have several Senators come down to voice their support for this resolution.

With that, I would yield to Senater HOEVEN for 2 minutes. The Senator has been an unwavering supporter of the United States-Israel relationship.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. I appreciate the opportunity to join my esteemed colleague from the great State of South Carolina in support of S. Res. 65, expressing our strong support for our close friend and ally, Israel.

This resolution right up front says—I want to read from the subheading in the resolution—''Strongly supports the full implementation of the United States and international sanctions on Iran, and urging the President to continue to strengthen enforcement of sanctions legislation.''

This is very important. I want to buttress a comment made by the good Senator from South Carolina, and that is through Kirk-Menendez and other legislation, we have provided authority for the administration to put the strongest possible sanctions in place against Iran to prevent Iran from developing a nuclear weapon. We need to do it. We need to stand with Israel. We need to support our ally. This is not just about Israel, this is about security for the United States. This is about preventing Iran from getting a nuclear weapon.

Essentially what these sanctions do is they provide any country or company that buys oil from Iran cannot do business with our banking system. Think about that. Countries that buy oil from Iran would not be able to transact with the United States and U.S. companies. That would preclude them from buying Iranian oil.

Okay. Think about that. If Iran cannot sell its oil, it has no revenue. If it has no revenue, it is forced to stop its efforts to build a nuclear weapon. So the point is this: We cannot only have sanctions. What we are trying to do in this legislation is not only express support for Israel, again as the Senator

from South Carolina pointed out, but encourage and support the administration in completely enforcing the strongest possible sanctions against Iran so we do not have to go to the option of a military strike to take out their nuclear weapon capability. That is what this is all about. This is bipartisan—as the Senator said, 91 cosponsors. This is about saying we can get this done but we have got to impose these sanctions as strongly as we can. We have got to do it now.

Mr. GRAHAM. I thank the Senator from North Dakota.

Now I wish to recognize Senator AYOTTE for 4 minutes. We have got a lot of speakers here to talk about S. Res. 65. She has been there at every step of the way.

Ms. AYOTTE. Mr. President, let me thank Senator GRAHAM and Senator MENENDEZ for their leadership on this important Senate resolution, S. Res. 65. This is a resolution that is very straightforward. It says to our friend and ally Israel: We have your back. That means right now. If you look at the dangers confronting Israel, they are unprecedented dangers, from the situation in Syria, to threats from Hamas and Hezbollah, to the situation in the Sinai. But the greatest threat of all is Iran acquiring nuclear weapons capability. It is a country that has threatened to wipe Israel off the map.

Rightly so, the Israelis have said never again. As our country, we say never again. Because it is not just that the Iranians could acquire nuclear weapons capability and launch a missile against our country, it is that they are the largest state sponsor of terrorism. They could give that nuclear weapon to a terrorist. Then it is not just a threat to Israel, this is a threat to the safety of the world. That is why I fully support this resolution and why it has so many cosponsors in the Senate. To understand the deep friendship we have with Israel, what we share in terms of democracy in the Middle East, ultimately this threat is not just a threat to Israel, this is a threat to the safety of the United States of America.

This resolution is clear. If Israel is compelled to take military action in self-defense against Iran's nuclear weapons program, it urges the U.S. Government to stand with Israel, diplomatically, militarily, and economically. It also reiterates what my friend from North Dakota talked about, which is the policy of the United States to prevent Iran from acquiring a nuclear weapon and reaffirms that we will continue to press for the toughest of economic sanctions.

To the leaders in Iran, understand there is much we do not agree on in this body. When we pass this resolution today, you need to know we are unified when it comes to stopping you from acquiring nuclear weapons capability, and that we will stand with our friend and ally Israel to make sure you do not present that type of grave danger to the safety of the entire world.

I thank my colleague from South Carolina. I thank my colleagues here who have supported this incredibly important resolution. Think about it. How often do we come together with 91 Senators to support legislation? This is about the security of this country. I look forward to this body passing this important resolution.

Mr. GRAHAM. Mr. President, at this time I wish to recognize a member of the Foreign Relations Committee, one of the strongest voices on national security in the body, a new member but someone who understands the world and is a tremendous supporter of the United States-Israel relationship, Senator MARCO RUBIO from Florida, for 4 minutes.

Mr. RUBIO. I thank the Senator.

I rise in support of these sanctions as well. Americans are perhaps tempted these days to take a step back from the problems in places in the Middle East and wonder why do we need to be active in resolving these thorny issues that often seem unsolvable. But yesterday in the Foreign Relations Committee, for example, we discussed Syrian legislation and debated how to address the growing repercussions of our policy of inaction as violence and instability spreads beyond Syria's borders. We cannot stand idly by and ignore the fallout from Syria. Americans need to remember that Iran is not just Israel's problem, it is ours as well.

Iran has been sponsoring terrorism and killing Americans for decades, most recently in places such as Iraq and Afghanistan. Iran has pursued an anti-American agenda, and its foreign policy has supported tyrants. It has undermined U.S. allies, and not just in the Middle East, through its terrorist proxies such as Hezbollah and what they are doing now to defend Asad in Syria, but they have even done it in our own hemisphere.

On top of these issues, Iranian leaders have denied that the Holocaust even happened. They threaten Israel's very existence. So we do need to strengthen our sanctions. We need to actually follow through with them. That is what this resolution calls on the administration to do.

But we also have to ensure that our international partners do that as well. I am pleased that this resolution calls on the administration to fully implement the sanctions we have already passed and approved.

These sanctions have not changed Iran's calculus. The sanctions alone are not enough because, as we have seen, Iran has added centrifuges, so they continue to enrich uranium and they get closer to a nuclear capability. Similarly, the approach of this administration to talk to Iran, trying what our European partners have attempted to do in the past, has also been unsuccessful. For more than 10 years now we and the Europeans have tried to negotiate—all with no results. Iran has only gotten closer and closer to a nuclear capability.

We need a new approach. One avenue that has not been adequately explored is using perhaps our greatest weapon, what Ronald Reagan called ''the will and moral courage of free men and women.'' That means speaking out more forcefully about the human rights situation in Iran.

This regime is brutally oppressive. It represses its own people. Read the 2012 State Department report. It talks about disappearances; cruel, inhuman, and degrading treatment or punishment, including judicially sanctioned amputations and flogging; politically motivated violence and repression, such as beatings and rape; harsh and life-threatening conditions in detention and prison facilities. This is not even a comprehensive list of the abuses that exist in Iran.

Currently, there is an American pastor in Iran, Saeed Abedini, who is serving 8 years in prison because he is a Christian and practices Christianity.

Yesterday the Iranian Government disqualified two Presidential candidates. This will be a sham election in the coming months. As one State Department official put it to the Foreign Relations Committee, the Green Movement in Iran today is virtually nonexistent.

Instead of denigrating the freedom fighters in Iran who have suffered from inaction and lack of support, we need to be doing everything possible in the weeks to come to speak frankly about the lack of fundamental freedoms in Iran and reject the notion that this regime is legitimate or a credible negotiating partner.

We need to make clear that a crackdown against the Iranian people similar to the one that occurred in June of 2009 after a fraudulent Presidential election will have real consequences this time. We can't be everywhere. America can't be everywhere and do everything, but we can't outsource the solutions to all our problems either.

Israel faces an unprecedented security environment. I saw this firsthand during my recent visit to the Middle East in February. In every direction, Israel sees uncertainty and potential instability, from an all-out civil war on its northern border in Syria, to neighbors going through delicate political transitions in the wake of the Arab spring. But even with all these changes in its neighborhood, the greatest challenge facing Israel today is the threat of a nuclear Iran.

We need to stand with Israel and provide diplomatic, military, and economic support in its defense of its territory, its people, and its existence. We need to remind Tehran that the United States will not allow Iran to obtain nuclear weapons, as this resolution states, and that is why I am supporting it. I urge all of my colleagues to support it as well.

The PRESIDING OFFICER (Mr. BROWN). The Senator from South Carolina.

Mr. GRAHAM. I thank the Senator for a terrific speech.

I would ask whether Senator MENENDEZ minds if Senator MCCAIN speaks.

Mr. MENENDEZ. I am always willing to allow Senator MCCAIN to speak.

Mr. GRAHAM. We will do this by age. Senator MCCAIN is recognized for 5 minutes. That is not quite a minute a decade, but that will get us going.

The PRESIDING OFFICER. The senior Senator from Arizona is recognized.

Mr. MCCAIN. I thank the Chair, and I hope the Chair will discipline this disrespect that is being displayed because of my advanced age. This would never have happened in the Coolidge administration, in which I first served.

I thank the Senator. I also thank my dear friend LINDSEY GRAHAM for bringing this important resolution to the Senate.

Resolutions happen all the time. This is a very important one. It wouldn't have happened without the leadership and support of the distinguished chairman of the Foreign Relations Committee. I would like to thank him for his continued leadership, including the passage of the resolution that was passed through the Foreign Relations Committee yesterday concerning the situation in Syria.

Mr. President, I ask unanimous consent to have printed in the RECORD three articles that are of importance for our colleagues.

One is from the Washington Post: ''Iran paves over suspected nuclear testing site despite U.N. protests.''

The second is another Washington Post article, by the Associated Press: ''Iran expands nuke technology for program that could be used to make weapons.''

Of interest is another one, also from the Washington Post: ''Iranian soldiers fighting for Assad in Syria, says State Department official.''

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

[From the Washington Post, May 22, 2013]

IRAN PAVES OVER SUSPECTED NUCLEAR TESTING SITE DESPITE U.N. PROTESTS

(By Joby Warrick)

Iran has begun paving over a former military site where its scientists are suspected to have conducted nuclear-weapons-related experiments, according to a new U.N. report, a move that could doom efforts to reconstruct a critical part of Iran's nuclear history.

Satellite photos of the site, known as Parchin, show fresh asphalt covering a broad area where suspicious tests were carried out several years ago, the International Atomic Energy Agency said in an internal report that was prepared for diplomats.

The paving appears to have occurred within the past few weeks, at a time when the United Nations' nuclear watchdog was meeting with Iranian officials to try to negotiate access to the site to investigate allegations of secret weapons research.

Iran has repeatedly denied IAEA inspectors entry to the site, and previous satellite photos have shown a series of efforts to alter it by razing buildings and even scraping away topsoil around what was once a chamber used for military explosives testing. U.N. officials believe that the facility may have been used to test a special kind of detonator used in nuclear explosions.

Since February, Iran ''has conducted further spreading, leveling and compacting of material over most of the site, a significant proportion of which it has also asphalted,'' the IAEA said in its report, a copy of which was obtained by The Washington Post.

The alterations to the site ''have seriously undermined the Agency's ability to undertake effective verification'' of Iran's claims that its nuclear program is entirely peaceful, the report said.

Iran denies that it ever conducted nuclear weapons research and says the IAEA has no mandate for investigating a military base with no ties to its nuclear program.

The IAEA, which conducts routine monitoring of Iran's civilian nuclear facilities, met with Iranian officials earlier this month in the latest in a string of failed efforts to clear up concerns over suspicious experiments by Iranian scientists. U.S. intelligence officials believe Iran was testing components for nuclear weapons as recently as 2003, when the work was abruptly halted.

Since then, Iran has amassed a large stockpile of enriched uranium—a key ingredient in nuclear weapons—but has not yet decided whether to take the risk of building and testing a bomb, U.S. officials say.

The IAEA report also documented Iran's continued progress in increasing its supply of enriched uranium, including the addition of still more advanced centrifuges that produce nuclear fuel more efficiently than the outdated machines formerly used by Iran. At the same time, Iran has continued to convert some of its uranium stockpile into metal fuel plates, a step that would make it more difficult to use the material in a future weapons program.

[From the Washington Post, May 22, 2013]

IRAN EXPANDS NUKE TECHNOLOGY FOR PROGRAM THAT COULD BE USED TO MAKE WEAPONS

(By The Associated Press)

VIENNA.—The U.N. atomic agency on Wednesday detailed rapid Iranian progress in two programs that the West fears are geared toward making nuclear weapons, saying Tehran has upgraded its uranium enrichment facilities and advanced in building a plutonium-producing reactor.

In a confidential report obtained by The Associated Press, the International Atomic Energy Agency said Tehran had installed close to 700 high-tech centrifuges used for uranium enrichment, which can produce the core of nuclear weapons. It also said Tehran had added hundreds of older-generation machines at its main enrichment site to bring the total number to over 13,000.

Iran denies that either its enrichment program or the reactor will be used to make nuclear arms. Most international concern has focused on its enrichment, because it is further advanced than the reactor and already has the capacity to enrich to weapons-grade uranium.

But the IAEA devoted more space to the reactor Wednesday than it has in previous reports. While its language was technical, a senior diplomat who closely follows the IAEA's monitoring of Iran's nuclear facilities said that reflected increased international concerns about the potential proliferation dangers it represents as a completion date approaches.

He demanded anonymity because he was not authorized to discuss confidential IAEA information.

The report also touched upon a more than six-year stalemate in agency efforts to probe suspicions Tehran may have worked on nuclear weapons. It said that—barring Iran's cooperation—it may not be able to resolve questions about ''possible military dimensions to Iran's nuclear program.''

The U.S., Israel and Iran's other critics say the reactor at Arak, in central Iran, will be able to produce plutonium for several bombs a year once it starts up. They have said Tehran's plan to put it on line late next year is too optimistic.

But the report said the Islamic Republic had told IAEA experts that it was holding to that timeline. The IAEA noted that much work needed to be done at the reactor site, but it said Iranian technicians there already had taken delivery of a huge reactor vessel to contain the facility's fuel. It also detailed progress in Tehran's plans to test the fuel.

Installations of the new IR–2m centrifuges are also of concern for nations fearing that Iran may want to make nuclear arms, because they are believed to be able to enrich two to five times faster than Tehran's old machines.

The IAEA first reported initial installations in February. It said then that agency inspectors counted 180 of the advanced IR–2m centrifuges at Natanz, Tehran's main enrichment site, less than a month after Iran's Jan. 23 announcement that it would start installing them.

Diplomats said none of the machines appeared to be operating and some may only be partially set up. But the rapid pace of installations indicates that Iran possesses the technology and materials to mass-produce the centrifuges and make its enrichment program much more potent.

Iranian nuclear chief Fereidoun Abbasi said earlier this year that more than 3,000 high-tech centrifuges have already been produced and will soon phase out its older-generation enriching machines at Natanz, south of Tehran.

The report also noted Iran's decision to keep its stockpile of uranium enriched to a level just a technical step away from weapons-grade to below the amount needed for a bomb.

More than six years of international negotiations have failed to persuade Tehran to stop enrichment and mothball the Arak reactor.

[From the Washington Post, May 21, 2013]

IRANIAN SOLDIERS FIGHTING FOR ASSAD IN SYRIA, SAYS STATE DEPARTMENT OFFICIAL

(By Anne Gearan)

MUSCAT, OMAN.—Iran has sent soldiers to Syria to fight alongside forces loyal to President Bashar al-Assad and those of the Lebanon-based Hezbollah militia, a senior State Department official said Tuesday.

An unknown number of Iranians are fighting in Syria, the official said, citing accounts from members of the opposition Free Syrian Army, which is backed by the United States. The official spoke on the condition of anonymity to preview a strategy session that Secretary of State John F. Kerry is to hold Wednesday with key supporters of the Syrian opposition.

Rebel forces have alleged for weeks that Iran is sending trained fighters to Syria, and the Iran-backed Hezbollah has said baldly that it will not let Assad fall.

But with the British, French and American governments considering providing arms to the Syrian opposition on a scale not yet seen in the civil war, the U.S. official's allegation was a tacit acknowledgment that the two-year-old Syrian conflict has become a regional war and a de facto U.S. proxy fight with Iran.

''This is an important thing to note: the direct implication of foreigners fighting on Syrian soil now for the regime,'' the official said.

Kerry is in the Middle East this week to foster political talks between Assad's resurgent regime and the embattled rebels and to inaugurate a new round of peace talks between Israel and the Palestinians.

The State Department official said the Syrian opposition, which is badly split, has not finalized its representative to the talks in Amman, Jordan, on Wednesday. The Amman session is intended to align strategies ahead of a larger conference in Switzerland that would bring together the Russian- and Iranian-backed Assad regime and the Western-backed rebels.

Russia appears to be hedging its bets, as the U.S. official acknowledged Tuesday. Assad's forces are being resupplied from somewhere, the official said, and not all of the armaments can be explained away as part of a continuation of weapons contracts that predate the conflict.

Kerry and Russian Foreign Minister Sergei Lavrov agreed two weeks ago to jointly lobby the opposition and Assad's government to sit down for negotiations. The goal would be a transitional government with members chosen by mutual consent. The United States says that would mean Assad's eventual exit; Russia says not necessarily.

Kerry stopped in Oman on Tuesday to solidify a partnership with a rare Sunni Arab nation that has friendly relations with both Iran and the United States. He was readying plans with Sultan Qaboos bin Said for Oman's purchase of an estimated $2.1 billion air-defense system. The Raytheon-built system is part of a coordinated, U.S.-led detection and defense network intended to counter Iran's sophisticated missile systems.

The State Department official would not say whether Iran was welcome at the Syria conference in Geneva, tentatively set for June.

In Washington on Tuesday, the Senate Foreign Relations Committee passed legislation authorizing President Obama to send weapons to vetted Syrian opposition groups. Although the administration has not decided whether to provide lethal aid and does not need congressional approval to do so, the measure would strengthen Obama's case against those lawmakers who disapprove of stepped-up U.S. involvement in Syria.

The bill, co-sponsored by Sen. Robert Menendez (D–N.J.), the committee chairman, and Sen. Bob Corker (R–Tenn.), the ranking minority member, also creates a $250 million annual transition fund—from reprogrammed, not newly appropriated, money—to help the civilian opposition preserve government institutions and strengthen sanctions against anyone providing arms or selling oil to Assad.

Menendez acknowledged concerns that U.S. weapons could fall into the hands of Islamist extremists fighting on the side of the opposition. But, he said, ''if we stand aside and do nothing,'' such worries ''will become self-fulfilling prophecy.''

The bill, which passed the committee on a bipartisan 15 to 3 vote, still requires approval by the entire Senate and by the House, which has no companion version pending.

Karen DeYoung in Washington contributed to this report.

Mr. McCAIN. I join with 90 Members of the Senate to support this resolution. This resolution has extraordinary bipartisan support. The Senate will send a clear and unequivocal message to the regime in Tehran, and that is this: The United States will not allow you to get a nuclear weapons capability.

The dangers of a nuclear Iran cannot be denied, diminished, or dismissed. We must continue to ratchet up the pressure through sanctions, as this resolution suggests. At the end of the day, sanctions are a means to an end, not an end unto themselves. Unfortunately, despite the unprecedented international sanctions that have been put in place, Iran is today closer to a nuclear weapons capacity than ever before, and the facts speak for themselves.

In January 2009, according to the IAEA, the Iranians had approximately 1,000 kilograms of uranium enriched to 3.5 percent. Today they have more than 8,000 kilograms. In January 2009 Iran had not enriched to 20 percent. Today the IAEA reported that Iran has produced 324 kilograms of 20 percent-enriched uranium. That is 44 kilograms more than 3 months ago. It means they are moving unabated and unhindered toward the development of a nuclear weapon, and they continue to deny IAEA inspectors entry into nuclear facilities while the centrifuges continue to increase dramatically. Just a few hours ago, the IAEA issued a report that says Iran has installed close to 700 high-tech centrifuges, which will exponentially increase the speed with which Iran will be able to enrich uranium.

Iran's pursuit of nuclear weapons capability cannot be divorced from its other destabilizing actions. The threat from Iran is comprehensive. It includes ongoing threats against Israel and other allied Arab governments across the region, it includes a decades-long campaign of unconventional warfare, and it includes Iran's ongoing role as the No. 1 state sponsor of terrorism in the world.

Let's not forget that Iran has bolstered violent extremist groups such as Hezbollah and Shiite militias in Iraq who are responsible for the murders of hundreds of young American forces and innocent civilians or that senior leaders of the Quds Force were implicated in a terrorist plot to assassinate Saudi Arabia's Ambassador to the United States on U.S. soil.

The Iranian regime continues to undertake its full-fledged campaign of brutality to keep Bashar al-Asad in power in Syria. Senior Iranian officials are advising and assisting the Syrian military with intelligence support and weapons. They have undertaken, together with Hezbollah, a large-scale training effort of as many as 50,000 militiamen. As today's Washington Post makes clear, Iranian soldiers are fighting on the ground in Syria, supporting the regime as it massacres its civilians.

I ask whether this is in America's national security interest.

The threat in Iran is more deadly and more serious than any I have seen in my lifetime. I don't think this threat will be fully resolved until a very different set of leaders is in power in Tehran and until we see an Iranian Government that reflects the will of the Iranian people. I am confident that the current regime that rules Iran will not last forever for the simple reason that the Iranian people want the same freedoms and rights as people elsewhere.

I urge my colleagues to vote in favor of this amendment.

Again, I thank the Senator from South Carolina Mr. GRAHAM for his hard work on this resolution for a change.

Mr. GRAHAM. I wish to thank Senator McCAIN for his voice on this topic and any other topic that keeps America safe. I also thank Senator MENENDEZ, without whom there would be no resolution. Senator REID is not here, but I thank him for making the time available to have this vote.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

Mr. MENENDEZ. Mr. President, is there a division of time?

The PRESIDING OFFICER. The majority controls 20 minutes.

Mr. MENENDEZ. I recognize myself for such time as I may consume.

Let me start off by thanking and congratulating my colleague Senator GRAHAM for joining with me, for engaging me on this critical question. He knows my concerns about Iran's march toward nuclear weapons, and together we thought it was an important statement to make. I appreciate his leadership on this issue and bringing us to a point where I think we will have a remarkably strong bipartisan vote today to send a very clear message. The message is that we seek full implementation of U.S. and international sanctions on Iran and urge the President to continue to strengthen enforcement of those sanctions.

I cannot emphasize enough my strong concerns about Iran's nuclear program and the extraordinary threat it poses, yes, to Israel but, very importantly, to the United States of America and to the entire international community. Iran's provocative actions threaten to not just undo regional stability, but they pose an existential threat to our ally Israel and clearly a very clear threat to the national security of the United States. Iran continues to export terrorist activity directly and through proxies, such as Hezbollah. It continues to actively support the Asad regime Syria with fighters, arms, and petroleum. It continues its unrelenting drive for nuclear weapons, placing it at the top of our list of national security concerns. In my view it remains the paramount national security challenge we face, certainly in the Middle East, if not the world.

We are at a crossroads in our Iran policy, and the question today is, What do we do next? The Obama administration, in concert with the Congress, has pursued a dual-track approach of diplomacy and sanctions. Two weeks ago members of the Foreign Relations Committee met with Lady Ashton, who has led the diplomatic track with the P5+1, along with Under Secretary Sherman. The talks have been central in demonstrating to the world that it is

Iran and not the United States that is acting in bad faith and it is Iran that, through its obstinacy, has helped galvanize the international community to increase the pressure. But the talks have failed to achieve their central objective, which is getting Iran to make concessions on its nuclear program.

It is clear to me that we cannot allow the Iranians to continue to drag their feet by talking, while all the while they grow their nuclear program. Iran is proceeding at a fast pace. Today, as has been mentioned, the International Atomic Energy Agency, in its quarterly report, said that Iran has installed almost 700 advanced IR2m centrifuges at Natanz, an increase of more than 500 centrifuges since February of this year. These are centrifuges that can more efficiently and more quickly enrich uranium. The IAEA's report also again expressed concern about the possible military dimensions of Iran's nuclear program.

We cannot allow Iran to buy more time by talking even as the centrifuges keep spinning. There is no doubt and there has never been a doubt—certainly not in my mind—that a nuclear-armed Iran is not an option for U.S. national security. That is why I have been fully dedicated to doing everything we can to stop Iran from ever crossing that threshold. That is why I introduced, along with Senator GRAHAM, this resolution that makes clear that a nuclear Iran is not an option and that the United States has Israel's back. It is why I have come to this floor time after time as an author of some of the toughest sanctions that one country has ever levied against another, the sanctions against Iran.

Working closely with my colleague Senator KIRK and with the Obama administration, we have implemented these sanctions in a way that is truly strangling the Iranian economy. Iran's leaders must understand that unless they change their course, their situation will only get worse and economic struggles and international isolation will grow. They must understand that at the end of the day their pursuit of a nuclear weapons capability will make them less, not more, secure.

I also want to say something about Iran's unacceptable and deplorable approach to the State of Israel and its continued threats to the Jewish State. As the President has made clear time and again, America's commitment to Israel's security is unshakeable. I share the President's commitment to Israel's security, and I know my colleagues do as well. Every time Iran makes outrageous threats, it only succeeds in further uniting the world against it and strengthening America's resolve.

I strongly support the close and unprecedented security cooperation that the administration has pursued with Israel, and I know this cooperation will only continue. I am deeply committed to doing everything I can to ensure that Israel is able to defend itself.

While this resolution makes absolutely clear we are not authorizing the use of force, it does also make clear that we have Israel's back and, specifically, that if Israel is compelled to take military action in self-defense against Iran's nuclear program, we should stand with Israel, using all the tools of our national power to assist Israel in defense of its territory, its people, and its very existence.

The bottom line is that Israel should always understand the United States has its back; that we will not allow Iran to obtain nuclear weapons capability, and if we are forced to, we will take whatever means necessary to prevent this outcome.

As the President has reiterated on numerous occasions, all options—all options—are on the table. That message, along with the solidarity of this Chamber, I intend to take with me on my visit to Israel later this week.

The simple fact is we need to continue to apply pressure and we must bring along the international community in our effort. This has been incredibly important, because while we have led, we have had a multiplier effect with the multilateral support of the European Union and others so our sanctions can bite, and they have been biting. Iran's crude oil exports have been cut in half, from 2½ million barrels per day in 2011 to approximately 1.25 million barrels now per day. Iran still had energy sector exports, however, of $83 billion in 2012, including $60 billion in oil and another $23 billion in natural gas, fuel oil, and condensates. The sanctions are working, but they aren't enough, and they aren't working fast enough.

In my view, we need to double down on four fronts.

First, we need to encourage further reductions in energy sector purchases from Iran, including purchases of petroleum, fuel oil, and condensates and prevent Iran from engaging in trade in precious metals to circumvent sanctions; second, we need to ensure we have prohibited trade with Iran with respect to all dual-use items that can be used in Iran's nuclear program. That means adding additional industry sectors to the trade prohibition list; third, we need to ask the international community to ramp up the pressure and change Teheran's calculus. A nuclear Iran, after all, isn't only an American problem; and fourth, the time may have also come to look more seriously at all options and that would include increasing military presence and pressure against Iran.

I believe there still may be time for diplomacy to work, but increased military pressure could signal to the supreme leader a nuclear program will undermine the security of his regime, not improve it.

Fundamentally, the challenge remains a difficult one and we are walking a fine line. But this resolution says to the supreme leader of Iran that we will not let up, we will continue to apply pressure, and this continued pursuit of nuclear weapons is threatening the very existence of his regime.

I urge my colleagues to support the Graham-Menendez resolution and full implementation of U.S. international sanctions on Iran. We are considering other options before the Senate Foreign Relations Committee, as well as working with our colleagues on the Senate Banking Committee to make it very clear we will exercise and exhaust all options that are peaceful diplomacy to achieve our ultimate goal.

This resolution makes it very clear to the world we stand behind the President as he stands behind Israel, and it says to Israel: We continue to be your faithful ally. We recognize you as a clear democracy in a challenging part of the world, as a major security partner of the United States, and the one country most likely to be voting with us in international organizations in common cause with common values.

That is what I think this vote will be about tonight.

I reserve the remainder of my time because I do believe I have a colleague who wishes to speak, but I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

There is 8 minutes remaining on the Republican side and 9 minutes remaining on the majority side.

Mr. GRAHAM. At this time, I yield 2 minutes to my friend from Mississippi, Senator WICKER, who is a member of the Armed Services Committee.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I rise in strong support of this resolution because Iran represents the single largest threat to freedom and peace in the Middle East. Our State Department classifies Iran as the most active state sponsor of terrorism, period.

A troubling news account from Reuters released just yesterday reveals a United Nations nuclear agency report due this week is ''expected to show Iran further increasing its capacity to produce material that . . . could eventually be put to developing atomic bombs.''

The clock is ticking. This is a moment to be resolute. The forceful words we just heard from the distinguished chairman of the Foreign Relations Committee, and previously from the distinguished senior Senator from Arizona, demonstrate our firm bipartisan position on this matter. The world can ill afford the prospect of a nuclear-armed Iran. That is why it is incumbent on the Congress and the President to take every action necessary to prevent Iran from acquiring a weapon of mass destruction. All options must be on the table, as the resolution indicates, to prevent a nuclear-armed Iran.

Israel is a nation under siege by terrorist organizations, many of which are being directly funded by the Iranian regime. The United States must not waiver in its support and obligation to our friends in Israel. I am pleased this resolution reaffirms our commitment to Israel, particularly in the event

Israel is forced to exercise its sovereign right to defend itself.

I urge my colleagues to take a firm stand against nuclear proliferation by voting for strengthened sanctions and for the adoption of this resolution.

I yield back whatever time I may have remaining.

The PRESIDING OFFICER. The senior Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I rise to express my strong support for this resolution and to thank our colleagues Senator GRAHAM and Senator MENENDEZ for their leadership and to thank them also for giving me the privilege of working with them over the last years on this vitally important national security issue. It is vital not just to the existence of Israel—it is an existential issue for Israel—but to the national security of the United States.

I believe Israel is a crucial ally of the United States and a successful democratic state in the Middle East. Recent turmoil in that region adds urgency and importance to ensuring that Israel remains a secure, stable, independent state.

This resolution is a reaffirmation of the readiness of the United States of America to assist Israel, our steadfast partner in the region, to thwart any measure of aggression made toward Israel by Iran.

It is also a reaffirmation of the policy long supported by this body—by our colleagues here, by all of us in a very personal and direct way—that we have the back of the President of the United States in his insisting on strong sanctions against Iran as long as it continues its development of a nuclear capability.

In the coming days, I will be introducing, along with my colleague the senior Senator from North Dakota, Mr. HOEVEN, a resolution that calls for free and fair elections in Iran. Regardless of the outcome of these elections—and they are likely to be sham elections—we can't avoid the sad fact that Iran has maintained its course and commitment to nuclear development. The centrifuges are spinning, they are going, and more are brought online every day in this breakout for nuclear capacity. So we have to be wary of false signals of hope and remain vigilant in our constant effort to secure against Iran faithfully pursuing nuclear weapons.

Fruitless negotiations can't be our reason to call a halt to these sanctions. That can come only with compliance—verified compliance. We have to remain vigilant and remember that Iran has threatened to attack not only Israel but the United States. It has substantiated those words with attacks on our troops in Iraq and on American civilians visiting or living in Israel.

It is Israel who helps diffuse those threats from Hamas and Hezbollah and all who have targeted America. If Iran chooses to declare war on Israel, if it ignores the path of peace the international community has repeatedly laid down for it, they must know they do it at their peril.

The United States supports our strategic partner Israel, and that is why I support S. Res. 65, because it demonstrates our full, unyielding, unstinting support for Israel if the unthinkable and the avoidable happens.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. At this time, I yield 5 minutes to my good friend from Texas, a strong supporter of the United States-Israel relationship, Senator CORNYN.

The PRESIDING OFFICER. The senior Senator from Texas.

Mr. CORNYN. Mr. President, back in October 2012, two Iran experts at the Foundation for Defense of Democracies wrote a sobering article about the Iranian nuclear program. They concluded that, despite years of international and unilateral sanctions, Iran's economy had been allowed to remain healthy enough to leave a vanishingly short period of time for sanctions to do the work that might possibly head off military action.

Seven months have passed since that article was written, and over that period of time the following things have happened: The Iranians have upgraded their biggest uranium enrichment plant. The head of the International Atomic Energy Agency has found credible evidence that Tehran has secretly been pursuing nuclear weapons technology. The United States renewed sanction waivers for countries that import substantial amounts of Iranian oil. President Obama installed a harsh critic of Iran sanctions as his Secretary of Defense. The Iranians have continued to prop up Syria and its dictator Bashar Asad and transport dangerous weapons to Hezbollah as well.

In short, the Iranians are feeling emboldened, America's credibility is being tested, and time is running out. For these reasons, I am a proud cosponsor of S. Res. 65, which would send a clear message we are determined not just to contain Iran but to prevent the Iranians from acquiring a nuclear weapon.

It would also send a clear message the United States will stand with Israel if our democratic ally is forced to take military action in legitimate self-defense.

I would also add that I have joined my colleague from Illinois Senator KIRK in introducing a separate bill, the Iran Export Embargo Act, which would further expand U.S. sanctions by prohibiting companies from doing business with any entity that is owned or controlled by the Government of Iran.

More specifically, our bill would prohibit all export-related transactions conducted on behalf of Iranian Government entities, and it would block their assets.

One final point. The Iranians are not just waiting to see how we beef up sanctions, they are also waiting to see how we respond to Syria's apparent use of poison gas. After all, President Obama famously warned the Asad regime that deploying chemical weapons would be tantamount to crossing a red line. Yet the White House is walking back its red line comments and issuing retroactive qualifiers.

We can be sure the mullahs are taking notes, and we can be sure the outcome of the Syrian civil war will help determine the outcome of the Iranian nuclear crisis.

I yield the floor.

Mr. SCHUMER. Mr. President, I rise in support of S. Res. 65, an important and timely resolution that restates U.S. policy to prevent Iran from acquiring a nuclear weapons capability and expresses U.S. support should Israel be compelled to take military action against Iran in its own legitimate self-defense.

I would like to take this time to thank my colleagues Senator MENENDEZ, Senator GRAHAM, Senator HOEVEN, and Senator BLUMENTHAL for joining forces to introduce this important bipartisan resolution that recognizes and reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than six decades.

Make no mistake—the diplomatic, security, and economic relationship between Israel and the United States is stronger than it has ever been, and nothing can break that everlasting bond. But let's be completely frank. Right now, our friend Israel faces one of the gravest threats it has confronted in more than a half a century.

The Islamic Republic of Iran is dangerously obsessed with the goal of acquiring a nuclear weapons capability. And we are getting closer and closer to ''crunch time'' in terms of Iran developing that nuclear weapons capability.

Time is of the essence, but unfortunately the latest talks between the United States, our international partners, and Iran in Almaty, Kazakhstan, failed to achieve any progress toward curbing Tehran's nuclear ambitions. ''Talks'' about the ''future talks'' are ongoing, but the centrifuges continue to spin in Iran, with more advanced centrifuges on the way.

And who can deny the horrific actions of the Iranian regime. From its support of the vicious Asad regime in Syria, which is spearheading a human rights catastrophe that has led to the deaths of more than 70,000 people, to its backing of murderous terrorist organizations like Hamas and Hezbollah, the Iranian regime is getting more and more dangerous by the day. All the while, Iran's President Mahmoud Ahmadinejad continues to guide his people down a very perilous path.

That is why this bipartisan resolution is so timely. It recognizes the tremendous threat posed to the United States, the West, and Israel by Iran's continuing pursuit of a nuclear weapons capability, and it deplores and condemns in the strongest possible terms

the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel.

The United States must do everything we can—as quickly as we can—to convince the Iranian Government that it is in its interest to abandon its pursuit of nuclear weapons. This resolution sends a blunt message to the Government of Iran the United States will take whatever steps are necessary to prevent Iran from acquiring a nuclear weapons capability.

This resolution states that nothing in this text shall be construed as an authorization for the use of force or a declaration of war. But rest assured, I believe that when it comes to Iran, we should never take the military option off the table. President Obama has stated that Israel is a true friend. And if Israel is attacked, America will stand with Israel. Most importantly, President Obama has said that Iran's leaders should understand that he does not have a policy of containment; rather President Obama has a policy to prevent Iran from obtaining a nuclear weapon.'' I take the President at his word, and so should the Government of Iran. But we need to ratchet up the sanctions and the pressure on Iran now.

And rest assured—Congress has given the President a powerful package of economic sanctions that will paralyze the Iranian economy and I am confident we in Congress will do more and this Administration will do more to prevent Iran from developing a nuclear weapons capability.

I strongly urge my colleagues in the Senate to support this important resolution and I look forward to its swift passage.

Mr. ROBERTS. Mr. President, I rise today in advocacy for each of my colleagues to come to the floor this afternoon and vote in support of Senate Resolution 65. This vital resolution makes a clear statement to Iran—both to the current regime and to Iranian citizens who wish for real and true change from the status quo—that the United States will not tolerate its development of a nuclear weapon. Additionally, Senate Resolution 65 expresses the United States' unconditional support for Israel's right to self-defense against the threat of a nuclear Iran.

These vital statements come at a time when change could happen with Iran's elections next month. But unfortunately, there is little reason to believe things will change. According to the State Department, Iran remains the most active state sponsor of terrorism. This is a statistic that must be addressed. Iran's continual material and financial support to Hezbollah and Hamas, expanding involvement in Syria, and serial deception of its nuclear program are unlikely to be different a month from now; a year from now; perhaps, a decade from now. Especially as Iran continues to reject the United Nation's International Atomic Energy Agency's, IAEA, regulatory authority and oversight, the United States must reiterate the plain and simple fact that a nuclear Iran is unacceptable.

When looking at the bigger picture, the recent terrorist attacks and killings in Boston and Benghazi remind all Americans that our war on terrorism continues. Even as troop numbers dwindle in Afghanistan, this fight and its core focus are far from over. We must continue to combat the terrorist threat around the world and strengthen our allied relationships as this fight continues. Iran's funneling of weapons and aid to terrorist cells increases their threat beyond the neighborhood. Iran is not only a threat to Israel but to the United States as well. Senate Resolution 65 reminds us of this fact and of the long and important strategic relationship our nations have shared, one which has been built of mutual trust and strengthened through security cooperation.

I strongly support the United States' determination to prevent Iran from obtaining a nuclear weapon. I strongly support this resolution as it makes our determination unequivocal. All options are on the table.

To avoid our option of last resort, armed conflict, it is important that this Congress continue to push for full implementation of sanctions against the current regime in Iran to cripple their ability to acquire a nuclear weapon. I encourage all of my colleagues to join me in advocating for this—not only this administration, but for the European Union and democracies around the world to strengthen their sanctions on this rogue regime, as Iran's beliefs, rhetoric, and actions threaten every nation who calls for democracy and freedom.

Of greatest importance, this resolution makes it crystal clear that the United States stands firmly behind Israel and her right to self-defense by pledging full support should Israel take military action against the threat of Iran's nuclear program. This is not an authorization for use of military force or a declaration of war. However, it sends the right message to Iran and the rest of the world. The United States stands strong behind our allies. Even in this time of necessary financial restraint, the United States will never leave an ally to fight alone.

Mr. WARNER. Mr. President, I rise in strong support of S. Res. 65, a resolution which sends Israel, Iran, and the region a clear message: We stand with our friends in Israel as they face the looming threat of a nuclear-capable Iran.

I thank Senators GRAHAM and MENENDEZ for submitting this critical resolution, which comes as we face a dangerous crossroads in the Middle East.

Iran's quest for a nuclear weapons capability is moving closer and closer to fruition. Talks with Iran have yet to achieve the progress necessary to restrain Iran's nuclear ambitions and to compel Iran to comply with the standards and norms expected of members of the world community. And while sanctions are having a significant impact on Iran's economy, they have not yet caused Iran's leaders to alter their course.

Just yesterday, Iran's leaders again showed their uncompromising and hard-line stance by excluding viable opposition candidates from their upcoming Presidential election.

There has been a special bond of friendship and cooperation between the U.S. and the State of Israel for over 60 years, which continues to retain broad bipartisan support. We should continue to support and expand the close military, intelligence, and security cooperation between our two countries.

In this context, S. Res. 65 makes three vital points.

First, it reiterates that it is U.S. policy to prevent Iran from achieving a nuclear weapons capability.

Second, it calls for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation, including closing loopholes that allow the regime to skirt sanctions.

And third, it makes clear the U.S. should stand in support of Israel in case Israel is compelled to take military action in self-defense, in accordance with U.S. law and Congress's constitutional responsibility to authorize the use of force.

Now is not the time for America to project any ambiguity concerning Iran's nuclear program.

While we hope that sanctions will ultimately prove successful in persuading the regime to halt its nuclear ambitions, we must at the same time make clear to Tehran that we will stand with Israel. Any other message will simply encourage the mullahs to believe that Iran can pursue its nuclear ambitions with impunity—and may facilitate precisely the sort of crisis that we all hope to avoid.

I urge my colleagues to stand with Israel by voting in favor of S. Res. 65.

Mr. LEVIN. Mr. President, I support the resolution on Iran that we are voting on today, and I hope it sends a strong message to Iran as it continues to flout the international community in pursuit of a nuclear program that is a significant challenge to our Nation, our allies, and the world.

While a diplomatic arrangement in which Iran rejoins the responsible community of nations remains far and away the preferred outcome, there is a consensus in that a nuclear-armed Iran is not acceptable and that all options—including military options—must remain available to prevent such an outcome.

However, according to a New York Times report today, Iran is pressing ahead with the construction of a research reactor that could offer it another way to produce material for a nuclear weapon should it decide to do so.

If true, this is further evidence that Iran is not interested in a diplomatic solution, but rather in walking up to the line of a nuclear weapon capability to fuel an arms race in the region, increase the risk of proliferation, and challenge the global community.

Over the past 2 years, the National Defense Authorization Act has included sanctions provisions that have ratcheted up the pressure on Iran's ability to facilitate and support its illicit network of nuclear suppliers and has made it more difficult for the government of Iran to conduct business as usual until Iran changes its course. I will continue to support additional unilateral and multilateral sanctions regimes that further increase the pressure on Iran's economy.

I look forward to supporting this resolution today, and I urge my colleagues to support it as well.

Mr. GRAHAM. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. GRAHAM. I thank Senator CORNYN and every person who spoke today and all the Senators who cosponsored this resolution. I thank Senator REID for making the time available. Senator MENENDEZ has been a terrific partner, the strongest voice one could hope for in having a partner on the Democratic side to stand at a time when it matters.

In conclusion, on March 4, 2012, the President, President Obama, said "when the chips are down, I have Israel's back."

Mr. President, you were right then. Today the Senate will speak with one voice echoing what you said.

There is a lot of wonderment about what is going to happen with the Iranian nuclear program. I hope and pray they stop their nuclear ambitions because they don't want a nuclear reactor, they want a nuclear weapon. If they ever get one we will never be safe, Israel will be under the gun for the rest of its existence, and they will share the technology with the terrorists. Every Sunni Arab state will want a nuclear weapon to counter the Shia Persians and all hell will break out beyond what it is today in the Mid-East.

How do we prevent that? Sanctions, diplomacy, but the one thing we cannot have in doubt is what we would do if Israel had to act in her self-defense to stop the nuclear ambitions of an Iranian regime that has promised to wipe the State of Israel off the map.

After today, in about 10 or 15 minutes, I believe every Member of the Senate will be telling the Iranians we are not going to allow them to get a nuclear weapon because if we do, they will throw the world in chaos. It will threaten our very existence, as well as the State of Israel, but most important we are going to tell everybody in the Mid-East, throughout the world, in Tehran, Jerusalem and Tel Aviv that if there is a conflict where Israel is justified in defending herself against a nuclear-capable Iran, we will be there for them. We will have their back. Where I come from, when we tell somebody, "I have your back," that means if they get into a fight for their very life, they can count on us to be there.

In this case, Israel can count on the American people, the Senate, and our Commander in Chief to be there. If that day ever comes, and I pray it does not, but if that day ever comes where Israel has to take military action, to our friends in Israel: We will be there with you every step of the way, diplomatically, economically, and, yes, militarily.

To the Iranian people: We would love to have a better relationship with you. To the Iranian regime: You are one of the biggest evils on the planet. We will stand up to you. We will stand by our friends. And your desire to throw the world in chaos is never going to happen because we will be there when necessary to stop your ambitions.

To every colleague who has taken time out to sponsor this resolution, taken time out to speak on the floor: Thank you. There is not much we agree on 100 percent, but I think today will be a major milestone in our efforts to secure Israel and the United States. I think today we will have 100 percent support by the Senate and stand by our friends in Israel and stand up to the thugs in Iran.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Mr. President, I thank my colleague from South Carolina for bringing this forward. We have implemented now another set of sanctions. There is still some question as to whether sanctions will succeed and bring about the result we want, but I particularly commend my colleague for his statement just a few moments ago relative to the commitment of the United States toward the security, safety and preservation of Israel in light of this threat that exists in Iran.

For years and years the clock has been ticking as the Iranians pursue nuclear weapons capability. We know that for a fact. We need to exert every possible measure that we can to give them reason not to go forward and do this. That involves everything from diplomacy to pressure through multinational organizations, through sanctions and ever-tightening, ever-ratcheting sanctions against them, but also the commitment to use whatever force may be necessary. I, along with my colleague, pray this does not happen. But Iran absolutely has to know that the United States will be standing shoulder to shoulder with the nation of Israel. If they level their gun sights at Israel, they are going to see us in the scope, standing shoulder to shoulder. We are committed to that. We are committed to doing everything we possibly can to prohibit and prevent Iran from achieving this nuclear capability. We will take whatever steps are necessary if they use it—if they gain that and use it for inappropriate purposes or any purposes other than production of medical devices and products as well as providing nuclear power.

I trust also that we have a 100-percent vote on this so we send a very strong signal to the Iranians that we will not tolerate them going forward with this plan.

I thank the Senator for yielding time.

Mr. REID. Mr. President, notwithstanding the previous order with respect to S. Res. 65, I ask consent that the committee-reported amendment be agreed to.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GRAHAM. I do not see any other speakers. I yield the remainder of the time.

The PRESIDING OFFICER. All time is yielded back. The question is on adoption of S. Res. 65, as amended.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

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

The result was announced—yeas 99, nays 0, not voting 1, as follows:

[Rollcall Vote No. 133 Leg.]

YEAS—99

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

NOT VOTING—1

Lautenberg

The resolution (S. Res. 65), as amended, was agreed to.

The PRESIDING OFFICER. Under the previous order, the preamble is agreed to and the motions to reconsider are considered made and laid upon the table.

The resolution (S. Res. 65), as amended, with its preamble, reads as follows:

S. RES. 65

Whereas, on May 14, 1948, the people of Israel proclaimed the establishment of the sovereign and independent State of Israel;

Whereas, on March 28, 1949, the United States Government recognized the establishment of the new State of Israel and established full diplomatic relations;

Whereas, since its establishment nearly 65 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic democratic society, and created a thriving economic, political, cultural, and intellectual life despite the heavy costs of war, terrorism, and unjustified diplomatic and economic boycotts against the people of Israel;

Whereas the people of Israel have established a vibrant, pluralistic, democratic political system, including freedom of speech, association, and religion; a vigorously free press; free, fair, and open elections; the rule of law; a fully independent judiciary; and other democratic principles and practices;

Whereas, since the 1979 revolution in Iran, the leaders of the Islamic Republic of Iran have repeatedly made threats against the existence of the State of Israel and sponsored acts of terrorism and violence against its citizens;

Whereas, on October 27, 2005, President of Iran Mahmoud Ahmadinejad called for a world without America and Zionism;

Whereas, in February 2012, Supreme Leader of Iran Ali Khamenei said of Israel, ''The Zionist regime is a true cancer tumor on this region that should be cut off. And it definitely will be cut off.'';

Whereas, in August 2012, Supreme Leader Khamenei said of Israel, ''This bogus and fake Zionist outgrowth will disappear off the landscape of geography.'';

Whereas, in August 2012, President Ahmadinejad said that ''in the new Middle East . . . there will be no trace of the American presence and the Zionists'';

Whereas the Department of State has designated the Islamic Republic of Iran as a state sponsor of terrorism since 1984 and has characterized the Islamic Republic of Iran as the ''most active state sponsor of terrorism'' in the world;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, funding, and direction to terrorist groups, including Hamas, Hizballah, and Shiite militias in Iraq that are responsible for the murder of hundreds of United States service members and innocent civilians;

Whereas the Government of the Islamic Republic of Iran has provided weapons, training, and funding to the regime of Bashar al Assad that has been used to suppress and murder its own people;

Whereas, since at least the late 1980s, the Government of the Islamic Republic of Iran has engaged in a sustained and well-documented pattern of illicit and deceptive activities to acquire a nuclear weapons capability;

Whereas, since September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) has found the Islamic Republic of Iran to be in non-compliance with its safeguards agreement with the IAEA, which Iran is obligated to undertake as a non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (NPT);

Whereas the United Nations Security Council has adopted multiple resolutions since 2006 demanding of the Government of the Islamic Republic of Iran its full and sustained suspension of all uranium enrichment-related and reprocessing activities and its full cooperation with the IAEA on all outstanding issues related to its nuclear activities, particularly those concerning the possible military dimensions of its nuclear program;

Whereas the Government of the Islamic Republic of Iran has refused to comply with United Nations Security Council resolutions or to fully cooperate with the IAEA;

Whereas, in November 2011, the IAEA Director General issued a report that documented ''serious concerns regarding possible military dimensions to Iran's nuclear programme,'' and affirmed that information available to the IAEA indicates that ''Iran has carried out activities relevant to the development of a nuclear explosive device'' and that some activities may be ongoing;

Whereas the Government of Iran stands in violation of the Universal Declaration of Human Rights for denying its citizens basic freedoms, including the freedoms of expression, religion, peaceful assembly and movement, and for flagrantly abusing the rights of minorities and women;

Whereas in his State of the Union Address on January 24, 2012, President Barack Obama stated, ''Let there be no doubt: America is determined to prevent Iran from getting a nuclear weapon, and I will take no options off the table to achieve that goal.'';

Whereas Congress has passed and the President has signed into law legislation imposing significant economic and diplomatic sanctions on Iran to encourage the Government of Iran to abandon its pursuit of nuclear weapons and end its support for terrorism;

Whereas these sanctions, while having significant effect, have yet to persuade Iran to abandon its illicit pursuits and comply with United Nations Security Council resolutions;

Whereas more stringent enforcement of sanctions legislation, including elements targeting oil exports and access to foreign exchange, could still lead the Government of Iran to change course;

Whereas, in his State of the Union Address on February 12, 2013, President Obama reiterated, ''The leaders of Iran must recognize that now is the time for a diplomatic solution, because a coalition stands united in demanding that they meet their obligations. And we will do what is necessary to prevent them from getting a nuclear weapon.'';

Whereas, on March 4, 2012, President Obama stated, ''Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.'';

Whereas, on October 22, 2012, President Obama said of Iran, ''The clock is ticking . . . And we're going to make sure that if they do not meet the demands of the international community, then we are going to take all options necessary to make sure they don't have a nuclear weapon.'';

Whereas, on May 19, 2011, President Obama stated, ''Every state has the right to self-defense, and Israel must be able to defend itself, by itself, against any threat.'';

Whereas, on September 21, 2011, President Obama stated, ''America's commitment to Israel's security is unshakeable. Our friendship with Israel is deep and enduring.'';

Whereas, on March 4, 2012, President Obama stated, ''And whenever an effort is made to delegitimize the state of Israel, my administration has opposed them. So there should not be a shred of doubt by now: when the chips are down, I have Israel's back.'';

Whereas, on October 22, 2012, President Obama stated, ''Israel is a true friend. And if Israel is attacked, America will stand with Israel. I've made that clear throughout my presidency . . . I will stand with Israel if they are attacked.'';

Whereas, in December 2012, 74 United States Senators wrote to President Obama ''As you begin your second term as President, we ask you to reiterate your readiness to take military action against Iran if it continues its efforts to acquire a nuclear weapon. In addition, we urge you to work with our European and Middle Eastern allies to demonstrate to the Iranians that a credible and capable multilateral coalition exists that would support a military strike if, in the end, this is unfortunately necessary.''; and

Whereas the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112–150) stated that it is United States policy to support Israel's inherent right to self-defense: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF CONGRESS.

Congress—

(1) reaffirms the special bonds of friendship and cooperation that have existed between the United States and the State of Israel for more than sixty years and that enjoy overwhelming bipartisan support in Congress and among the people of the United States;

(2) strongly supports the close military, intelligence, and security cooperation that President Obama has pursued with Israel and urges this cooperation to continue and deepen;

(3) deplores and condemns, in the strongest possible terms, the reprehensible statements and policies of the leaders of the Islamic Republic of Iran threatening the security and existence of Israel;

(4) recognizes the tremendous threat posed to the United States, the West, and Israel by the Government of Iran's continuing pursuit of a nuclear weapons capability;

(5) reiterates that the policy of the United States is to prevent Iran from acquiring a nuclear weapon capability and to take such action as may be necessary to implement this policy;

(6) reaffirms its strong support for the full implementation of United States and international sanctions on Iran and urges the President to continue and strengthen enforcement of sanctions legislation;

(7) declares that the United States has a vital national interest in, and unbreakable commitment to, ensuring the existence, survival, and security of the State of Israel, and reaffirms United States support for Israel's right to self-defense; and

(8) urges that, if the Government of Israel is compelled to take military action in legitimate self-defense against Iran's nuclear weapons program, the United States Government should stand with Israel and provide, in accordance with United States law and the constitutional responsibility of Congress to authorize the use of military force, diplomatic, military, and economic support to the Government of Israel in its defense of its territory, people, and existence.

SEC. 2. RULES OF CONSTRUCTION.

Nothing in this resolution shall be construed as an authorization for the use of force or a declaration of war.

AGRICULTURE REFORM, FOOD AND JOBS ACT OF 2013—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 954.

AMENDMENT NO. 925

Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote in relation to the Shaheen amendment No. 925. Debate will commence on the Shaheen amendment No. 925.

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, my understanding is Senator SHAHEEN is going to take the first 30 seconds of 1 minute on behalf of speaking in favor. I don't see her on the floor. I will take the second half.

I believe I see her now, so at this time, if she is ready, I yield to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Pennsylvania.

This amendment would address the only program within the farm bill that hasn't been reformed: the Sugar Program. What we have now is a sweet deal for sugar growers and a bad deal for consumers.

Right now, according to the Department of Commerce, we are losing three jobs in manufacturing for every one job we save in the sugar grower industry. That is not a good deal for job creation in this country. We need to change it.

I yield to my colleague from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I thank the Senator from New Hampshire. She is absolutely right. It makes no sense to have a program that forces American consumers to pay at least 30 percent more than the going rate for sugar to force taxpayers to subsidize these producers. Also, we can lose jobs because, as the Senator pointed out, our own Commerce Department has found that for every job it saves, three manufacturing jobs are lost. This is a modest amendment that takes us back to the 2008 levels.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, on our side, let me tell my colleagues if they want to preserve jobs, vote against the Shaheen-Toomey amendment. The U.S. policy on sugar defends more than 142,000 jobs in 22 States and nearly $20 billion in annual economic activity. Their amendment is bad policy. The taxpayers do not pay a penny on the Sugar Program. Domestic production is supported by import restrictions which have been used wisely over time, so this amendment would effectively kill America's no-cost Sugar Program.

Senator COCHRAN will take the last 30 seconds.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, this amendment is being portrayed as a reform of sugar policy, but it is far more harmful than that. These proposed changes would undermine the policy of our domestic industry by transferring American sugar-producing jobs to other countries. Those producers are less efficient and heavily subsidized.

U.S. sugar policy has operated at zero cost to taxpayers for the past decade and has provided American consumers dependable supplies of safe high-quality sugar at low prices.

I urge Senators to oppose the amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

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

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 134 Leg.]

YEAS—45

Alexander	Cowan	McConnell
Ayotte	Cruz	Menendez
Baldwin	Durbin	Murphy
Blumenthal	Feinstein	Paul
Blunt	Flake	Portman
Boozman	Grassley	Reed
Brown	Heller	Roberts
Carper	Inhofe	Rockefeller
Casey	Johnson (WI)	Scott
Coats	Kaine	Sessions
Coburn	Kirk	Shaheen
Collins	Lee	Toomey
Coons	Manchin	Warner
Corker	McCain	Warren
Cornyn	McCaskill	Whitehouse

NAYS—54

Barrasso	Harkin	Murray
Baucus	Hatch	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reid
Boxer	Hirono	Risch
Burr	Hoeven	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Chambliss	Johnson (SD)	Schumer
Cochran	King	Shelby
Crapo	Klobuchar	Stabenow
Donnelly	Landrieu	Tester
Enzi	Leahy	Thune
Fischer	Levin	Udall (CO)
Franken	Merkley	Udall (NM)
Gillibrand	Mikulski	Vitter
Graham	Moran	Wicker
Hagan	Murkowski	Wyden

NOT VOTING—1

Lautenberg

The amendment (No. 925) was rejected.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, if it pleases the Chair, I would like to say a few remarks about sugar, but I am not sure about the chairwoman's plans.

I thank the chairwoman of the committee and the ranking member. I know they are deciding what other amendments we are going to take up later this evening and how the votes will proceed. But let me again just thank my colleague from Michigan for her great lead and leadership on the farm bill.

This sugar amendment was very important to the people of Louisiana whom I represent, and I want to just thank my colleagues for their vote to keep a program in place that has worked at no cost to the taxpayer—no direct cash. It is monitored or organized or designed through an import restriction program that allows for the robust production of sugarcane and sugar beets in our Nation.

I thank Senator SHAHEEN for the wonderful way she handled the debate. We have different views about this, but we are colleagues and we work together very well. There are two sides to this issue. I think the evidence on our side is stronger. She would probably disagree. But I thank our colleagues for supporting the sugar caucus.

In Louisiana, sugarcane is being produced on over 427,000 acres in 22 parishes. Production is about 14 million tons, which is about 20 percent of the total sugar grown in the United States.

Last year, in 2012, Louisiana sugar mills produced 1.6 million tons of raw sugar, the largest amount we have ever produced in our State. This production represents a huge part of our State's economy. The loss of market for this product would be devastating. Let me say that the State of Hawaii, the State of Florida, states such as Minnesota and North Dakota and South Dakota that have strong sugar beet crops, it is very important for them as well.

Are the consumers hurt by this? Absolutely not. The U.S. sugar price is 14 percent below the world average, and 24 percent below the average for developed nations. So our policy is a good balance of encouraging domestic production and keeping prices stable and affordable for the consumer.

Let me say for candy production—and I have a small amount of candy produced in Louisiana. I am very proud of these companies. American food manufacturers say they are shedding jobs, but in my view this has nothing to do with U.S. sugar policy. In fact, U.S. sweetened product manufacturers are prospering and expanding. Candy production is rising, not falling, up by 9 percent since 2004. In addition, sugar represents just a tiny portion of the price these food retailers charge for their products—1 percent of the cost of a cupcake, 2 percent of the cost of a candy bar, 3 percent of the cost of a carton of ice cream, and 5 percent of a bag of hard candy. So I think our arguments won the day. I appreciate our colleagues supporting the sugar caucus. We thank you for keeping this bill intact with the balance it needs to move forward so we can have a robust farm agriculture reauthorization bill for this United States.

I yield the floor.

Mr. RUBIO. Mr. President, as we heard last summer and again throughout this week's debate, government subsidies are at the heart of both our agricultural and nutritional policies here in the United States. Subsidizing food costs in the form of payments for groceries is the core of our supplemental nutrition assistance program. Insurance premiums paid by our corn

and soybean growers are directly subsidized in the farm bill on the floor today. And adverse market payments, what we once called direct payments, are available to crops such as peanuts and rice if the price for those commodities fall below a certain threshold. These government subsidies are used all across our country—from Iowa to North and South Carolina; and from Missouri down through Kansas, Arkansas, and Texas.

Now we have heard from several members from these and other States the many opinions about the validity or usefulness of these subsidies. And I certainly have my own opinion about how the agricultural policy in the United States should be reformed and shaped. However, today, I stand to discuss a unique program—our country's Sugar Program. For those of you who are not familiar with the program, it consists of three components—a domestic allocation component, a tariff quota component, and a loan component. Now, aside from the loan component, uniquely, the Sugar Program in the United States does not require a direct government subsidy. In fact, from 2002 to 2011, the Sugar Program in the United States cost the government zero dollars, a glaringly low amount compared to the various other commodity programs that I previously listed.

There is a reason for this difference. Our Sugar Program is not an agricultural program—it is a trade program. We do not set the price of sugar in the United States artificially high by sending taxpayer money directly to that industry as we do with corn, soybeans, peanuts, or all the other various agricultural commodities here in the United States. We set the price of sugar in the United States by limiting the amount of sugar that we import from foreign countries.

This distinction cannot be ignored. This distinction creates a fundamentally different set of policy decisions for my colleagues here in the Senate as we continue this important debate on our Sugar Program.

Furthermore, this distinction requires acknowledgement in the sense that it changes our discussion about the Sugar Program here in the United States from how it impacts our domestic industries to how it interacts with same industries and policies in the international community. We cannot support any policy that ignores international realities at the detriment of our own domestic industries.

In implementation, and by necessity, this reality means two things: One, in debating the sugar policy here in the United States, because it is inherently a trade policy, we must do so with international realities in mind, and No. 2—when viewed through this lens, does any amendment that would reform this program without consideration of these international realities make the best sense and, more importantly, set a positive precedent?

I would argue it does not and would offer my colleagues, in the context of trade, the following facts: The Brazil Government, through the form of direct payments, forgiven loans and pension payments, and fuel mandates, subsidized the sugar industry in their country to a tune of $2.5 billion last year alone. Brazil controls 50 percent of all the world's sugar exports. To put that into context, Saudi Arabia controls only about 19 percent of the world's oil exports. Countries such as China, Thailand, and India, countries that the United States does not have free-trade agreements with, all subsidize their sugar industries in some form. And even in Mexico, the government owns and operates 20 percent of the country's sugar industry.

These countries, regardless of whether we repeal our sugar program here in the United States, will continue to generously subsidize sugar production for their own countries. In this context, I would ask my colleagues to seriously question the appropriateness, the benefits, and more importantly the risks to American jobs, if reforms to our Sugar Program were to pass without any link to the overall international dialogue. The 142,000 jobs and the $20 billion annually that our domestic industry provides to our economy would be at risk while at no point in our discussion have we accounted for the protectionist policies that exist for the sugar industry in other countries all around the world.

To be clear, I am not arguing that, as a country, we need to be trade protectionists. To the contrary, I think our country will excel in the 21st century only if we eliminate barriers to trade and increase the flow of goods all around the world. But what I am saying is that if we are going to eliminate a trade program, let us do it in the context of a trade debate. Otherwise, we will lose jobs, industries, and overall leverage to other countries without even bringing them to the table to negotiate. I would argue it would be more appropriate to address reform of our Sugar Program in the context of international trade.

Very simply, we should repeal our entire Sugar Program if the largest sugar-producing countries in the world eliminated their own trade protectionist policies as well. We must ensure that we do not negotiate against ourselves in this international context by eliminating a program important to an industry in our country that is unfortunately forced to deal with these international realities. And I encourage my colleagues to consider the precedent they would set for their own industries in their own States when they consider the various amendments offered in this debate introduced to reform our Sugar Program. We must put this debate in the proper context while at the same time acknowledging the benefits of free trade to the United States and to citizens in countries all across the world.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I am here to talk about the importance of a bipartisan, commonsense, 5-year farm bill to Indiana's agriculture and rural communities as well as our entire country.

This bill, passed with bipartisan support in the Agriculture Committee, protects the estimated 16 million agriculture-related jobs across the country. Last year, Indiana and many other States were plagued by severe drought, leading to a loss of crops and livestock, hurting our food supply and the livelihoods of farmers and their communities. Farmers in Indiana and around the Nation need the certainty of a 5-year farm bill that reflects and addresses the inherent risk of feeding and fueling our world. The Agriculture Reform, Food, and Jobs Act of 2013 strikes the right balance, ending direct payments and improving risk management tools to give farmers what they need to manage natural disasters or severe market downturns that are completely outside of their control.

In this budget environment, where we are looking for ways to cut spending and make government more efficient, it is important to note this bill would reduce the deficit by $23 billion. We made the tough decisions necessary to cut spending, increase accountability, and eliminate duplicative or unnecessary programs to continue our efforts to get our fiscal house in order.

In my home State of Indiana, this bill is critical. Nearly 190,000 Hoosiers work in agriculture. Eighty-three percent of the State's land is devoted to farms or forests. Agriculture contributed nearly $38 billion to Indiana's economy in 2011. Clearly, the certainty of a 5-year farm bill is important not only for the producers in our State but to the entire State's economy and overall well-being.

While no bill is perfect, there are a few areas of this bill I worked to improve based on feedback from Hoosiers. During the Agriculture Committee debate, I introduced an amendment with Senator ROBERTS that would give the next generation of bio-energy crops access to base levels of risk management so a reasonable safety net will be in place for energy crops. This bipartisan amendment, passed as part of the overall bill, would amend the Noninsured Crop Disaster Assistance Program to offer coverage for crops producing feedstock for energy purposes.

Further, the amendment would direct USDA to research and develop risk management tools for promising new sorghum crops. I support the many Indiana farmers who have and continue to contribute to our domestic energy security. Also, during the committee discussion, I helped introduce an amendment that would put the USDA, not the OMB, in charge of conservation program technical assistance funding levels. This gives USDA the authority to make sure that technical assistance

reflects the needs of producers in the field and the stakeholder community, while allowing conservation practices to be adopted on a broader scale. We need robust technical assistance to give producers the assurances they need to know they are implementing practices correctly. These decisions should be made more reflective of needs on the ground.

Further, I have continued my efforts from the 2008 farm bill to ensure that there are not restrictions on Hoosier farmers who want to grow fruits and vegetables. After a successful Farm Flex pilot program, I worked to expand full planting flexibility for farmers in Indiana and across the country wanting to grow what they want to grow on their own farms.

Finally, I am proud to cosponsor an amendment with Senator GRASSLEY. We should pass this amendment. It protects livestock and poultry farmers from having their personal information released by the EPA. It is outrageous that earlier this year the EPA released the personal contact information of over 80,000 livestock and poultry owners from across the Nation, including many from Indiana. This blatant violation of privacy must not happen again. I hope my colleagues will support the Grassley-Donnelly amendment when it comes up for a vote.

Put simply, this farm bill makes sense. It is an example of Republicans and Democrats working together to do good things for the American economy and America's people. I look forward to working with our colleagues in the House on a farm bill that we can get signed into law. No one is going to get 100 percent of what they want, but it is 100 percent necessary to get this farm bill done. I urge prompt passage of this bill by the Senate and for our colleagues in the House to do the same.

Farmers in Indiana and across our great Nation deserve more than partisan political gridlock that prevented a 5-year bill last year. This year we need to get it done.

I yield the floor and 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. MORAN. 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. MORAN. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

STARTUP ACT

Mr. MORAN. Thank you very much.

I want to tell a story. It goes back to the summer of 2011. Back at that point in time, we had 30 straight months of unemployment above 8 percent. I decided it was important to work on legislation to jumpstart the economy and to work in every way possible with my colleagues to put Americans back to work.

With a foundation of compelling data showing that nearly all of the new net jobs created since 1980 had been created by companies less than 5 years old, Senator WARNER and I introduced the Startup Act in December of 2011. The Startup Act was a jobs bill written to help entrepreneurs who have been responsible for most of the job creation in our country over the last 30 years.

The legislation made changes to the Federal regulatory process so that the cost of new regulations did not outweigh the benefits and encouraged Federal agencies to consider the impact of proposed regulations on startups, particularly.

Our bill made commonsense changes to the Tax Code to encourage investment in startups and reward patient capital. The Startup Act also sought to improve the process of commercializing federally funded research so that more good ideas out of the laboratories were put into market where these innovations could be turned into jobs by companies and spur economic growth.

Finally, the Startup Act provided new opportunities for highly educated and entrepreneurial immigrants to stay in the United States where their talent and new job ideas could fuel economic growth and create American jobs.

When I began work on the Startup Act, I did not intend to write an immigration bill. My goal was simple: Find the most cost-effective way to jumpstart the economy and create American jobs. After reviewing the academic and economic data, it became clear that these strategies to create American jobs must include highly skilled and entrepreneurial immigrants. Immigrants to the United States have a long history of creating business in our country. We can all think of examples of individuals who have done so: Sergey Brin cofounded Google; Elon Must cofounded PayPal, SolarCity, SpaceX, and Tesla; Min Kao founded Garmin in my home State of Kansas. There is a long list of people from other countries who created businesses here in the United States that now employ thousands and thousands and thousands of Kansans and Americans. Of the current Fortune 500 companies, more than 40 percent were founded by first-or second-generation Americans. Immigrants are now more than twice as likely as native-born Americans to start a business. In 2011, immigrants were responsible for more than one in every four U.S. businesses founded.

Today, one in every 10 Americans employed at privately owned U.S. companies works at an immigrant-owned firm. The immigration bill drafted by eight of our colleagues and reported by the Judiciary Committee recognizes the importance of entrepreneurial immigrants. The legislation creates new visas for immigrant entrepreneurs and awards points for the merit-based visa for successful entrepreneurship. Yet this bill could be improved significantly to reflect more accurately how new businesses grow and hire workers.

Done right, an entrepreneur's visa has the potential to create hundreds of thousands of needed jobs for Americans. Now in its third version, Startup 3.0 creates an entrepreneur's visa for foreign-born entrepreneurs currently in the United States. Those individuals with a good idea, with capital and a willingness to hire Americans, would be able to stay in the United States and grow their businesses. Each immigrant entrepreneur would be required to create jobs for Americans.

In many instances our country already has made a commitment to these entrepreneurs, allowing them to study in our universities and work temporarily at American companies. Providing a way for immigrant entrepreneurs to stay in the United States and create American jobs makes economic sense.

Earlier this year the Kauffman Foundation studied the economic impact of immigrant visas in the entrepreneur's visa in Startup 3.0. Using conservative estimates, the Kauffman Foundation predicts that the entrepreneur's visa could generate 500,000 to 1.6 million jobs over the next 10 years. These are real jobs with real economic impact that could affect real American families and boost our GDP by 1.5 percent or more, a 1.5-percent increase in our gross domestic product by this provision of the legislation alone.

Anticipating floor consideration of the immigration bill, I have been speaking with entrepreneurs, investors, and startup policy experts to develop an amendment that would improve the legislation. In my view, we have an opportunity to create jobs for Americans by making certain highly skilled and entrepreneurial immigrants are able to start a new business and contribute to the growth of American companies. If we miss this opportunity, we risk losing the next generation of great entrepreneurs and the jobs they will create. I will offer an amendment to the immigration bill to accomplish these goals and hope my colleagues will join me in supporting the changes to the legislation that would result in the creation of jobs for Americans.

While it is important to provide a straightforward and workable way for entrepreneurial immigrants to stay in the United States so they can employ Americans, we also need to make sure the immigration bill addresses the needs of growing American businesses.

The current problem is twofold. American schools are not producing enough students with the skills our economy demands. While American universities do a great job of attracting foreign students to study advanced subjects, few pathways exist for these talented graduates to remain in the United States and contribute to American prosperity.

One reason for this problem is our Nation's high schools have fallen behind in STEM education—science, technology, engineering, and mathematics. Forty percent of high school seniors test at or below basic levels in math. Fifty percent of our high school seniors test at or below basic levels in science. By 12th grade only 16 percent of students are both math proficient and interested in a STEM career, and fewer than 15 percent of high school graduates have enough math and science to pursue scientific or technical degrees in college. It is no wonder that by the time American students go to college few are choosing to major in a STEM area subject. According to the National Science Foundation, college students majoring in non-STEM fields outnumber their math and science-minded counterparts 5 to 1.

Moreover, the growth rate of new STEM majors remains among the slowest in any category. Unfortunately, research shows that this gap continues to widen at a time when the number of job openings requiring STEM degrees is increasing at three times the rate of the rest of the job market. The number of students pursuing math, science, and engineering is declining. The demand for the jobs is increasing. Should this trend continue, American businesses are projected to need an estimated 800,000 workers with advanced STEM degrees by 2018, about 4 years away, but will only find 550,000 American graduates with those degrees they need.

How do we solve this problem and prepare America for the future? First and foremost, we need to do more to prepare Americans for careers in STEM fields. This will take time, but our efforts to improve STEM will yield positive results across the economy, even for those without STEM skills.

Second, as we work to equip Americans with the skills for the 21st century economy, we also need to create a pathway for highly educated foreign students to stay in America where their ideas and talents can fuel economic growth.

Startup 3.0, the legislation Senator WARNER and I have introduced, addresses this immediate need by creating STEM visas. Foreign students who graduate from an American university with a master's or a Ph.D. in science, technology, engineering, or mathematics would be granted conditional status contingent upon them filling a needed gap in the U.S. workforce. By working for 5 consecutive years in a STEM field, the immigrant would be granted a green card with the option of becoming an American citizen.

The immigration bill we will soon consider attempts to address the immediate needs for more qualified STEM workers and the longer term need for Americans to develop the skills needed to fill those jobs. I am hopeful these aspects of this bill will be strengthened in order to provide growing American businesses with the skilled employees they need now and in the future. If growing American companies are unable to hire qualified workers they need, these businesses will open locations overseas.

I was in Silicon Valley last year, and executives at Facebook told me they were ready to hire close to 80 foreign-born but United States-educated individuals, when their visas were denied. Rather than forgo hiring these skilled workers, the company hired them anyway, but they placed them in a location in Dublin, Ireland, instead of the United States. Facebook was ultimately able to get the visas for these workers after training them in Ireland.

All too often companies end up housing these jobs permanently overseas. When this happens, it is not only those specific jobs we lose but also the many supporting jobs and economic activity associated with them. Even more damaging, more damning to me than the loss of those highly skilled workers who are now working in some other country, the end result is that someone among that group will start another company such as Google, be an entrepreneur, and start another company that creates jobs, but not in the United States—in Canada or in Dublin, Ireland. The United States loses both employment today and an opportunity for American jobs to be created in the future because our immigration policies failed to help our country retain highly educated and skilled individuals.

To me, this story and many others like it illustrate the importance of getting the policy right. Creating workable ways to retain highly skilled, American-educated workers and entrepreneurs is about creating jobs for Americans and growing our Nation's economy.

The United States is in a global battle for talent. If we fail to improve our immigration system, one that currently tells these entrepreneurs and highly skilled individuals we don't want you, they will take their intellect and skills to another country and create jobs and opportunities there.

Some of my colleagues may think I am exaggerating what is at stake, but this week Canada's Immigration Minister was in Silicon Valley recruiting entrepreneurs and promoting Canada's new startup visas. They have billboards in California encouraging those STEM-educated individuals to move to Canada where they have an immigration policy beneficial to them and their jobs. This Minister's message was simple: The United States immigration system is broken, so bring your startups to Canada, where we will get you permanent residency and the opportunity to build your business. Canada put up billboards along Highway 101 between Silicon Valley and San Francisco enticing entrepreneurs to ''pivot to Canada.''

In fact, six other countries besides Canada in the short time I have been a Member of the Senate have changed their laws and policies to encourage these individuals to find jobs and create businesses in their countries. We have done nothing. For the sake of our country and the millions of Americans looking for work, we cannot afford to lose talented entrepreneurs.

As the Senate begins debate of the immigration bill in the near future, I encourage my colleagues to keep in mind the other 11 million, those 11.7 million American workers who are looking for work and the many others who have become so discouraged they have given up.

The United States is the birthplace and home of the American dream. For years our country has been seen as the land of opportunity for innovators and entrepreneurs. We must do everything possible to make certain that remains true in the face of growing competition. When the immigration bill comes to the Senate floor, I will offer amendments to improve the bill and encourage my colleagues to join me in supporting commonsense changes that will allow the United States to win the global battle for talent. Doing so will make certain that immigrant entrepreneurs have a home in the United States. In their pursuit of the American dream, they will create jobs for Americans and strengthen the American economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

AMENDMENT NO. 965

Mr. SANDERS. Mr. President I call up amendment No. 965 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself and Mr. BEGICH, proposes an amendment numbered 965.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered.

Mr. SANDERS. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To permit States to require that any food, beverage, or other edible product offered for sale have a label on indicating that the food, beverage, or other edible product contains a genetically engineered ingredient)

On page 1150, after line 15, add the following:

SEC. 12213. CONSUMERS RIGHT TO KNOW ABOUT GENETICALLY ENGINEERED FOOD ACT.

(a) SHORT TITLE.—This section may be cited as the ''Consumers Right to Know About Genetically Engineered Food Act''.

(b) FINDINGS.—Congress finds that—

(1) surveys of the American public consistently show that 90 percent or more of the people of the United States want genetically engineered to be labeled as such;

(2) a landmark public health study in Canada found that—

(A) 93 percent of pregnant women had detectable toxins from genetically engineered foods in their blood; and

(B) 80 percent of the babies of those women had detectable toxins in their umbilical cords;

(3) the tenth Amendment to the Constitution of the United States clearly reserves powers in the system of Federalism to the States or to the people; and

(4) States have the authority to require the labeling of foods produced through genetic engineering or derived from organisms that have been genetically engineered.

(c) DEFINITIONS.—In this section:

(1) GENETIC ENGINEERING.—

(A) IN GENERAL.—The term ''genetic engineering'' means a process that alters an organism at the molecular or cellular level by means that are not possible under natural conditions or processes.

(B) INCLUSIONS.—The term ''genetic engineering'' includes—

(i) recombinant DNA and RNA techniques;

(ii) cell fusion;

(iii) microencapsulation;

(iv) macroencapsulation;

(v) gene deletion and doubling;

(vi) introduction of a foreign gene; and

(vii) changing the position of genes.

(C) EXCLUSIONS.—The term ''genetic engineering'' does not include any modification to an organism that consists exclusively of—

(i) breeding;

(ii) conjugation;

(iii) fermentation;

(iv) hybridization;

(v) in vitro fertilization; or

(vi) tissue culture.

(2) GENETICALLY ENGINEERED INGREDIENT.—The term ''genetically engineered ingredient'' means any ingredient in any food, beverage, or other edible product that—

(A) is, or is derived from, an organism that is produced through the intentional use of genetic engineering; or

(B) is, or is derived from, the progeny of intended sexual reproduction, asexual reproduction, or both of 1 or more organisms described in subparagraph (A).

(d) RIGHT TO KNOW.—Notwithstanding any other Federal law (including regulations), a State may require that any food, beverage, or other edible product offered for sale in that State have a label on the container or package of the food, beverage, or other edible product, indicating that the food, beverage, or other edible product contains a genetically engineered ingredient.

(e) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Commissioner of Food and Drugs and the Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) REPORT.—Not later than 2 years after the date of enactment of this Act, the Commissioner of Food and Drugs, in consultation with the Secretary of Agriculture, shall submit a report to Congress detailing the percentage of food and beverages sold in the United States that contain genetically engineered ingredients.

Mr. SANDERS. Mr. President, I will be very brief, as I spoke on this issue before. Here is the story, using my own State of Vermont as an example, but it exists all over the country. This year the Vermont House of Representatives passed a bill by a vote of 99 to 42 requiring that genetically engineered food be labeled.

Yesterday, as I understand it, the Connecticut State Senate, by an overwhelming vote of 35 to 1, also passed legislation to require labeling of genetically engineered food. In California this issue was on the ballot. Monsanto and the other biotech companies spent something like $47 million against the right of people of California to have labeling on GMO products, and they won. The people who support labeling got 47 percent of the vote despite a huge amount of money being spent against them.

In the State of Washington, over 300,000 people have signed petitions in support of an initiative there to label genetically engineered food in that State.

A poll done earlier this year indicated that some 82 percent of the American people believe labeling should take place with regard to genetically engineered ingredients.

This is a pretty simple issue, and the issue is do the American people have a right to know what they are eating, what is in the food they are ingesting and what their kids are eating.

The problem is that a number of States, including Vermont, have gone forward on this issue. They have been met with large biotech companies like Monsanto who say if you go forward, we are going to sue you. And it will be a very costly lawsuit, because we do not believe you have the right as a State to go forward in this direction because you are preempting a Federal prerogative.

I happen not to believe that is correct. What this amendment does is very simple. It basically says States that choose to go forward on this issue do have the right. It is not condemning GMOs or anything else. It is simply saying that States have the right to go forward.

There have been some arguments against this amendment, and let me briefly touch on them. Genetically engineered food labels will not increase costs to shoppers, as we all know. Companies change their labels every day. They market their products differently. Adding a label does not change this. Everybody looks at labels. They change all the time. This would simply be an addition, new information on that label. In fact, many products already voluntarily label their food as GMO-free.

Further, genetically engineered crops are not better for the environment. Some will say, well, this is good for the environment. The use of Monsanto Roundup-ready soybeans engineered to withstand exposure to the herbicide Roundup has caused the spread of Roundup-resistant weeds which now infest 22 States, 10 million acres in 22 States, with predictions for 40 million acres or more by mid-decade. Resistant weeds increase the use of herbicides and the use of older and more toxic herbicides.

Further, there are no international agreements that permit the mandatory identification of foods produced through genetic engineering.

As I mentioned earlier, throughout Europe and in dozens of other countries around the world, this exists. It is not a very radical concept. It exists throughout the European Union and I believe, very simply, that States in this country should be able to go forward in labeling genetically modified foods if they want, and this amendment simply makes it clear they have the right to do that.

I look forward to the support of my colleagues with that amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Let me say, for purposes of the Members, now that we have completed our official voting for today, I want to thank everyone for all of their hard work and the staff for all of their hard work. It is a continuing pleasure to work with my ranking member Senator COCHRAN. We are in the process of securing a time for a vote, hopefully in the morning, and then we have a number of votes tomorrow.

We are on a path to getting this done. With the cooperation of the Members, we are hopeful we will have a number of votes tomorrow and be able to complete this very important bill.

I would just remind colleagues that 16 million people work in this country because of agriculture. It is probably the biggest jobs bill that will come before this body, and we are very grateful for everyone's patience and willingness to work with us to bring this bill to completion.

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. MURPHY. 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. MURPHY. Mr. President, I would like to thank the chairwoman of the Committee on Agriculture, Nutrition, and Forestry for her great work in bringing a bill to the floor today that does a lot of justice for families in Connecticut and across the country who are fighting every single day to put food on the table for their loved ones.

The fact is, although people have an impression that our State is a wealthy one, we have a handful of the poorest cities in the country, and we have tens of thousands of people who have been ravaged by this economy. These nutrition programs funded in the underlying bill are an absolute lifeline for families who have been, largely temporarily, hit straight across the brow by this devastating recession.

In Connecticut, though, for some people who don't know our State, it is hard to imagine that 11 percent of the population is today receiving SNAP benefits. One out of every ten people—one out of every ten families in Connecticut—right now relies on food stamps to either pay for their food in whole or in part. That is over 400,000 people in Connecticut.

These are people such as the 87-year-old retiree from Southbury, CT, who lives in a small, very reasonable condo. She lives on about $1,100 a month. She has gone through a $100,000 home equity line of credit, but her condo fees and her electric bill—because she lives in a little condo that is heated by electricity alone—basically eat up the entirety of her budget. She couldn't eat without foods stamps. She couldn't eat without these benefits. They keep her alive, as they do for millions of seniors all across this country.

On the other end of the age spectrum is another Southbury resident. Southbury, frankly—Connecticut, in general—doesn't have a reputation as being a town in need, but they have hundreds of SNAP recipients, just as in every town across Connecticut. Mrs. Smith is an unemployed mother. She made a six-figure salary for decades. When her husband became disabled, she was the sole breadwinner for her family. The recession hit her, just as it has hit hundreds of thousands of others across the country, and she lost her job. It is now the $300 she gets per month in SNAP benefits that allows her to feed her kids.

She is out there doing everything we ask. She is looking for a job. She is trying to get back to work, but she has lost her unemployment benefits. They have been exhausted, and now she needs this money in order to live.

The fact is 61 percent of all SNAP participants are families with children, and 33 percent of all SNAP recipients are families with elderly or disabled members in their families. These are the most vulnerable in our country, and they need a strong SNAP program in this bill.

I am one of a handful of Senators who cast a vote yesterday to add some money back, but the fact is the real comparison is not the difference between the underlying bill and that amendment. The real comparison is between the bill we are debating now and the budget pending before the House of Representatives today.

The House Republican budget would absolutely devastate, eviscerate, obliterate the Food Stamp Program—basically rescinding this Nation's longstanding commitment to making sure kids have enough to eat when their families are out of work or have hit hard times.

One of the reasons Republicans in the House in particular have come so hard, so consistently against foods stamps is because they categorize it as an overly generous handout to people who don't need it. Well, this week I am testing that theory. This week, because we are debating this bill on the floor of the Senate, I decided to see what it would be like to live on the average food stamp benefit for people in my State of Connecticut.

That average benefit in Connecticut is about $4.80 a day. I am finding out—now 3 days into this—even on this budget for just a week, it is pretty hard to eat enough to just not be hungry, never mind eating healthy foods. I went to the grocery store to buy some fruit and vegetables for the week and could barely find anything that fit within that budget. I was able to buy some bananas for 69 cents a pound. I wanted to get some peanut butter, but the only kind of peanut butter I could get was the kind loaded with preservatives because the stuff that is better for you costs a lot more.

Over and over again, people who are right now on food stamps are going hungry, never mind the kind of hunger they would be confronted with if we further cut this program. They have to make choices every day when feeding their kids: Do I give them enough calories so they will go without hunger pains for the day or do I try to get them a smaller amount of food that is maybe a bit better for them? That is what these families have to think about every single day.

I am not suggesting doing this budget for a week allows me to walk more than a few steps in their shoes, but it is an education on how little one gets out of this benefit today, and it is a caution for this body to stand up to the House of Representatives, if the farm bill gets to conference, to make sure these cuts don't get any worse.

The stories of the senior citizen and the unemployed mother in Southbury, CT, are two of millions of stories all across this country. These are people who have paid their dues, who are playing by the rules, but who just need a little help from us in a bad economy. By no means is this program an overly luxurious handout.

Let me tell you, from a very brief anecdotal experience, it is pretty hard to go without hunger on $4.80 a day, never mind trying to provide a healthy meal for your kids.

I just wanted to come to the floor this evening and applaud the efforts of our colleagues who are trying to push through a bill that will get to conference so we can be in a strong position to defend the nutrition titles of this bill which are keeping people—kids, the disabled, and the elderly—alive today.

There are those of us who would have liked to have seen even more support in this bill for nutrition programs. We failed in that attempt earlier this week, but we are united in the fact that a farm bill that comes out of the House and the Senate and goes to the President's desk has to keep the promise we have made to generations of kids across this country—we are going to make sure you have enough to eat.

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.

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

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

Ms. STABENOW. Mr. President, I ask unanimous consent that on Thursday, May 23, following the cloture vote on the Srinivasan nomination, and notwithstanding cloture having been invoked, if invoked, the Senate resume legislative session and consideration of S. 954; further, that the Senate then proceed to vote in relation to the pending Sanders amendment No. 965; that there be no second-degree amendments to the Sanders amendment prior to the vote; that the amendment be subject to a 60-affirmative vote threshold; finally, that the time consumed during consideration of S. 954 count postcloture.

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

Mr. GRASSLEY. Mr. President, I want to discuss my amendment regarding the Environmental Protection Agency's release of farmers' information. By now, many of my colleagues have heard about the Environmental Protection Agency's release of individual personal information to environmental activists.

This should not have happened. The EPA released information on over 80,000 farmers nationwide, and over 9,000 Iowans. I can't even characterize some of these Iowans as livestock producers; many of them are simply hobby farmers. There is a person on the list who has 12 horses; another gentleman on the list has one pig.

It is downright absurd that EPA would collect this kind of information and then hand it over to environmental activists. Given what we have seen recently with the egregious actions by the Internal Revenue Service, we should all be outraged by the continuing pattern of overreach by this administration.

This whole situation just doesn't pass the commonsense test. We have seen acts of eco-terrorism in the past against farmers. Farmers shouldn't have to fear their personal information being released to groups who may want to use the information to harass or terrorize family farmers. This amendment would restrict EPA's ability to release such data.

Since EPA can't put an end to this reckless behavior, then Congress needs to step in and fix the problem for EPA. I urge my colleagues to support this amendment.

Mr. SESSIONS. Mr. President, today I wish to discuss amendment No. 945, which was accepted by the Senate yesterday via unanimous consent. This is an important amendment, and I would like to thank the chairman of the Senate Agriculture Committee, Senator STABENOW, and the ranking member, Senator COCHRAN, for their willingness to work with me to see that this amendment was accepted.

My amendment will help farmers in Alabama and many other States benefit from Federal agricultural irrigation programs. Expanding irrigation can help protect against drought and can dramatically increase agricultural production, which is why I supported

the creation of the Agricultural Water Enhancement Program, AWEP, several years ago.

AWEP, which receives approximately $60 million annually, is a ''voluntary conservation initiative that provides financial and technical assistance to agricultural producers to implement agricultural water enhancement activities on agricultural land to conserve surface and ground water and improve water quality,'' according to the USDA. AWEP assists farmers with the use of upland water storage ponds, irrigation system improvements, water quality improvement, and other similar efforts. It is a good program. According to ALFA—the association representing Alabama's farmers:

Since 2009, the AWEP Initiative has made available over $3.5 million to benefit the local economy. In Alabama, 102 farmers have improved efficiency in their irrigation operations which resulted in savings of about 875 million gallons of water per year.

However, USDA currently limits access to AWEP to farms that have been irrigated previously a requirement that prevents most Alabama farmers from being eligible for this useful program. Farmers are often required to show past irrigation records, irrigation water management plan documentation, or a map showing farm acres with irrigation history. This prior history requirement prevents some worthwhile agricultural water enhancement projects from being eligible for AWEP assistance, particularly in States where irrigation has not been significantly used. According to data in the 2007 USDA Agriculture Census, many farm acres throughout the country do not have a history of agricultural irrigation. This is especially true in my State. According to ALFA, ''only about 5% of Alabama's farms have irrigated cropland,'' and this prior history requirement ''has prevented the program from being more widely utilized'' in Alabama.

My amendment No. 945, which was accepted, as modified, by unanimous agreement in the Senate yesterday, eliminates this unwarranted restriction and will help ensure that more farmers are eligible for USDA irrigation assistance programs. I thank the chairman and ranking member for their work in modifying my amendment to ensure that this clarification of law only applies ''in states where irrigation has not been used significantly for agricultural purposes, as determined by the Secretary.'' As a State with relatively little agricultural irrigation in present use, Alabama and other similarly-situated States are clearly covered by the relief provided by my amendment.

MORNING BUSINESS

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

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

TRIBUTE TO ADAM SCOTT

Mr. REID. Mr. President, I rise to honor Adam Scott, a former member of the University of Nevada, Las Vegas golf team, and the first Australian to win the Masters Tournament.

Through his determination and will to win, Adam was able to come back from a heartbreaking loss at the 2012 Open Championship to win the 2013 Masters in truly stunning fashion. In a tie for the lead heading into the 72nd hole, Adam birdied with a 20-foot putt. At that point, I thought Adam had clinched the title, but another great golfer, Angel Cabrera, was able to force a playoff with his own birdie. It was not until the second hole of that playoff that Adam, through yet another birdie, was able to call himself the Master's champion. This was his ninth PGA Tour win, but first major championship.

Adam hails from Adelaide, Australia, later moving to Queensland at the age of 9. In 1998, Adam came to my home State of Nevada to study and play golf at UNLV. While at UNLV, Adam was an All-American, finishing 11th at the 1999 NCAA Golf Championships. His victory at the Masters was the first major championship to be won by a former UNLV men's golfer.

UNLV's golf program has produced a lot of great players over the years, but until now, none had ever won a major championship. There have been several second-place and third-place showings, but never a champion. As a Nevadan, it is amazing to see a former UNLV player wearing the famous Augusta National Gold Club's green jacket.

On behalf of the Senate, I congratulate Adam Scott on his victory at the Masters Tournament and look forward to continuing to follow a career that has already made Australia and the University of Nevada, Las Vegas very proud.

MEMORIAL DAY

Mr. COCHRAN. Mr. President, today I pay tribute to the men and women of our Armed Forces who have given their lives in defense of the United States. Memorial Day has, since its inception in the years immediately after the end of the Civil War, been a special time for us to remember and honor all Americans who have died in military service. Nearly 150 years after the first ''Decoration Day'' was observed, it remains important that we as citizens of this great Nation take time to reflect on the brave servicemen and women who made the ultimate sacrifice on our behalf.

As I have noted, Memorial Day grew out of a practice started in April 1866 in Columbus, MS, with the decoration of the graves of Confederate and Union soldiers alike. The tradition of honoring both those who fell on both sides of that conflict evolved into our modern observance of this sacred day.

Today, tens of thousands of American men and women continue to put their lives on the line to preserve and perpetuate the freedoms and liberties established with the birth of our Nation. The freedoms we enjoy in this country have often been paid for with the lives of these servicemembers. Their selfless example of service, whether made at Bunker Hill, Vicksburg, Iwo Jima, Inchon or the remotest regions of Afghanistan, inspires us to sacrifice and work for the good of our Nation.

This Memorial Day, Mississippians will again honor all brave fallen warriors, including the men and women from our State who have recently died in the service of our nation in Afghanistan and around the world.

For the RECORD, I offer the names of three brave heroes with roots in Mississippi, who have fallen since the nation commemorated Memorial Day last year. They are:

SSG Ricardo Seija, 31, of Tampa, FL, who died July 9, 2012

SFC Coater B. DeBose, 55, of State Line, MS, died Aug. 19, 2012

Specialist Patricia L. Horne, 20, of Greenwood, MS, died Aug. 24, 2012

We mourn their loss and honor them for their courage, dedication and sacrifice, and resolve that their lives were not given in vain.

This Memorial Day, the people of my State and throughout our great Nation will rightly set aside their day-to-day tasks to remember and say a prayer of thanksgiving for those who have laid down their lives for their country. We will also think of their families who share most acutely in their loss. I join them in saying thank you to those who made these great sacrifices.

TRIBUTE TO RICHARD BENDER

Mr. HARKIN. Mr. President, when Richard Bender retires at the end of this month, the Senate will say farewell to one of its most respected, talented, and accomplished staff members. And I personally will be saying farewell to my longest serving legislative counselor.

They say that there are no indispensable people here in Washington. Don't believe it. For the last three and a half decades, Rich Bender has been my indispensable person—a staffer with an encyclopedic knowledge of parliamentary procedure, the legislative process, the Federal budget, as well as the rules and traditions of this body.

I am by no means the only Senator who has found Richard indispensable. In fact, he is a legend among Senators and staffers alike. Many times, the distinguished majority leader, Senator REID, has come to me with some version of this request: Tom, I am having trouble with this bill. Opponents are raising all kinds of legislative and parliamentary hurdles. Have Bender give me a call. And, by the way, Leader

REID asking you for advice on parliamentary procedure is about like Wynton Marsalis asking you for advice on how he can play the trumpet better.

In my Senate office, Richard has managed a broad portfolio, including budget and taxes, infrastructure, economic development, and a good share of appropriations. He has completed more than 37 years in public service in Congress, beginning in 1975 as a special assistant to Iowa Senator John Culver. In 1977, when I was still in the House of Representatives, he came to work in my congressional office in Ames, where he met his future wife, Laura Forman. Richard moved to my Washington office in 1980. He has been with me, now, for three and a half decades, making him the longest serving Harkin staffer on record.

Richard often says, with pride, that he is the guy in the office who handles asphalt and cement. What those two items translate into are new roads and bridges, revitalized downtowns, economic development, jobs and opportunity. Cities across Iowa, from Dubuque to downtown Des Moines and across to western Iowa, all bear abundant evidence of Richard's excellent work over the decades.

I have never encountered a staffer who can match Richard's mastery of the appropriations process—not just the know-how and know-who of appropriations, but even more importantly the tenacity and persistence required to advance specific projects over the course of many years and sometimes for more than a decade.

I don't know how many times folks in Iowa have thanked me for things that Richard played a huge role in getting done. Let me name just a few of them.

He deserves special credit for his many contributions to making downtown Des Moines the attractive, economically vibrant urban landscape it is today, including the downtown loop on the Martin Luther King, Jr., Parkway, as well as projects like Riverpoint and the Science Center, all of which have spurred development on the south side of town. He played a similar role in assisting the revitalization of Dubuque by securing funds for the brilliant development of the city's Mississippi waterfront.

Richard is fond of describing roads, rivers, and canals as the ''arteries and veins of commerce,'' and he has been devoted to securing robust investments in essential infrastructure projects all across Iowa. I would mention, for example, Federal funding for the Des Moines to Burlington four-lane highway, and Highway 61 improvement in eastern Iowa.

Twice during Richard's tenure in my office, he has played a critical role in helping Iowa to recover from catastrophic floods. Following the devastating weather and flooding in 1993, he helped to secure major Federal funding to help Iowa cities, towns, and farms to recover. Likewise, after the once-in-a-century flood of 2008, Richard dedicated himself to securing resources to help Cedar Rapids, Iowa City, and many other communities to rebuild better than ever.

Let me mention several other achievements:

Richard played a key role in defeating a 1994 appropriations amendment that would have severely damaged ethanol's expansion in the U.S. gasoline market. The vote on the motion to table was 50 to 50, with the Vice President casting the deciding ''aye'' vote.

He secured vital funding for airport expansion and upgrading in Des Moines and at other Iowa airports.

Richard played the key role in securing nearly one-half billion dollars to upgrade USDA's National Animal Disease Center at Ames.

He obtained Federal funds for the High Trestle Bridge over the Des Moines River on the recreational trail between Ankeny and Woodward.

Earlier this year, he successfully persuaded the Army Corps of Engineers to keep the lower Mississippi River open for navigation during a time of persistently low water.

Thanks to Richard's dogged efforts, we were able to secure funding for the new Federal courthouse in Cedar Rapids.

These accomplishments are Richard Bender's living legacy.

And no recounting of Richard's legacy in Iowa would be complete without mentioning his central role in devising and implementing the modern Iowa caucuses system. In 1971, Richard was working as a staffer for the Iowa Democratic Party, which was seeking a way to increase the active involvement of rank-and-file members in choosing our party's Presidential candidate. The party also needed a timely and effective way of reporting voting results. Richard's creativity, as well as his training in mathematics and statistics, made him the key player in developing the Iowa Democratic Party caucuses. Today, the caucuses are little changed from what he developed four decades ago.

Richard Bender is the quintessential selfless public servant. For him, it is never about personal gain or glory; it is about serving others. Nobody works harder. Nobody puts in longer hours. And nobody produces more consistent results than Richard.

Indeed, I also add a debt of gratitude to Richard's wonderful wife, Laura, and his beloved son, Michael. They, too, have sacrificed as Richard has spent such long hours both in the office and working at home on weekends and in the evening. Lots of people, when they retire, say that they are looking forward to spending much more time with their family. Richard really means it. I know that he has big plans for Laura and Michael, including travel, in the years ahead.

It is difficult to find words that do justice to how profoundly grateful I am to Richard for his wise counsel and loyal service on my staff over the last three and a half decades. In addition, on behalf of my colleagues here in the Senate as well as in the House, so many of whom have also benefited from his counsel, I want to thank him for his exceptional service to the Congress and the American people.

Richard, I am deeply grateful to you for a job extraordinarily well done. I join with the entire Senate family in wishing you, Laura, and Michael much happiness in the years ahead.

CONGRESSIONAL BADGES OF BRAVERY

Mrs. MCCASKILL. Mr. President, I rise today to honor six outstanding members of the U.S. Marshals Service—Supervisory Deputy U.S. Marshal Patrick James and Deputy U.S. Marshals Theodore Abegg, Travis Franke, Nicholas Garrett, Jeremy Wyatt, and John Perry—who played an instrumental role in the March 8, 2011, apprehension of a fugitive in St. Louis, MO, an incident that claimed the life of Deputy U.S. Marshal John Perry and resulted in the wounding of Deputy U.S. Marshal Theodore Abegg, as well as St. Louis Police Officer Jeff Helbling.

I commend the heroic service and incredible sacrifice of all these marshals, four of whom are from my home State of Missouri: Supervisory Deputy U.S. Marshal Patrick James and Deputy U.S. Marshals Theodore Abegg, Travis Franke, and Nicholas Garrett. Deputy U.S. Marshal Jeremy Wyatt and fallen Deputy U.S. Marshal John Perry hail from Illinois. Last week, my colleague Senator DICK DURBIN of Illinois joined me at an awards ceremony in St. Louis to honor these distinguished U.S. marshals.

Before I talk about the bravery these law enforcement officials demonstrated in the line of duty, I need to mention the tremendous service the U.S. Marshals Service provides to the people of this country every day. As the Nation's oldest Federal law enforcement agency, the U.S. Marshals Service plays several crucial roles, including protecting Federal judges, operating the Witness Security Program, seizing illegally obtained assets from criminals, and apprehending Federal fugitives—a function which led to its cooperation with the St. Louis Metropolitan Police Department and the formation of the U.S. Marshals Service Fugitive Task Force in St. Louis. Since the Marshals Service's inception in 1789, over 200 federal marshals, deputy marshals, special deputy marshals, and marshals guards have lost their lives in the line of duty. When the U.S. Marshals Service's steadfast devotion to crime prevention and mitigation is considered alongside its traditional witness protection and judicial security duties, the law enforcement officials of this agency truly exemplify the values of ''Justice, Integrity, Service.''

From my days as a prosecutor, I know how critically important the U.S.

Marshals Service is to the Federal justice system and the impact these officials have in communities across Missouri. These highly trained men and women help form the backbone of our legal system, and I salute the countless acts of bravery performed by Federal law enforcement officers across Missouri and this Nation.

On March 8, 2011, members of the U.S. Marshals Service Fugitive Task Force, which included St. Louis Metropolitan Police Department officers, engaged in an effort to apprehend a dangerous fugitive in St. Louis. In approaching the fugitive's residence, the officers and deputies, discovering there were two children at the home, safely removed them and entered the home behind a ballistic shield. Team Leader Deputy John Perry provided cover for Deputy Garrett, who used the shield to approach the second floor location of the fugitive. While ascending a stairwell, the officers and deputies were fired upon by the fugitive. Both Deputy John Perry and St. Louis Police Officer Jeff Helbling were wounded in the initial exchange of gunfire. While other task force members engaged the fugitive, Supervisory Deputy James prompted Officer Anna Kimble to alert supporting officers of the shooting over the radio system.

With two task force members injured, Deputies Abegg and Franke entered the home, and Supervisory Deputy James authorized Deputy Abegg to launch a rescue operation to secure Deputy Perry. Using ballistic shields, Deputies Abegg and Garrett, followed closely by Deputies Franke, Wyatt, and Supervisory Deputy James, entered the residence in order to retrieve the wounded marshal. In the course of the rescue attempt, Deputy Abegg was wounded in the leg. Deputy U.S. Marshal Melissa Duffy administered first aid to Officer Helbling, and Deputy U.S. Marshal Shawn Jackson provided protective cover, allowing wounded Deputy U.S. Marshal Abegg to withdraw. In the end, task force team members subdued the fugitive, although, tragically, Deputy Perry's wounds later proved fatal.

The sincere dedication of these marshals to duty and their strong sense of justice are an inspiration to the American people. Marshals like these place themselves in harm's way every day, forsaking the safety many of us take for granted. They and their families make precious sacrifices so that we, the American public, may enjoy the freedom to live our lives to an extent made possible by the knowledge that someone stands watchful and ready on our behalf.

Therefore, I ask my colleagues to join me in honoring Supervisory Deputy U.S. Marshal Patrick James and Deputy U.S. Marshals Theodore Abegg, Travis Franke, Nicholas Garrett, Jeremy Wyatt, and John Perry for their distinguished service to the people of this country.

Mr. DURBIN. Mr. President, last week was National Police Week, and last Wednesday was National Peace Officers Memorial Day. On Monday, May 13, 2013, I joined my colleague, Senator CLAIRE MCCASKILL of Missouri, at a ceremony in St. Louis to honor six brave deputy U.S. marshals who were awarded the Federal Law Enforcement Congressional Badge of Bravery.

Fewer than two dozen of these badges have been awarded since Congress created them 2 years ago. In fact, these six deputy marshals honored in St. Louis are the first law enforcement officers from either Missouri or Illinois to receive the Congressional Badge of Bravery.

Two of the six men are from my State of Illinois. Deputy U.S. Marshal John Brookman Perry lived in Edwardsville; Jeremy Wyatt is from Granite City.

On March 8, 2011, they and four other deputy U.S. marshals, Theodore Abegg, Travis Franke, Nicholas Garrett, Supervisory Deputy Marshal Patrick James, joined members of the St. Louis Metropolitan Police Department to arrest a dangerous fugitive in south St. Louis. The officers knew there could be trouble that day when they went to serve the arrest warrant. The man they were looking for had a long criminal history and a record that included assaults on law enforcement officers. But they went anyway because that is their job: bringing in the bad guys so that others can feel safer walking down the street.

Deputy Perry was team leader for the Federal marshals. Tragically, though, he never made it home. He was killed and Deputy Marshal Abegg was wounded in a shootout with the man they went to arrest. His story deserves to be told, so that everyone can know the sort of man and law enforcement officer he was.

John Perry grew up in Glen Ellyn in northern Illinois. He had public service in his blood. His grandfather was the son of an Alabama coal miner who went on to be a Federal district judge in northern Illinois. His father was an administrative law judge. He earned a bachelor's degree in earth science and a master's degree in environmental science from SIU. But he wanted to work in law enforcement. He spent 16 years as a probation officer in Madison County, IL before joining the U.S. Marshals Service in 2001. The Federal marshals who worked with him said there was no one better when it came to tracking dangerous felons and bringing them in.

John was a great marshal, but apparently he had a little trouble with the ''good cop/bad cop'' style of interrogation. At his memorial service, one speaker recalled how, after what was supposed to have been a hard-core interrogation, the suspect emerged and told John's partner: ''Your partner is the nicest guy in the world.'' Just imagine what the world would be like if the worst thing people could say about us was, ''Sometimes he's too nice.''

One of his last gifts to his community was that he was an organ donor. After he died, his heart, lungs, liver, pancreas, and kidneys were donated to people who would have died without them, along with skin and bone tissue to help as many as 100 more people. His spirit—and his commitment to duty—lives on in those people. It lives on in his friends and family, especially his three children. It lives on in the countless law enforcement officers whose back he watched and with whom he shared his professional knowledge and bad jokes. And it continues to be exemplified every day by his fellow deputy marshals who successfully apprehended their suspect on that fateful March day.

John Perry didn't lose his life. He laid down his life to keep his fellow officers and our communities safe.

I hope my colleagues will join me in honoring Deputy U.S. Marshals John Perry, Jeremy Wyatt, Theodore Abegg, Travis Franke, Nicholas Garrett, and Supervisory Deputy U.S Marshal Patrick James. They and all the law enforcement officers who risk their lives to protect ours deserve our respect and gratitude this week and every week.

Mrs. MCCASKILL. Mr. President, I also wish honor three St. Louis Metropolitan Police Detectives who played an instrumental role in the March 8, 2011, apprehension of a fugitive in St. Louis, MO, an incident that claimed the life of Deputy U.S. Marshal John Perry and resulted in the wounding of Deputy U.S. Marshal Theodore, Ted, Abegg, as well as St. Louis Police Officer Jeff Helbling. Before I talk about the heroic service and incredible sacrifice of these three officers, I have to mention the tremendous service the St. Louis Metropolitan Police Department provides to the people of St. Louis every day. As the principal law enforcement agency serving the City of St. Louis, the St. Louis Metropolitan Police Department, in addition to its routine functions, provides a variety of specialized services, including acting as a liaison with the U.S. Marshals Service Fugitive Task Force. Since its inception in 1836, over 160 St. Louis police officers have lost their lives in the line of duty. When the St. Louis Metropolitan Police Department's steadfast dedication to community involvement is considered alongside its traditional crime prevention and mitigation duties, the officers of this department truly exemplify the mission ''To Protect and Serve.''

I know how valuable police officers and other first responders are to communities across Missouri. While I was Jackson County prosecutor, I witnessed firsthand the essential skills and hands-on training needed to keep our neighborhoods safe from crime. I know that our first responders form the backbone of our communities, and I salute the countless acts of bravery performed by law enforcement officers across Missouri.

On March 8, 2011, members of the U.S. Marshals Service Fugitive Task

Force, which included St. Louis Metropolitan Police Department officers, engaged in an effort to apprehend a dangerous fugitive in St. Louis. In approaching the fugitive's residence, the officers and deputies, discovering there were two children at the home, safely removed them and entered the home behind a ballistic shield. Upon entering the home and ascending a stairwell, the officers and deputies were fired upon by the fugitive. Both Deputy U.S. Marshal John Perry and St. Louis Police Officer Jeff Helbling were wounded in the initial exchange of gunfire. Tragically, Deputy Perry's wounds later proved fatal. While other task force members engaged the fugitive, Officer Anna Kimble alerted supporting officers of the shooting over the radio system and Officer Joe Kuster provided perimeter security. A rescue attempt was mounted by the U.S. Marshals, during which another deputy U.S. Marshal was wounded. In the course of the rescue attempt, the fugitive was subdued by task force team members.

I am proud these three officers hail from my home State of Missouri. Their sincere dedication to duty and endless compassion for the residents of the city they serve are an inspiration to the people of St. Louis. First responders like these place themselves in harm's way every day, forsaking the safety many of us take for granted. They and their families make precious sacrifices so that we, the American public, may enjoy the freedom to live our lives to an extent made possible by the knowledge that someone stands watchful and ready on our behalf.

Therefore, I ask my colleagues to join me in honoring St. Louis Metropolitan Police Department Detectives Jeff Helbling, Anna Kimble, and Joe Kuster for their distinguished service to the people of St. Louis. I thank them, and I thank all of you for joining me in recognizing these outstanding Missourians.

Finally, Mr. President, I wish to honor two deputy U.S. marshals who played an instrumental role in the March 8, 2011, apprehension of a fugitive in St. Louis, MO, an incident that claimed the life of Deputy U.S. Marshal John Perry and resulted in the wounding of Deputy U.S. Marshal Theodore ''Ted'' Abegg, as well as St. Louis Police Officer Jeff Helbling. Before I talk about the heroic service and incredible sacrifice of these two deputies, I have to mention the tremendous service the U.S. Marshals Service provides to the people of this country every day. As the Nation's oldest Federal law enforcement agency, the U.S. Marshals Service provides a variety of crucial services, including protecting Federal judges, operating the Witness Security Program, seizing illegally obtained assets from criminals, and apprehending Federal fugitives—a function which led to its cooperation with the St. Louis Metropolitan Police Department and the formation of the U.S. Marshals Service Fugitive Task Force in St. Louis. Since its inception in 1789, over 200 Federal marshals, deputy marshals, special deputy marshals, and marshals guards have lost their lives in the line of duty. When the U.S. Marshals Service's steadfast devotion to crime prevention and mitigation is considered alongside its traditional witness protection and judicial security duties, the law enforcement officials of this agency truly exemplify the values of ''Justice, Integrity, Service.''

I know how critically important the Marshals Service is to the Federal justice system and the impact these officials have in communities across Missouri. These highly trained men and women help form the backbone of our legal system, and I salute the countless acts of bravery performed by Federal law enforcement officers across Missouri and this Nation.

On March 8, 2011, members of the U.S. Marshals Service Fugitive Task Force, which included St. Louis Metropolitan Police Department officers, engaged in an effort to apprehend a dangerous fugitive in St. Louis. In approaching the fugitive's residence, the officers and deputies, discovering there were two children at the home, safely removed them and entered the home behind a ballistic shield. Upon entering the home and ascending a stairwell, the officers and deputies were fired upon by the fugitive. Both Deputy U.S. Marshal John Perry and St. Louis Police Officer Jeff Helbling were wounded in the initial exchange of gunfire. Tragically, Deputy Perry's wounds later proved fatal. While other task force members engaged the fugitive, Officer Anna Kimble alerted supporting officers of the shooting over the radio system, Deputy U.S. Marshal Melissa Duffy administered first aid to Officer Helbling, and Deputy U.S. Marshal Shawn Jackson provided protective cover allowing wounded Deputy U.S. Marshal Abegg to withdraw. A rescue attempt was mounted by the U.S. marshals, during which another deputy U.S. marshal was wounded. In the course of the rescue attempt, the fugitive was subdued by task force team members.

I am proud these two deputies are based in my home State of Missouri. Their sincere dedication to duty and strong sense of justice are an inspiration to the American people. Marshals like these place themselves in harm's way every day, forsaking the safety many of us take for granted. They and their families make precious sacrifices so that we, the American public, may enjoy the freedom to live our lives to an extent made possible by the knowledge that someone stands watchful and ready on our behalf.

Therefore, I ask my colleagues to join me in honoring Deputy U.S. Marshals Melissa Duffy and Shawn Jackson for their distinguished service to the people of this country. I thank them, and I thank all of you for joining me in recognizing these outstanding individuals.

REMEMBERING JIM McCUSKER, JR.

Mr. BLUMENTHAL. Mr. President, today I wish to remember Jim McCusker of Clinton, CT. The State of Connecticut has lost a great public servant, former first selectman, and loyal Marine. Jim was an inspiring leader and model of public service, and I am grateful for our friendship. My heart goes out to Jim's wife, Judy, and their children and grandchildren, whom he loved tremendously. Countless friends, touched by his generosity and big heart, will also miss him deeply.

Jim will be remembered always for his lifelong dedication to the town and people of Clinton. As first selectman, he expertly managed the town budget and contributed tremendously in energy and spirit. He had a magnetic gift of connecting with his community and neighbors.

In addition to his leadership as first selectman, Jim spent more than a decade on both the Clinton Board of Finance and the Clinton Board of Selectmen. He was also involved with the Clinton Education Federation, Families Helping Families, Meals on Wheels, and St. Mary's Knights of Columbus.

In tribute to Jim's service to his country as a United States Marine, flags were hung at half staff. He was always there to give a smile and engage in earnest conversation. Jim loved to sing Irish songs on St. Patrick's Day. As a patriot and veteran, he will be particularly missed this Memorial Day. I ask my colleagues to join me in recognizing and honoring Jim McCusker's long-time, selfless service. Although missed, he will not be forgotten. Jim's sense of humor, warmth with others, and dedication to country will be felt throughout Clinton for years to come.

REMEMBERING LANCE CORPORAL LAWRENCE R. PHILIPPON

Mr. BLUMENTHAL. Mr. President, today I have the great privilege of presenting a poem in memory of LCpl Lawrence R. Philippon of West Hartford, CT, who gave his life 8 years ago this May while supporting Operation Iraqi Freedom as a courageous member of the United States Marines. In the Marine Corps color guard, Lance Corporal Philippon carried the flag at the funeral for President Reagan, but yearned to be on the front lines. It was there, as a brave member of the 3rd Battalion, 2nd Marine Division, 2nd Marine expeditionary force that he made the ultimate sacrifice for his country.

As Memorial Day nears, we dedicate ourselves in gratitude to our heroes—our servicemen and women, both recent and throughout history—who have sacrificed and served for our freedom, protecting the founding principles we hold dear.

This special poem was written by Albert Carey Caswell, a longtime member

of the Capitol Guide Service, and prolific poet whose work has been recited many times on the Senate floor. It is a privilege to present Bert's touching piece, written in memory of Lance Corporal Philippon. I invite my colleagues to remember and honor Lance Corporal Philippon and all current and former members of the military, and their families, today and always.

THIS IS MY BLOOD

This . . .
This Is My Blood,
that I so bled!
ALLELUIA!
And this is my life,
that I so led!
ALLELUIA!
And these are all of the moments,
which I no longer so have!
ALLELUIA!
As for you,
I so gave up all that I had!
ALLELUIA!
That Last Full Measure,
My Life . . .
The Greatest of All Treasures,
that one so has!
ALLELUIA!
And I'm so very sorry Sister and Brother,
My Dearest Mother and Dad!
ALLELUIA!
And I know that you all so miss me,
and so want to be with me so very bad!
ALLELUIA!
And I know that it make's you all so very sad!
ALLELUIA!
And these,
are all of your tears that you now so weep,
that you so have!
ALLELUIA!
All because your baby boy . . .
your son, your most precious joy . . .
your bother this one,
has so died hurting you all so very bad!
ALLELUIA!
All because,
in warm arms holding each other again we'll never have!
ALLELUIA!
But, find comfort . . .
Because,
one day up in Heaven we will all be together so very glad!
ALLELUIA!
For no Parent,
no Sister, nor Brother of another . . .
should so have to so watch their loved ones being buried in the ground!
ALLELUIA!
And these are,
the Sons and Daughters that I shall never so see!
ALLELUIA!
And this is the Wife,
that I'll never so grow old with so happy to be!
ALLELUIA!
But take heart,
for all that I've given up . . .
Heaven so awaits all so for me!
ALLELUIA!
So wipe away all of those tears now so very deep!
ALLELUIA!
Moments are all that we all so have!
ALLELUIA!
To Make A Difference!
To Change The World!
To March Off So Very Boldly,
With But Our Flags So Unfurled!
ALLELUIA!
So very proud,
wearing those most magnificent shades of green,
to so show the world what the word honor all so means!
ALLELUIA!
And to be One of The Few,
Hoo Rahhhh . . . A United States Marine!
Oh yes,
remember all of this my little boys and girls what all so means!
ALLELUIA!
For Heaven so holds a place,
for all of those of such honor and selfless grace!
ALLELUIA!
For it's far . . . far . . . better,
to have died for something!
Than,
to have lived for nothing at all!
ALLELUIA!
Because,
that's not really living,
no . . . no . . . not really living at all!
ALLELUIA!
As that's why,
I so answered that most noble of all calls!
ALLELUIA!
Because in life,
there is no higher height to which one can so be called!
ALLELUIA!
And no greater thing,
then while all in the face of death to so stand so very tall!
ALLELUIA!
Then,
but to lay down ones life but for The Greater Good of It All!
ALLELUIA!
As why up in Heaven with our Lord Larry,
your fine soul has now so been called!
ALLELUIA!
As an Angel In The Army of Our Lord,
to so watch over us and protect us one and all!
ALLELUIA!
For Larry,
we will hear you on the wind . . .
and we will feel you on the breeze . . .
As we carry you in our hearts,
all in our memories . . .
ALLELUIA!
And tonight in Connecticut,
as you so lay your heads down to sleep . . .
there comes a gentle rain . . .
ALLELUIA!
As it's our Lord's tears from up in Heaven,
washing down upon you to so ease your pain!
ALLELUIA!
Until,
up and heaven you and Larry will all so meet again . . .
And you won't have to cry no more!
ALLELUIA!
This Is My Blood!
ALLELUIA!
AMEN!

ADDITIONAL STATEMENTS

TRIBUTE TO WILLIAM LEE RICH

• Mr. TESTER. Mr. President, today I wish to honor William Lee Rich, a career Navy man. Bill, on behalf of all Montanans and all Americans, I stand to say thank you for your service to this Nation.

It is my honor to share the story of Bill Rich's service in the U.S. Navy, because no story of heroism should ever fall through the cracks.

Bill was born in Jamestown, NY, in 1947. After moving around the country with his family, he graduated from Spring Valley High School in New York and enlisted with the U.S. Navy in Poughkeepsie in 1966.

Bill trained with the Seabees in Davisville, RI, before transferring to Mobile Construction Battalion 121 at Seabee Headquarters in Gulfport, MS. From there he was deployed to Phu Bai with MCB 121, just south of Hue City in Vietnam. While in Vietnam, Bill's unit was responsible for transporting South Vietnamese refugees out of Hue.

In February 1968, his unit saw heavy action during the Tet Counter Offensive. They were responsible for transporting a group of South Vietnamese out of Hue to the refuge center at Phu Bai. It was for their time in Hue that the MCB 121 received the Presidential Unit Citation. Bill also earned his Combat Action Ribbon.

Bill's deployment ended after 9 months, and his unit returned to Gulfport, MS before going back to Vietnam, this time to Camp Eagle in the Gia Lai Province. During his 8 months at Camp Eagle, Bill worked on various construction and electrical projects, both around the camp and in Hue. He also worked with the American-Vietnamese Civic Action Program to help construct engineering projects in the region.

After his two tours in Vietnam, Bill transferred to Naval Reserve Construction Battalion 19 for 4 years before returning to Active Duty.

Back with the Seabees, Bill was assigned to Italy and New Zealand before spending a year in Antarctica as part of Operation Deep Freeze. He was then assigned to Harold E. Holt station in Australia where he married his wife, Debby, a Helena native.

From Australia, Bill went to Winter Harbor, ME, and then to MCB 74 in Gulfport. He deployed from Gulfport to Japan and Puerto Rico. From battalion he went to Manama, Bahrain, in the Persian Gulf as a contract inspector.

From Bahrain, Bill went to the Naval Headquarters in London, England, for 4 years where his daughter Mariah was born.

Bill's last assignment was part of a five-man Active-Duty staff for Reserve Construction Battalion 13 at Camp Smith, Peekskill, NY. Before he retired, Bill received both the New York State Conspicuous Service Cross and the Long and Faithful Service Medal.

Upon his retirement, he received both the Navy and Army Achievement Medals. Bill retired with the rank of E–6, construction electrician first class.

Bill transferred to Fleet Reserve and retired after a 30-year naval career.

Petty Officer Bill Rich moved to Helena to start his new life with his wife and daughter. He currently works for the State of Montana Department of Military Affairs here at Fort Harrison as an electrician.

After his service, Bill never received all of the medals he earned from the Navy.

Earlier this month, in the presence of his friends and family, it was my honor to finally present to Bill his Vietnam Campaign Medal with 1960 Device,

Navy Expert Rifle Medal with Three Bronze Stars, Navy Expert Pistol Medal, Humanitarian Service Medal, and his Navy & Marine Corps Overseas Service Ribbon with One Silver and Four Bronze Stars.

It was also my honor to present the Antarctica Service Medal with Bronze Clasp, the Vietnam Service Medal with One Silver and Two Bronze Stars, the Navy Good Conduct Medal with Four Bronze Stars, the Naval Reserve Meritorious Service Medal, and the National Defense Service Medal with One Bronze Star.

Earlier this month I also presented to Bill the Combat Action Ribbon, Presidential Unit Citation, Navy Unit Commendation Ribbon with one Bronze Star, and the Meritorious Unit Commendation with One Bronze Star.

These decorations are small tokens, but they are powerful symbols of true heroism, sacrifice, and dedication to service.

These medals are presented on behalf of a grateful nation.●

MESSAGES FROM THE HOUSE

At 9:46 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 982. An act to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 16. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass.

At 12:58 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 324. An act to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

H.R. 570. An act to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

H.R. 1344. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes.

H.R. 1412. An act to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other purposes.

ENROLLED BILL SIGNED

At 2:24 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 982. A bill to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 324. An act to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 570. An act to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1344. An act to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1412. An act to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 1003. A bill to amend the Higher Education Act of 1965 to reset interest rates for new student loans.

S. 1004. A bill to permit voluntary economic activity.

H.R. 45. An act to repeal the Patient Protection and Affordable Care Act and health care-related provisions in the Health Care and Education Reconciliation Act of 2010.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 22, 2013, she had presented to the President of the United States the following enrolled bill:

S. 982. An act to prohibit the Corps of Engineers from taking certain actions to establish a restricted area prohibiting public access to waters downstream of a dam, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–1578. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Methyl 5-(dimethylamino)-2-methyl-5-oxopentanoate; Exemption from the Requirement of a Tolerance'' (FRL No. 9385–9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1579. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Triforine; Pesticide Tolerances'' (FRL No. 9387–1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1580. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''1-Naphthaleneacetic acid; Pesticide Tolerances'' (FRL No. 9386–1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1581. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Kevin M. McCoy, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–1582. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Ralph J. Jodice II, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1583. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Clarification of 'F' Orders in the Procurement Instrument Identification Number Structure'' ((RIN0750–AH80) (DFARS Case 2012–D040)) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Armed Services.

EC–1584. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Government Support Contractor Access to Technical Data'' ((RIN0750–AG38) (DFARS Case 2009–D031)) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Armed Services.

EC–1585. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to China; to the Committee on Banking, Housing, and Urban Affairs.

EC–1586. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ehiopia; to the Committee on Banking, Housing, and Urban Affairs.

EC–1587. A communication from the Secretary of Commerce, transmitting, pursuant

to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–1588. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–054); to the Committee on Foreign Relations.

EC–1589. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13–061); to the Committee on Foreign Relations.

EC–1590. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13–018); to the Committee on Foreign Relations.

EC–1591. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator, Bureau for Middle East, U.S. Agency for International Development (USAID), received in the Office of the President of the Senate on May 21, 2013; to the Committee on Foreign Relations.

EC–1592. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals and accompanying reports relative to the National Defense Authorization Act for Fiscal Year 2014; to the Committee on Armed Services.

EC–1593. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, two reports relative to sequestration entitled: ''OMB Sequestration Preview Report to the President and Congress for Fiscal Year 2014'' and ''OMB Report to the Congress on the Joint Committee Reductions for Fiscal Year 2014''; to the Committees on the Budget; and Homeland Security and Governmental Affairs.

EC–1594. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Design Limits and Loading Combinations for Metal Primary Reactor Containment System Components'' (Regulatory Guide 1.57, Revision 2) received during adjournment of the Senate in the Office of the President of the Senate on May 17, 2013; to the Committee on Environment and Public Works.

EC–1595. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans: Atlanta, Georgia 1997 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan'' (FRL No. 9816–6) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1596. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans: Arizona; Motor Vehicle Inspection and Maintenance Programs'' (FRL No. 9780–9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1597. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Prevention of Significant Deterioration Greenhouse Gas Tailoring and Biomass Deferral Rule'' (FRL No. 9808–9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1598. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL No. 9799–2) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1599. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Illinois; Air Quality Standards Revision'' (FRL No. 9805–5) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1600. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Priorities List, Final Rule No. 56'' (FRL No. 9815–1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Environment and Public Works.

EC–1601. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking of Marine Mammals Incidental to Commercial Fishing Operations; False Killer Whale Take Reduction Plan'' (RIN0648–BA30) received during adjournment of the Senate in the Office of the President of the Senate on May 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1602. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Regulations Enabling Elections for Certain Transactions Under Section 336(e)'' (RIN1545–BD84) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1603. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Credit for Carbon Dioxide Sequestration 2013 Section 45Q Inflation Adjustment Factor'' (Rev. Proc. 2013–34) received during adjournment of the Senate in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1604. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—June 2013'' (Rev. Rul. 2013–12) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1605. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Biodiesel and Alternative Fuels; Claims for 2012; Excise Tax'' (Notice 2013–26) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1606. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2013–28) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1607. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Fringe Benefits Aircraft Valuation Formula'' (Rev. Rul. 2013–8) received in the Office of the President of the Senate on May 20, 2013; to the Committee on Finance.

EC–1608. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Pre-Existing Condition Insurance Plan Program'' (RIN0938–AQ70) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1609. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Project Community Living and Participation, Health and Function, and Employment of Individuals with Disabilities'' (CFDA No. 84.133A–3) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1610. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects—Traumatic Brain Injury Model Systems Centers Collaborative Research Project'' (CFDA No. 84.133A–7) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1611. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Rehabilitation Research and Training Centers'' (CFDA No. 84.133B–3) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1612. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Research Training Centers'' (CFDA No. 84.133B–7) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1613. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education,

transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Inclusive Cloud and Web Computing'' (CFDA No. 84.133A–1) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1614. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Rehabilitation Research and Training Centers'' (CFDA No. 84.133B–9) received in the Office of the President of the Senate on May 21, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1615. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–68, ''Department of Health Grant-Making Authority Temporary Amendment Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–1616. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–70, ''Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Temporary Amendment Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–1617. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20–69, ''Health Benefit Exchange Authority Temporary Amendment Act of 2013''; to the Committee on Homeland Security and Governmental Affairs.

EC–1618. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, the 2012 Annual Report and Sourcebook of Federal Sentencing Statistics; to the Committee on the Judiciary.

EC–1619. 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 (49); Amdt. No. 3531'' (RIN2120–AA65) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1620. 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 (59); Amdt. No. 3532'' (RIN2120–AA65) received in the Office of the President of the Senate on May 6, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1621. 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 (170); Amdt. No. 3528'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1622. 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 (49); Amdt. No. 3529'' (RIN2120–AA65) received during adjournment of the Senate in the Office of the President of the Senate on May 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1623. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Temporary Reduction of Registration Fees'' (RIN2137–AE95) received in the Office of the President of the Senate on May 16, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1624. A communication from the Federal Register Liaison, Office of the General Counsel, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Boards and Committees'' (RIN2700–AD82) received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1625. A communication from the Acting Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to certifications granted in relation to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Commerce, Science, and Transportation.

EC–1626. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Transportation, received in the Office of the President of the Senate on May 8, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1627. A communication from the Attorney-Advisor, Office of the General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Transportation, received in the Office of the President of the Senate on May 15, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 143. A resolution recognizing the threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in the efforts of the United States Government to promote democracy and good governance on the occasion of World Press Freedom Day on May 3, 2013.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Col. James E. McClain, to be Brigadier General.

Air Force nomination of Lt. Gen. David L. Goldfein, to be Lieutenant General.

Air Force nomination of Col. Robert C. Bolton, to be Brigadier General.

Air Force nomination of Col. Andrew P. Armacost, to be Brigadier General.

Army nomination of Brig. Gen. John F. Wharton, to be Major General.

Army nomination of Col. Gabriel Troiano, to be Brigadier General.

Army nomination of Col. Jeffrey B. Clark, to be Brigadier General.

Army nominations beginning with Brig. Gen. James A. Adkins and ending with Col. James D. Campbell, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nominations beginning with Colonel Wayne L. Black and ending with Colonel Robert E. Windham, Jr., which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nominations beginning with Brigadier General Mark E. Anderson and ending with Brigadier General William L. Smith, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013.

Army nominations beginning with Colonel Steven R. Beach and ending with Colonel Gary S. Yaple, which nominations were received by the Senate and appeared in the Congressional Record on April 11, 2013. (minus 2 nominees: Colonel Christopher A. Rofrano; Colonel Timothy J. Sheriff)

Army nominations beginning with Brigadier General Louis H. Guernsey, Jr. and ending with Colonel Juan A. Rivera, which nominations were received by the Senate and appeared in the Congressional Record on April 15, 2013. (minus 1 nominee: Brigadier General Matthew T. Quinn)

Army nomination of Col. Richard J. Torres, to be Brigadier General.

Army nomination of Col. Michael Dillard, to be Brigadier General.

Army nomination of Col. Donald E. Jackson, Jr., to be Brigadier General.

Army nomination of Lt. Gen. William T. Grisoli, to be Lieutenant General.

Army nomination of Col. John M. Cho, to be Brigadier General.

Army nomination of Col. Brian E. Alvin, to be Brigadier General.

Army nominations beginning with Brigadier General William F. Duffy and ending with Colonel Miyako N. Schanely, which nominations were received by the Senate and appeared in the Congressional Record on May 6, 2013.

Navy nomination of Rear Adm. Terry J. Benedict, to be Vice Admiral.

Navy nomination of Rear Adm. (lh) Joseph W. Rixey, to be Vice Admiral.

Navy nominations beginning with Captain John W. V. Ailes and ending with Captain Richard L. Williams, Jr., which nominations were received by the Senate and appeared in the Congressional Record on March 22, 2013.

Navy nomination of Capt. Timothy J. White, to be Rear Admiral (lower half).

Navy nomination of Capt. Nancy A. Norton, to be Rear Admiral (lower half).

Navy nomination of Capt. Robert D. Sharp, to be Rear Admiral (lower half).

Navy nomination of Capt. Louis V. Cariello, to be Rear Admiral (lower half).

Navy nomination of Mark I. Fox, to be Vice Admiral.

Navy nomination of Vice Adm. Michelle J. Howard, to be Vice Admiral.

Navy nomination of Rear Adm. Ted N. Branch, to be Vice Admiral.

Navy nomination of Rear Adm. Sean A. Pybus, to be Vice Admiral.

Navy nomination of Rear Adm. Paul A. Grosklags, to be Vice Admiral.

Navy nomination of Vice Adm. Scott H. Swift, to be Vice Admiral.

Marine Corps nomination of Maj. Gen. Robert R. Ruark, to be Lieutenant General.

Marine Corps nomination of Maj. Gen. Glenn M. Walters, to be Lieutenant General.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report

favorably the following nomination lists which were printed in the RECORDs on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Matthew J. Gervais, to be Lieutenant Colonel.

Air Force nomination of Bradly A. Carlson, to be Major.

Air Force nominations beginning with Michael Lucas Ahmann and ending with Bernard John Yosten, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013. (minus 1 nominee: Robert Kenneth Henderson)

Army nominations beginning with James Acevedo and ending with D011666, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with Garland A. Adkins III and ending with G010188, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nominations beginning with Steven J. Ackerson and ending with G010128, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2013.

Army nomination of Michael B. Moore, to be Major.

Army nominations beginning with Thomas G. Behling and ending with Raymond G. Strawbridge, which nominations were received by the Senate and appeared in the Congressional Record on April 23, 2013.

Army nomination of Shercoda G. Smaw, to be Major.

Army nomination of Carl N. Soffler, to be Major.

Army nomination of Owen B. Mohn, to be Major.

Army nominations beginning with Carmelo N. Oterosantiago and ending with John H. Seok, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Brent E. Harvey and ending with Joohyun A. Kim, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Jerry M. Anderson and ending with Maureen H. Weigl, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Dennis R. Bell and ending with Kent J. Vince, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with David W. Admire and ending with D006281, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Christopher G. Archer and ending with D011779, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with James A. Adamec and ending with Vanessa Worsham, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Army nominations beginning with Edward P. C. Ager and ending with John P. Zoll, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Marine Corps nomination of Darren M. Gallagher, to be Major.

Marine Corps nomination of Dusty C. Edwards, to be Major.

Marine Corps nomination of Sal L. Leblanc, to be Lieutenant Colonel.

Marine Corps nomination of Mauro Morales, to be Lieutenant Colonel.

Marine Corps nominations beginning with Jessica L. Acosta and ending with Matthew S. Youngblood, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nominations beginning with Rico Acosta and ending with Andrew J. Zetts, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2013.

Marine Corps nomination of Randolph T. Page, to be Colonel.

Navy nomination of Jeremy J. Aujero, to be Commander.

Navy nomination of John P. Newton, Jr., to be Captain.

Navy nomination of Daniel W. Testa, to be Commander.

Navy nomination of Kevin J. Parker, to be Captain.

Navy nomination of Maria V. Navarro, to be Commander.

Navy nomination of Shane G. Harris, to be Captain.

Navy nomination of Latanya A. Oneal, to be Lieutenant Commander.

Navy nominations beginning with Stephen J. Lepp and ending with John C. Rudd, which nominations were received by the Senate and appeared in the Congressional Record on May 6, 2013.

Navy nomination of Sarah E. Niles, to be Lieutenant Commander.

Navy nomination of Richard Diaz, to be Lieutenant Commander.

Navy nomination of Tanya Wong, to be Lieutenant Commander.

Navy nomination of Karen R. Dallas, to be Lieutenant Commander.

Navy nominations beginning with Ronald G. Oswald and ending with Nikita Tihonov, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

Navy nominations beginning with Craig S. Coleman and ending with William R. Volk, which nominations were received by the Senate and appeared in the Congressional Record on May 16, 2013.

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Richard F. Griffin, Jr., of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2016.

*Sharon Block, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2014.

*Harry I. Johnson III, of Virginia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2015.

*Philip Andrew Miscimarra, of Illinois, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2017.

*Mark Gaston Pearce, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2018.

By Mr. CARPER for the Committee on Homeland Security and Governmental Affairs.

Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget.

*Michael Kenny O'Keefe, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Robert D. Okun, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*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 Mr. PORTMAN (for himself, Mr. UDALL of New Mexico, and Mr. WHITEHOUSE):

S. 1005. A bill to establish more efficient and effective policies and processes for departments and agencies engaged in or providing support to, international conservation; to the Committee on Foreign Relations.

By Mr. BARRASSO (for himself, Mr. SESSIONS, Mr. VITTER, Mr. CRAPO, Mr. INHOFE, Mr. BLUNT, Mr. COATS, Mr. RISCH, Ms. MURKOWSKI, Mr. GRASSLEY, Mr. WICKER, Mr. RUBIO, Mr. ENZI, Mr. HELLER, Mr. ROBERTS, Mr. HATCH, Mr. MCCAIN, Mr. LEE, Mr. JOHNSON of Wisconsin, Mrs. FISCHER, Mr. CHAMBLISS, Mr. BURR, Mr. ISAKSON, Mr. SCOTT, Mr. FLAKE, Mr. CORNYN, and Mr. COBURN):

S. 1006. A bill to preserve existing rights and responsibilities with respect to waters of the United States; to the Committee on Environment and Public Works.

By Mr. KING (for himself and Ms. COLLINS):

S. 1007. A bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. MENENDEZ, and Ms. MURKOWSKI):

S. 1008. A bill to prohibit the Secretary of Homeland Security from implementing proposed policy changes that would permit passengers to carry small, non-locking knives on aircraft; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG (for himself, Mr. VITTER, Mrs. GILLIBRAND, Mr. CRAPO, Mr. DURBIN, Mr. ALEXANDER, Mr. SCHUMER, Mr. INHOFE, Mr. UDALL of New Mexico, Ms. COLLINS, Ms. LANDRIEU, Mr. RUBIO, Mr. MANCHIN, Mr. BOOZMAN, Mr. MENENDEZ, Mr. HOEVEN, and Mr. BEGICH):

S. 1009. A bill to reauthorize and modernize the Toxic Substances Control Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BENNET (for himself and Mr. ALEXANDER):

S. 1010. A bill to establish the Commission on Effective Regulation and Assessment Systems for Public Schools; to the Committee on Health, Education, Labor, and Pensions.

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

S. 1011. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for

other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 1012. A bill to amend title XVIII of the Social Security Act to improve operations of recovery auditors under the Medicare integrity program, to increase transparency and accuracy in audits conducted by contractors, and for other purposes; to the Committee on Finance.

By Mr. CORNYN:

S. 1013. A bill to amend title 35, United States Code, to add procedural requirements for patent infringement suits; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself and Mr. ROCKEFELLER):

S. 1014. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself and Mr. RUBIO):

S. 1015. A bill to amend the Internal Revenue Code of 1986 to allow credits for the purchase of franchises by veterans; to the Committee on Finance.

By Mr. PAUL:

S. 1016. A bill to protect individual privacy against unwarranted governmental intrusion through the use of the unmanned aerial vehicles commonly called drones, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL of Colorado (for himself and Ms. COLLINS):

S. 1017. A bill to permit flexibility in the application of the budget sequester by Federal agencies; to the Committee on the Budget.

By Mr. SANDERS (for himself, Mrs. BOXER, and Mr. BEGICH):

S. 1018. A bill to restrict conflicts of interest on the boards of directors of Federal reserve banks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL (for himself, Mr. BEGICH, Mr. CASEY, Mr. WHITEHOUSE, Mr. FRANKEN, and Mr. ROCKEFELLER):

S. 1019. A bill to amend the Older Americans Act of 1965 to authorize Federal assistance to State adult protective services programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself and Mr. MANCHIN):

S. 1020. A bill to improve energy performance in Federal buildings, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN:

S. 1021. A bill to provide for a Next Generation Cooperative Threat Reduction Strategy, and for other purposes; to the Committee on Foreign Relations.

By Mr. BROWN (for himself, Mr. PORTMAN, Ms. LANDRIEU, and Mr. VITTER):

S. 1022. A bill to amend title 46, United States Code, to extend the exemption from the fire-retardant materials construction requirement for vessels operating within the Boundary Line; to the Committee on Commerce, Science, and Transportation.

By Mr. CORKER (for himself, Ms. KLOBUCHAR, Mr. BLUNT, and Mrs. HAGAN):

S. 1023. A bill to direct the Secretary of Commerce, in coordination with the heads of other relevant Federal departments and agencies, to conduct an interagency review of and report on ways to increase the competitiveness of the United States in attracting foreign investment; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself and Mr. KAINE):

S. 1024. A bill to provide for the inclusion of Lease Sale 220 in the outer Continental Shelf leasing program for fiscal years 2012–2017, to revise the map for the Mid-Atlantic planning area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MURPHY (for himself and Mr. BLUMENTHAL):

S. 1025. A bill to provide financial assistance for school construction after a violent or traumatic crisis; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK:

S. 1026. A bill to assist survivors of stroke in returning to work; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK (for himself and Mr. JOHNSON of South Dakota):

S. 1027. A bill to improve, coordinate, and enhance rehabilitation research at the National Institutes of Health; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. COWAN:

S. Res. 152. A resolution designating November 28, 2013, as ''National Holoprosencephaly Awareness Day'' to increase awareness and education of the disorder; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 210

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 316

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 323

At the request of Mr. DURBIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 323, a bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions.

S. 330

At the request of Mrs. BOXER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 330, a bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 382

At the request of Mr. SCHUMER, the names of the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 382, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 403

At the request of Mr. CASEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 562

At the request of Mr. WYDEN, the names of the Senator from California (Mrs. BOXER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 562, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 579

At the request of Mr. MENENDEZ, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 596

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 596, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to

furnish remote patient monitoring services that reduce expenditures under such program.

S. 653

At the request of Mr. BLUNT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 674

At the request of Mr. HELLER, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 731

At the request of Mr. MANCHIN, the names of the Senator from Maine (Mr. KING) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors 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. 749

At the request of Mr. CASEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 749, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from South Dakota (Mr. THUNE), the Senator from New York (Mr. SCHUMER), the Senator from Connecticut (Mr. MURPHY) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 837

At the request of Mr. HARKIN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 837, a bill to expand and improve opportunities for beginning farmers and ranchers, and for other purposes.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 871

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 871, a bill to amend title 10, United States Code, to enhance assistance for victims of sexual assault committed by members of the Armed Forces, and for other purposes.

S. 917

At the request of Mr. CARDIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 928

At the request of Mr. SANDERS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 928, a bill to amend title 38, United States Code, to improve the processing of claims for compensation under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 951

At the request of Mr. ENZI, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 951, a bill to amend the Mineral Leasing Act to require the Secretary of the Interior to convey to a State all right, title, and interest in and to a percentage of the amount of royalties and other amounts required to be paid to the State under that Act with respect to public land and deposits in the State, and for other purposes.

S. 953

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 960

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 960, a bill to foster stability in Syria, and for other purposes.

S. 961

At the request of Mr. BLUNT, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 961, a bill to improve access to emergency medical services, and for other purposes.

S. 962

At the request of Mr. HELLER, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 962, a bill to prohibit amounts made available by the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 from being transferred to the Internal Revenue Service for implementation of such Acts.

S. 965

At the request of Mr. INHOFE, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 965, a bill to eliminate oil exports from Iran by expanding domestic production.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 987

At the request of Mr. SCHUMER, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 987, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 992

At the request of Mrs. SHAHEEN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 992, a bill to provide for offices on sexual assault prevention and response under the Chiefs of Staff of the Armed Forces, to require reports on additional offices and selection of sexual assault prevention and response personnel, and for other purposes.

S. 996

At the request of Ms. LANDRIEU, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 996, a bill to improve the National Flood Insurance Program, and for other purposes.

S. 999

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 999, a bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to

provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

S. 1001

At the request of Mr. CORNYN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1001, a bill to impose sanctions with respect to the Government of Iran.

AMENDMENT NO. 934

At the request of Mr. BEGICH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 934 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 939

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 939 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 940

At the request of Mrs. GILLIBRAND, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of amendment No. 940 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 961

At the request of Mr. INHOFE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 961 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 965

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 965 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 966

At the request of Mr. FRANKEN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of amendment No. 966 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 971

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 971 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 986

At the request of Mr. CASEY, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of amendment No. 986 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 992

At the request of Mr. FRANKEN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 992 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 998

At the request of Mr. LEAHY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of amendment No. 998 proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

AMENDMENT NO. 1011

At the request of Mr. GRASSLEY, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 1011 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1011 intended to be proposed to S. 954, supra.

AMENDMENT NO. 1030

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1030 intended to be proposed to S. 954, an original bill to reauthorize agricultural programs through 2018.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KING (for himself and Ms. COLLINS):

S. 1007. A bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property; to the Committee on Finance.

Mr. KING. Mr. President, I rise today in support of energy innovation, energy independence, national security, and local economies.

The legislation I am introducing, the Biomass Thermal Utilization Act of 2013—known as the BTU Act—would give tax parity to biomass heating systems under sections 25d and 48 of the Internal Revenue Code and would help to encourage a very promising industry.

By adding biomass heating systems to the eligible renewable technologies for residential and commercial tax credits, we can help make clean, homegrown heating more cost effective for hard-working Americans.

By way of example, Maine has the highest home heating oil dependence of any State in the country—and nearly 80 cents of every $1 spent on heating oil goes out of State. Much of this money also leaves the country and goes to nations that are less than friendly with the U.S. Yet we have plenty of renewable heating sources here at home.

In Maine, wood pellet boilers are the most widely used biomass heating systems. Wood pellet boilers run on trees grown in the State, cut by local loggers, processed into pellets in local mills, then purchased and used to heat local homes. Nearly every single heating dollar stays within the local economy. This supports good-paying jobs, working, productive forests, and it helps move the country toward energy independence.

We are not talking about traditional woodstoves here. These are highly innovative, clean-burning systems that are simple to run. They can even be integrated with your smart phone so you can turn the heat up on your way home from work.

In addition, thermal biomass systems—particularly wood pellet boilers—have very small carbon footprints. New trees are planted to replace the trees processed into pellets. These new trees capture the carbon released by the pellets. Compared to fossil fuels, such as home heating oil, this yields an extremely small carbon footprint.

I am excited to offer this legislation and to be joined by Senator COLLINS.

This bill could greatly benefit any State with a strong forestry industry but also States with industries that turn agricultural waste and nonfood stock plants into thermal biomass fuels. I look forward to working with colleagues from around the country to level the playing field for the biomass industry.

Let us work together to keep our energy dollars here at home and create jobs in our backyard.

By Mr. CORNYN:

S. 1013. A bill to amend title 35, United States Code, to add procedural requirements for patent infringement suits; to the Committee on the Judiciary.

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. 1013

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 ''Patent Abuse Reduction Act of 2013''.

SEC. 2. PLEADING REQUIREMENTS.

(a) IN GENERAL.—Chapter 29 of title 35, United States Code, is amended by inserting after section 281 the following:

''§ 281A. Pleading requirements for patent infringement actions

''In a civil action arising under any Act of Congress relating to patents, a party alleging infringement shall include in the initial complaint, counterclaim, or cross-claim for patent infringement—

''(1) an identification of each patent allegedly infringed;

''(2) an identification of each claim of each patent identified under paragraph (1) that is allegedly infringed;

''(3) for each claim identified under paragraph (2), an identification of each accused apparatus, product, feature, device, method, system, process, function, act, service, or other instrumentality (referred to in this

section as an 'accused instrumentality') alleged to infringe the claim;

''(4) for each accused instrumentality identified under paragraph (3), an identification with particularity, if known, of—

''(A) the name or model number of each accused instrumentality; and

''(B) the name of each accused method, system, process, function, act, or service, or the name or model number of each apparatus, product, feature, or device that, when used, allegedly results in the practice of the claimed invention;

''(5) for each accused instrumentality identified under paragraph (3), an explanation of—

''(A) where each element of each asserted claim identified under paragraph (2) is found within the accused instrumentality;

''(B) whether each such element is infringed literally or under the doctrine of equivalents; and

''(C) with detailed specificity, how the terms in each asserted claim identified under paragraph (2) correspond to the functionality of the accused instrumentality;

''(6) for each claim that is alleged to have been infringed indirectly, a description of—

''(A) the direct infringement;

''(B) any person alleged to be a direct infringer known to the party alleging infringement; and

''(C) the acts of the alleged indirect infringer that contribute to or are inducing the direct infringement;

''(7) a description of the right of the party alleging infringement to assert each—

''(A) patent identified under paragraph (1); and

''(B) patent claim identified in paragraph (2);

''(8) a description of the principal business of the party alleging infringement;

''(9) a list of each complaint filed, of which the party alleging infringement has knowledge, that asserts or asserted any of the patents identified under paragraph (1);

''(10) for each patent identified under paragraph (1), whether such patent is subject to any licensing term or pricing commitments through any agency, organization, standard-setting body, or other entity or community;

''(11) the identity of any person other than the party alleging infringement, known to the party alleging infringement, who—

''(A) owns or co-owns a patent identified under paragraph (1);

''(B) is the assignee of a patent identified under paragraph (1); or

''(C) is an exclusive licensee to a patent identified under paragraph (1);

''(12) the identity of any person other than the party alleging infringement, known to the party alleging infringement, who has a legal right to enforce a patent identified under paragraph (1) through a civil action under any Act of Congress relating to patents or is licensed under such patent;

''(13) the identity of any person with a direct financial interest in the outcome of the action, including a right to receive proceeds, or any fixed or variable portion thereof; and

''(14) a description of any agreement or other legal basis for a financial interest described in paragraph (13).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 29 of title 35, United States Code, is amended by inserting after the item relating to section 281 the following:

''281A. Pleading requirements for patent infringement actions.''.

(c) REVIEW OF FORM 18.—Not later than 12 months after the date of enactment of this Act, the Supreme Court shall review and amend Form 18 of the Federal Rules of Civil Procedure to ensure that Form 18 is consistent with the requirements under section 281A of title 35, United States Code, as added by subsection (a).

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to alter existing law or rules relating to joinder.

SEC. 3. JOINDER OF INTERESTED PARTIES.

Section 299 of title 35, United States Code, is amended by adding at the end the following:

''(d) JOINDER OF INTERESTED PARTIES.—

''(1) DEFINITION.—In this subsection, the term 'interested party', with respect to a civil action arising under any Act of Congress relating to patents—

''(A) means a person described in paragraph (11) or (13) of section 281A; and

''(B) does not include an attorney or law firm providing legal representation in the action if the sole basis for the financial interest of the attorney or law firm in the outcome of the action arises from an agreement to provide that legal representation.

''(2) JOINDER OF INTERESTED PARTIES.—In a civil action arising under any Act of Congress relating to patents, the court shall grant a motion by a party defending an infringement claim to join an interested party if the defending party shows that the interest of the plaintiff in any patent identified in the complaint, including a claim asserted in the complaint, is limited primarily to asserting any such patent claim in litigation.

''(3) LIMITATION ON JOINDER.—The court may deny a motion to join an interested party under paragraph (2) if—

''(A) the interested party is not subject to service of process; or

''(B) joinder under paragraph (2) would deprive the court of subject matter jurisdiction or make venue improper.''.

SEC. 4. DISCOVERY LIMITS.

(a) IN GENERAL.—Chapter 29 of title 35, United States Code, is amended by adding at the end the following:

''§ 300. Discovery in patent infringement suits

''(a) DISCOVERY LIMITATION PRIOR TO CLAIM CONSTRUCTION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), in a civil action arising under any Act of Congress relating to patents, if the court determines that a ruling relating to the construction of terms used in a patent claim asserted in the complaint is required, discovery shall be limited, until such ruling, to information necessary for the court to determine the meaning of the terms used in the patent claim, including any interpretation of those terms used to support the claim of infringement.

''(2) DISCRETION TO EXPAND SCOPE OF DISCOVERY.—

''(A) TIMELY RESOLUTION OF ACTIONS.—If, under any provision of Federal law (including the Drug Price Competition and Patent Term Restoration Act (Public Law 98–417)), resolution within a specified period of time of a civil action arising under any Act of Congress relating to patents will have an automatic impact upon the rights of a party with respect to the patent, the court may permit discovery in addition to the discovery authorized under paragraph (1) before the ruling described in paragraph (1) as necessary to ensure timely resolution of the action.

''(B) RESOLUTION OF MOTIONS.—When necessary to resolve a motion properly raised by a party before a ruling relating to the construction of terms (as described in paragraph (1)), the court may allow limited discovery in addition to the discovery authorized under paragraph (1) as necessary to resolve the motion.

''(b) SEQUENCE AND SCOPE; COST-SHIFTING.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'additional discovery' means discovery of evidence other than core documentary evidence; and

''(B) the term 'core documentary evidence', with respect to a civil action arising under any Act of Congress relating to patents—

''(i) subject to clause (ii), includes only documents that—

''(I) relate to the conception, reduction to practice, and application for the asserted patent;

''(II) are sufficient to show the technical operation of the instrumentality identified in the complaint as infringing the asserted patent;

''(III) relate to potentially invalidating prior art;

''(IV) relate to previous licensing or conveyances of the asserted patent;

''(V) are sufficient to show revenue attributable to any claimed invention;

''(VI) are sufficient to show the organizational ownership and structure of each party, including identification of any person that has a financial interest in the asserted patent;

''(VII) relate to awareness of the asserted patent or claim, or the infringement, before the action was filed; and

''(VIII) sufficient to show any marking, lack of marking, or notice of the asserted patent provided to the accused infringer; and

''(ii) does not include computer code or electronic communication, such as e-mail, text messages, instant messaging, and other forms of electronic communication, unless the court finds good cause for including such computer code or electronic communication as core documentary evidence of a particular party under clause (i).

''(2) DISCOVERY SEQUENCE AND SCOPE.—In a civil action arising under any Act of Congress relating to patents, the parties shall discuss and address in the written report filed under rule 26(f)(2) of the Federal Rules of Civil Procedure the views and proposals of the parties on—

''(A) when the discovery of core documentary evidence should be completed;

''(B) whether the parties will seek additional discovery under paragraph (3); and

''(C) any issues relating to infringement, invalidity, or damages that, if resolved before the additional discovery described in paragraph (3) commences, will simplify or streamline the case, including the identification of any key patent claim terms or phrases to be construed by the court and whether the early construction of any of those terms or phrases would be helpful.

''(3) DISCOVERY COST-SHIFTING.—

''(A) IN GENERAL.—In a civil action arising under any Act of Congress relating to patents, each party shall be responsible for the costs of producing core documentary evidence within the possession, custody, or control of that party.

''(B) ADDITIONAL DISCOVERY.—

''(i) IN GENERAL.—A party to a civil action arising under any Act of Congress relating to patents may seek additional discovery if the party bears the costs of the additional discovery, including reasonable attorney's fees.

''(ii) REQUIREMENTS.—A party shall not be allowed additional discovery unless the party—

''(I) at the time that such party seeks additional discovery, provides to the party from whom the additional discovery is sought payment of the anticipated costs of the discovery; or

''(II) posts a bond in an amount sufficient to cover the anticipated costs of the discovery.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) or (B) shall be construed to—

''(i) entitle a party to information not otherwise discoverable under the Federal Rules of Civil Procedure or any other applicable rule or order;

''(ii) require a party to produce privileged matter or other discovery otherwise limited under the Federal Rules of Civil Procedure; or

''(iii) prohibit a court from—

''(I) determining that a request for discovery is excessive, irrelevant, or otherwise abusive; or

''(II) setting other limits on discovery.''.

SEC. 5. COSTS AND EXPENSES.

(a) IN GENERAL.—Section 285 of title 35, United States Code, is amended to read as follows:

''§ 285. Costs and expenses

''(a) IN GENERAL.—The court shall award to the prevailing party reasonable costs and expenses, including attorney's fees, unless—

''(1) the position and conduct of the nonprevailing party were objectively reasonable and substantially justified; or

''(2) exceptional circumstances make such an award unjust.

''(b) PROHIBITION ON CONSIDERATION OF CERTAIN SETTLEMENTS.—In determining whether an exception under paragraph (1) or (2) of subsection (a) applies, the court shall not consider as evidence any license taken in settlement of an asserted claim.

''(c) RECOVERY.—If the non-prevailing party is unable to pay reasonable costs and expenses awarded by the court under subsection (a), the court may make the reasonable costs and expenses recoverable against any interested party, as defined in section 299(d).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 29 of title 35, United States Code, is amended by striking the item relating to section 285 and inserting the following:

''285. Costs and expenses.''.

(2) CONFORMING AMENDMENTS.—Chapter 29 of title 35, United States Code, is amended—

(A) in section 271(e)(4), in the flush text following subparagraph (D), by striking ''attorney fees'' and inserting ''reasonable costs and expenses, including attorney's fees,'';

(B) in section 273(f), by striking ''attorney fees'' and inserting ''reasonable costs and expenses, including attorney's fees,''; and

(C) in section 296(b), by striking ''attorney fees'' and inserting ''reasonable costs and expenses (including attorney's fees)''.

By Mr. UDALL of New Mexico (for himself and Mr. ROCKEFELLER):

S. 1014. A bill to reduce sports-related concussions in youth, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, as parents, we can see the scrapes and cuts our children get—the unavoidable byproducts of growing up. A little bit of ointment and some bandages usually do the trick. But what of the injuries we can't see? The ones we can't readily tell, no matter how well we know our kids.

Each year, as many as 3.8 million Americans suffer sports- and recreation-related brain injuries. Some are horrific, deadly, and visible to the naked eye. But the vast majority are concussions caused by an awkward hit, a freak fall, or a routine blow to the head on the field. They cannot be seen, but the damage is there in the very place that houses our minds and for our children their future.

Most susceptible are our young athletes, whose bodies and brains are still growing, with each concussion increasing the likelihood of suffering yet another. This past school year alone, more than 300,000 of our high school athletes were diagnosed with concussions. Since 2005, over 1.3 million concussions have been diagnosed among high school athletes in just the top nine most common sports. However, researchers say these figures likely underestimate—vastly—the true extent of the epidemic because so many head injuries go unreported or ignored. And when a concussion occurs, few ever lose consciousness, and the telltale signs can seem minor in the immediate aftermath. It is only later on, perhaps the next day or weeks thereafter, when the consequences become clearer and more alarming.

The urgency to act only grows the more we learn about brain injuries. Concussions aren't minor bumps and dings. They aren't something kids should just ''play through,'' as some coaches advise. They are injuries to the brain that animate our very existence, and they can impair their cognitive abilities just when our children need a good head on their shoulders. And we, as a society, have already seen the potential tragedies that repeated concussions can bring to athletes—their limbs paralyzed or their lives cut short by the inner demons the injuries eventually bear.

The role of sports, and all of its innate benefits, is an important part of growing up in America. They teach us lessons that can't be taught in the classroom, they make us healthier, and they show us the value of teamwork, grit, and responsibility. But the pervasiveness of concussions and their effects, particularly among children, should no longer be disregarded. And, as policymakers and parents, we must ensure that we are doing everything we can to learn more and safeguard our kids and athletes.

Senator TOM UDALL and I are proud to introduce the Youth Sports Concussion Act, which will help ensure that protective sports equipment take heed of the latest science and are not sold based on false or deceptive premises.

As chairman of the Committee on Commerce, Science, and Transportation, we have already revealed and investigated bad actors who peddle products with false safety claims to parents of young athletes. Under this legislation, the Federal Trade Commission would be able to go after them with greater force and ensure this practice comes to an end.

This bill would also direct the Consumer Product Safety Commission to review a forthcoming study from the National Academies of Science on youth concussions. Based on the study's recommendations, the CPSC would then be permitted to consider new safety standards for sports equipment if manufacturers fail to come up with their own.

The legislation—I am happy to say—has the strong support of major sports leagues and players associations. Pediatricians, scientists, and consumer groups have endorsed it, too. Our athletes, whether peewee or professional, whether under the lights or on the pitch, inspire and bring Americans together, and their efforts to help pass this sensible bill will surely garner the appreciation of present and future athletes to come.

This fall, some 3 million children under the age of 14 will don their pads and snap on their helmets to play tackle football. For a sport so important—and for lives so precious—to our country, let us make sure we act as soon as we can. The lessons imparted and the fitness gained on the field are moot without the health of our children.

By Mrs. SHAHEEN:

S. 1021. A bill to provide for a Next Generation Cooperative Threat Reduction Strategy, and for other purposes; to the Committee on Foreign Relations.

Mrs. SHAHEEN. Mr. President, I rise today to discuss the threat posed by the proliferation of weapons of mass destruction around the globe and to introduce legislation aimed at modernizing the way the United States addresses this critical national security challenge. My bill, the Next Generation Cooperative Threat Reduction Act of 2013, requires the President to establish a multi-year comprehensive and well-resourced regional assistance strategy to coordinate and advance cooperative threat reduction and related nonproliferation efforts in one of the most critical regions to U.S. national security interests: the Middle East and North Africa.

Fifty years ago, in 1963, President Kennedy famously said that he was ''haunted'' by the possibility that the United States could soon face a rapidly growing number of nuclear powers in our world. At the time, he predicted that by 1975, there could be as many as twenty countries with nuclear weapons. However, thanks to strong, forward-thinking and innovative American leadership on the nonproliferation agenda, including efforts like the Nonproliferation Treaty and the Nunn-Lugar program, we have so far averted Kennedy's nuclear nightmare.

Recent WMD-related developments, including Syria's chemical weapons stockpile and Iran's nuclear program, have begun to test the limits of our nonproliferation regime. I am afraid we may be quickly reaching an important crossroads—one where we either prove President Kennedy wrong for a little while longer, or find out that his nightmare prediction was simply a half-century too soon.

As WMD-related materials and know-how continue to spread, the challenge of WMD proliferation is getting more

diffuse and harder to track. Our focus and our resource commitment need to match the severity of this emerging threat. Now is the time for us to recommit to an aggressive nonproliferation agenda and to demonstrate to the world that the U.S. will continue to lead in curbing the threat posed by nuclear, chemical and biological weapons around the world.

We should start in one of the most dangerous, most unstable regions in the world today: the Middle East and North Africa.

Nowhere is the proliferation challenge more glaring than in the countries of the Middle East and North Africa, where political instability and deeply-rooted violent extremism sit atop a complex web of ethnic differences, a history of violence and extremism, robust military capabilities, a growing collection of unsecured conventional and possible WMD-related weapons and a variety of inexperienced and potentially unstable governments brought into power by the Arab Spring.

Continued upheaval in Syria and the threat posed by the Assad regime's substantial chemical weapons stockpile pose a grave challenge to U.S. interests. Iran's continued illicit development of its nuclear program and its movement towards an advanced nuclear weapons capability threatens the U.S. and our allies and could lead to a nuclear arms race in the region. Terrorist groups like Hezbollah, Hamas, and al Qaeda continue to operate throughout the Middle East and North Africa, and their direct ties to the Iranian and Syrian regimes only exacerbates the threat posed by these groups as they seek to acquire weapons of mass destruction or know-how.

Add to these threats the fact that the Arab Spring and continued revolutions across the region have brought popularly elected, yet untested governments into power that possess minimal capability and very little experience in countering WMD proliferation.

In the face of this growing and complex challenge, it is obvious that the Middle East and North African region represents the next generation of WMD-related tests for the United States. Yet, our resources and our programming are not getting ahead of the threat. In fact, the nonpartisan ''Project on U.S. Middle East Nonproliferation Strategy'' estimates that, excluding programs in Iraq, only two percent of last year's nonproliferation-related programming, or approximately $20,000,000 of an estimated $1,000,000,000, was spent in Middle East and North Africa countries.

Luckily for us, we have a successful model for engagement on this issue that we can fall back on. Just over two decades ago, Senators Sam Nunn and Dick Lugar initiated what has proven to be one of the country's most effective foreign policy efforts. The Nunn-Lugar Cooperative Threat Reduction, CTR, Program has led to the successful deactivation of well over 13,000 nuclear warheads, as well as the destruction of over 1,400 intercontinental ballistic missiles and almost 40,000 metric tons of chemical weapon agents. Because of Nunn-Lugar, Ukraine, Kazakhstan, and Belarus are nuclear weapons free and Albania is chemical weapons free.

The principles of Nunn-Lugar can and should be more fully translated into the Middle East and North Africa. Congress has long supported expanding CTR into the Middle East, but it was only last fall that the Administration finally completed the bureaucratic changes necessary to more robustly engage in this region.

It is time we expand and ramp up our CTR efforts to prevent the potential proliferation of WMD-related weapons, technologies, materials, and know-how in this difficult and volatile part of the world. That is why I am introducing the Next Generation Cooperative Threat Reduction Act of 2013, which is aimed at modernizing our CTR and nonproliferation programs and expanding them more comprehensively throughout this region.

The bill calls for the President to develop and implement a multi-year comprehensive regional assistance strategy to coordinate and advance CTR and nonproliferation in the Middle East and North Africa. The strategy requires an integrated, whole-of-government commitment to building on the cooperative threat model demonstrated by Nunn-Lugar's successes, the initiation of new CTR programs with newly elected partners in the region, and plans to ensure burden-sharing and leveraging of additional outside resources.

The bill allows for the support of innovative and creative assistance programs aimed at enhancing the capacity of governments in the region to prevent, detect, and interdict illicit WMD-related trade. Activities could include:

Encouraging and assisting with security and destruction of chemical weapons stockpiles; Promoting the adoption and implementation of enhanced and comprehensive strategic trade control laws and strengthening export controls and border security, including maritime security; Promoting government-to-government engagement among emerging political and public policy leaders, including the possibility of training courses for parliamentarians and national technical advisors; Promoting activities that seek to work with civil society organizations, media representatives, and public diplomacy officials to help develop a culture of nonproliferation responsibility among the general public; The possible establishment of nuclear, chemical, or biological security Centers of Excellence in the Middle East; Supporting, enhancing, or building upon regional nonproliferation programs and institutions already in place, including such multilateral initiatives as the December 2010 Gulf Cooperation Council conference on the implementation of UNSCR 1540 or the Arab Atomic Energy Agency and its Arab Network of Nuclear Regulators; Supporting, enhancing, or building upon previous multilateral initiatives, including the Group of Eight's Global Partnership Against the Spread of Weapons and Materials of Mass Destruction or the White House-led Nuclear Security Summits in 2010 and 2012 to more fully incorporate and include countries of the Middle East and North Africa region; Encouraging countries to adopt and adhere to the IAEA Additional Protocol; Promoting and supporting WMD-related regional confidence-building measures and Track Two regional dialogues on nonproliferation and related issues; Working collaboratively with businesses, foundations, universities, think tanks and other sectors, including the possibility of prizes and challenges to spur innovation in achieving appropriate Middle East and North Africa nonproliferation objectives; Supporting and expanding successful existing Middle East and North Africa partnerships, including the Middle East Consortium for Infectious Disease Surveillance; Promoting the establishment of professional networks that foster voluntary regional interaction on weapons of mass destruction-related issues; or enhancing United States-Europe cooperation on combating proliferation in the Middle East and North Africa region.

The threat posed by WMD-related materials falling into the hands of terrorists remains our greatest and gravest threat. As former Defense Secretary Robert Gates said, ''Every senior leader, when you're asked what keeps you awake at night, it's the thought of a terrorist ending up with a weapon of mass destruction, especially nuclear.''

To date, we have largely kept WMD materials out of terrorists' hands. Unfortunately, however, being successful ''to date'' is not good enough. When it comes to terrorism and WMD in our world, the reality is that the international community cannot afford to make a single mistake. We cannot be complacent because one miscalculation . . . one unprotected border . . . one unsecured facility . . . could all lead to a mushroom cloud somewhere in our world.

We need to remain vigilant, to think ahead, and to anticipate where the next threats will come from and adapt to get ahead of it.

That is why I would urge my colleagues in the Senate to take up and pass the Next Generation Cooperative Threat Reduction Act of 2013. We need to demonstrate that the United States will continue to lead the international community in curbing the threat posed by WMD proliferation. My legislation does just that. I hope the Senate will support this important effort.

Before yielding the floor, I want to thank my colleagues in the U.S. Senate, the U.S. House of Representatives, at the White House and at the Departments of State and Defense who contributed to this legislation. I also want

to give special thanks to the Co-Chairs of the Project on U.S. Middle East Nonproliferation Strategy, including David Albright, Mark Dubowitz, Orde Kittrie, Leonard Spector and Michael Yaffe, whose report, ''U.S. Nonproliferation Strategy for the Changing Middle East,'' served as the inspiration for this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 152—DESIGNATING NOVEMBER 28, 2013, AS ''NATIONAL HOLOPROSENCEPHALY AWARENESS DAY'' TO INCREASE AWARENESS AND EDUCATION OF THE DISORDER

Mr. COWAN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 152

Whereas Holoprosencephaly (commonly known as ''HPE'') is a birth defect of the brain in which the prosencephalon (also known as the ''embryonic forebrain'') does not sufficiently develop into 2 hemispheres resulting in a single-lobed brain structure and severe skull and facial defects;

Whereas in most cases of HPE, the malformations are so severe that babies die before birth;

Whereas in less severe cases of HPE, babies are born with normal or near-normal brain development and facial deformities that may affect the eyes, nose, and upper lip;

Whereas the 3 classifications of HPE that vary in severity and impairment to cognitive abilities are Alobar (in which the brain has not divided at all), Semilobar (in which the hemispheres of the brain have somewhat divided), and Lobar (in which there is considerable evidence of separate brain hemispheres);

Whereas HPE affects approximatley 1 out of every 250 pregnancies during early embryo development, with many of those pregnancies ending in miscarriage;

Whereas HPE affects 1 in 10,000-20,000 live births;

Whereas the prognosis for a child diagnosed with HPE depends on the severity of the brain and facial malformations and associated clinical complications, with the most severely affected children living several months or years and the least affected children living a normal life span;

Whereas there is no standard course of treatment for HPE because treatment must be individualized to the unique degree of malformations of each child;

Whereas the Federal Government, acting through the National Institutes of Health and the National Institute of Neurological Disorders and Strokes, supports and conducts a wide range of research on normal brain development and recent research has identified specific genes that cause HPE; and

Whereas November 28, 2013, would be an appropriate day to designate as 'National Holoprosencephaly Awareness Day': Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of November 28, 2013, as ''National Holoprosencephaly Awareness Day'';

(2) urges Federal agencies—

(A) to continue supporting research to better understand the causes of HPE;

(B) to provide better counseling to families with the genetic forms of HPE; and

(C) to develop new ways to treat, and potentially prevent, HPE; and

(3) calls on the people of the United States, interested groups, and affected persons—

(A) to promote awareness of HPE;

(B) to take an active role in the fight to end the devastating effects of HPE; and

(C) to observe ''National Holoprosencephaly Awareness Day'' with appropriate ceremonies and activities.

Mr. COWAN. Mr. President, I would like to take the opportunity to discuss a rare birth defect of the brain, known as holoprosencephaly or HPE.

I became aware of this rare disorder through the outreach of my constituent, Angel Marie Kelley from Bellingham, MA. Angel has a child living with HPE and has become a resource to others in her community who are touched by this disorder.

HPE occurs during the first few weeks of a pregnancy when the fetal brain does not sufficiently divide into two hemispheres, resulting in severe skull and facial defects. In most cases of HPE, the malformations are so severe that babies die before birth. In less severe cases, babies are born with normal or near-normal brain development and facial deformities that may affect the eyes, nose, and upper lip.

HPE affects about 1 out of every 250 pregnancies during early embryo development, with many of these pregnancies ending in miscarriage. The disorder affects between 1 in 10,000 to 1 in 20,000 live births.

There is no cure or standard course of treatment for HPE. The prognosis for a child diagnosed with the disorder depends on the severity of the brain and facial malformations and associated clinical complications. The most severely affected children could live several months or years and the least affected children are capable of achieving a normal life span. Treatment is symptomatic and supportive and must be individualized to each child's unique degree of malformations.

I would like to recognize the ongoing work of the Federal Government through the National Institutes of Health, NIH, and the National Institute of Neurological Disorders and Strokes, NINDS, on HPE. These agencies support and conduct a wide range of innovative and promising research on HPE—recently identifying the specific genes that cause HPE.

I am submitting this resolution today to designate November 28, 2013 as National Holoprosencephaly Awareness Day. This resolution urges Federal agencies to support HPE research, to provide better counseling to families with the genetic forms of HPE, and to develop new ways to treat, and potentially prevent this disorder. It also calls on the people of the United States to promote awareness of this birth defect and to observe National Holoprosencephaly Awareness Day with appropriate ceremonies and activities.

I look forward to working with my colleagues in the Senate to pass this important resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1059. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table.

SA 1060. Mr. BARRASSO (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1061. Mr. COBURN (for himself, Mr. DURBIN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1062. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1063. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1064. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1065. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1066. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1067. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1068. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1069. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1070. Mr. JOHANNS (for himself, Mr. THUNE, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1071. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1072. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1073. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1074. Mr. VITTER (for himself, Mr. INHOFE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1075. Mr. JOHNSON of Wisconsin submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1076. Mrs. MCCASKILL (for herself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1077. Mr. HEINRICH (for himself, Mr. HELLER, Mr. BENNET, Mr. UDALL of New Mexico, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1078. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1079. Mr. COONS (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1080. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1081. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1082. Mr. FLAKE (for himself, Mr. MCCAIN, Mr. UDALL of Colorado, Mr. CRAPO, Mr. RISCH, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1083. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1084. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1085. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1086. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1087. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1088. Mr. BROWN (for himself, Mr. TESTER, Mr. SCHATZ, Mr. REED, Mr. WYDEN, Mr. HEINRICH, Mrs. GILLIBRAND, and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1089. Mr. BROWN (for himself and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1090. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1091. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1092. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1093. Mr. LEAHY (for himself, Mr. COWAN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1094. Mr. BROWN (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1095. Mr. CARDIN (for himself, Mr. BOOZMAN, Ms. MIKULSKI, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1096. Mr. INHOFE (for himself, Mr. PRYOR, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1097. Mr. GRASSLEY (for himself, Mr. DONNELLY, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1098. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1099. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1100. Mrs. HAGAN (for herself, Mr. CRAPO, Mr. CARPER, Ms. LANDRIEU, Mr. PRYOR, Mr. DONNELLY, Mr. VITTER, Ms. HEITKAMP, Mr. COONS, Mr. RISCH, Mrs. MCCASKILL, Mrs. FISCHER, and Mr. JOHANNS) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1101. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 998 submitted by Mr. LEAHY to the bill S. 954, supra; which was ordered to lie on the table.

SA 1102. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1103. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1104. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1105. Mr. CHAMBLISS (for himself, Mrs. FEINSTEIN, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1106. Mr. CHAMBLISS (for himself, Mr. UDALL of Colorado, Mr. BENNET, Mr. CRAPO, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1107. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1108. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1109. Mr. WICKER (for himself, Mr. VITTER, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1110. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1111. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1112. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

SA 1113. Ms. LANDRIEU (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. SCHUMER, Mr. LAUTENBERG, and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1114. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 954, supra; which was ordered to lie on the table.

SA 1115. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1059. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 380, between lines 19 and 20, insert the following:

SEC. 40___. BAN ON RECRUITMENT ACTIVITIES EFFORTS BASED ON ADDING INDIVIDUALS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) is amended by adding at the end the following:

''(g) BAN ON RECRUITMENT BASED ON ADDING INDIVIDUALS TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall issue regulations that forbid entities (including contractors of the entities) that receive funds under this Act to compensate any person for conducting outreach activities relating to participation in, or for recruiting individuals to apply to receive benefits under, the supplemental nutrition assistance program if the amount of the compensation would be based on the number of individuals who apply to receive the benefits.

''(h) REPAYMENT OF BENEFITS GIVEN TO INELIGIBLE INDIVIDUALS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall issue regulations that require, except as provided in paragraph (2), that any entity receiving funds under this Act that has been determined in accordance with criteria established by the regulations to have purposefully recruited individuals ineligible for benefits under the supplemental nutrition assistance program or to have failed to verify the eligibility of individuals recruited to apply to receive benefits under the supplemental nutrition assistance program, to deposit in the general fund of the Treasury an amount equal to 200 percent of the amount of benefits provided by the State agency or benefit issuer to the individual later found to be ineligible to receive benefits under the program.

''(2) EXCEPTION FOR FRAUD.—The amount of benefits provided to ineligible individuals described in paragraph (1) shall not include any benefits received as a result of fraud by the individual.''.

SA 1060. Mr. BARRASSO (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12_____. REPEAL OF RENEWABLE FUEL STANDARD.

(a) IN GENERAL.—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by striking subsection (o).

(b) ADDITIONAL REPEAL.—Section 204 of the Energy Independence and Security Act of 2007 (42 U.S.C. 7545 note; Public Law 110-140) is repealed.

(c) REGULATIONS.—Beginning on the date of enactment of this Act, the regulations under subparts K and M of part 80 of title 40, Code of Federal Regulations (as in effect on that date of enactment), shall have no force or effect.

SA 1061. Mr. COBURN (for himself, Mr. DURBIN, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs

through 2018; which was ordered to lie on the table; as follows:

On page 1101, between lines 5 and 6, insert the following:

SEC. 11_____. LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) (as amended by section 11030(b)) is amended by adding at the end the following:

''(9) LIMITATION ON PREMIUM SUBSIDY BASED ON AVERAGE ADJUSTED GROSS INCOME.—

''(A) DEFINITION OF AVERAGE ADJUSTED GROSS INCOME.—In this paragraph, the term 'average adjusted gross income' has the meaning given the term in section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(a)).

''(B) LIMITATION.—Notwithstanding any other provision of this subtitle and beginning with the 2014 reinsurance year, in the case of any producer that is a person or legal entity that has an average adjusted gross income in excess of $750,000 based on the most recent data available from the Farm Service Agency as of the beginning of the reinsurance year, the total amount of premium subsidy provided with respect to additional coverage under subsection (c), section 508B, or section 508C issued on behalf of the producer for a reinsurance year shall be 15 percentage points less than the premium subsidy provided in accordance with this subsection that would otherwise be available for the applicable policy, plan of insurance, and coverage level selected by the producer.''.

SA 1062. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122____. AMOUNTS OWED TO ELIGIBLE COUNTIES.

Not later than 7 days after the date of enactment of this Act, the Secretary of the Treasury shall pay to each eligible county (as defined in section 3 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102)) an amount equal to the amount elected by the eligible county under section 102(b) of that Act (16 U.S.C. 7112(b)) for fiscal year 2013.

SA 1063. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 380, between lines 15 and 16, insert the following:

SEC. 40____. PILOT PROGRAM TO TEST INNOVATIVE APPROACHES TO SUPPORTING WORK AND ENHANCING SKILLS.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) (as amended by section 4001(b)) is amended by adding at the end the following:

''(m) PILOT PROGRAM TO TEST INNOVATIVE APPROACHES TO SUPPORTING WORK AND ENHANCING SKILLS.—

''(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, shall carry out, under such terms and conditions as the Secretary considers to be appropriate, pilot projects to identify best practices for employment and training programs under this Act to increase the number of work registrants who—

''(A) obtain unsubsidized employment;

''(B) increase earned income;

''(C) obtain or make progress toward a credential, certificate, or degree; and

''(D) reduce reliance on public assistance, including the supplemental nutrition assistance program.

''(2) SELECTION CRITERIA.—The Secretary shall select a pilot project to carry out under this subsection based on such criteria as the Secretary may establish, including—

''(A) enhancing existing employment and training programs in a State;

''(B) agreeing to participate in the evaluation described in paragraph (3), including making available data on participant employment activities and postparticipation employment, earnings, and receipt of public benefits;

''(C) collaborating with State and local workforce boards and other job training programs in a State or local area;

''(D) the extent to which the components of the project can be easily replicated by other States or political subdivisions; and

''(E) such additional criteria as are necessary to ensure that all selected pilot projects—

''(i) target a variety of populations of work registrants, including childless adults, parents, and individuals with low skills or limited work experience;

''(ii) are selected from a range of existing employment and training programs, including programs that provide—

''(I) skills development and support services for work registrants with limited employment history;

''(II) postemployment support services necessary for maintaining employment; and

''(III) education leading to a recognized postsecondary credential, registered apprenticeship, or secondary school diploma or equivalent that has value in the labor market of the region;

''(iii) are located in a range of geographical areas, including rural and urban areas and Indian reservations; and

''(iv) have a plan for sustaining the program after the pilot phase has concluded.

''(3) EVALUATION.—The Secretary shall provide for an independent evaluation of pilot projects selected under this subsection to measure the impact of the projects on the ability of each pilot project target population to find and retain employment that leads to increased household income, compared to what would have occurred in the absence of the pilot project.

''(4) REPORT TO CONGRESS.—Not later than September 30, 2017, the Secretary shall submit to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report that includes a description of—

''(A) the results of each pilot project carried out under this subsection, including an evaluation of the impact of the project on the employment, income, and public benefit receipt of the targeted population of work registrants;

''(B) the Federal, State, and other costs of each pilot project;

''(C) the planned dissemination among State agencies of the findings of the report; and

''(D) the measures and funding necessary to incorporate components of pilot projects that demonstrate increased employment and earnings into State employment and training programs.

''(5) FUNDING.—Of the amounts made available under section 18(a)(1), the Secretary shall use to carry out this subsection $16,000,000 for each of fiscal years 2014 through 2016, to remain available until expended.

''(6) USE OF FUNDS.—

''(A) IN GENERAL.—Funds made available under this subsection shall be used only for—

''(i) pilot projects that comply with the requirements of this Act;

''(ii) the cost and administration of the pilot projects;

''(iii) the costs incurred in providing information for the evaluation under paragraph (3); and

''(iv) the costs of the evaluation under paragraph (3).

''(B) LIMITATION.—Funds made available under this subsection may not be used to supplant non-Federal funds used for existing employment and training activities.''.

SA 1064. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF ESTATE AND GIFT TAXES.

(a) IN GENERAL.—Subtitle B of the Internal Revenue Code of 1986 is hereby repealed.

(b) EFFECTIVE DATE.—The repeal made by paragraph (1) shall apply to the estates of decedents dying, and gifts and generation-skipping transfers made, after December 31, 2013.

SA 1065. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

Subtitle D—Defense of Environment and Property

SEC. 12301. NAVIGABLE WATERS.

(a) IN GENERAL.—Section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362) is amended by striking paragraph (7) and inserting the following:

''(7) NAVIGABLE WATERS.—

''(A) IN GENERAL.—The term 'navigable waters' means the waters of the United States, including the territorial seas, that are—

''(i) navigable-in-fact; or

''(ii) permanent, standing, or continuously flowing bodies of water that form geographical features commonly known as streams, oceans, rivers, and lakes that are connected to waters that are navigable-in-fact.

''(B) EXCLUSIONS.—The term 'navigable waters' does not include (including by regulation)—

''(i) waters that—

''(I) do not physically abut waters described in subparagraph (A); and

''(II) lack a continuous surface water connection to navigable waters;

''(ii) man-made or natural structures or channels—

''(I) through which water flows intermittently or ephemerally; or

''(II) that periodically provide drainage for rainfall; or

''(iii) wetlands without a continuous surface connection to bodies of water that are waters of the United States.

''(C) EPA AND CORPS ACTIVITIES.—An activity carried out by the Administrator or the Corps of Engineers shall not, without explicit State authorization, impinge upon the traditional and primary power of States over land and water use.

''(D) AGGREGATION; WETLANDS.—

''(i) AGGREGATION.—Aggregation of wetlands or waters not described in clauses (i) through (iii) of subparagraph (B) shall not be used to determine or assert Federal jurisdiction.

''(ii) WETLANDS.—Wetlands described in subparagraph (B)(iii) shall not be considered to be under Federal jurisdiction.

''(E) JUDICIAL REVIEW.—If a jurisdictional determination by the Administrator or the Secretary of the Army would affect the ability of a State or individual property owner to plan the development and use (including restoration, preservation, and enhancement) of land and water resources, the State or individual property owner may obtain expedited judicial review not later than 30 days after the date on which the determination is made in a district court of the United States, of appropriate jurisdiction and venue, that is located within the State seeking the review.

''(F) TREATMENT OF GROUND WATER.—Ground water shall—

''(i) be considered to be State water; and

''(ii) not be considered in determining or asserting Federal jurisdiction over isolated or other waters, including intermittent or ephemeral water bodies.

''(G) PROHIBITION ON USE OF NEXUS TEST.—Notwithstanding any other provision of law, the Administrator may not use a significant nexus test (as used by EPA in the proposed document listed in section 3(a)(1)) to determine Federal jurisdiction over navigable waters and waters of the United States.''.

(b) APPLICABILITY.—Nothing in this section or the amendments made by this section affects or alters any exemption under—

(1) section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)); or

(2) section 404(f) of the Federal Water Pollution Control Act (33 U.S.C. 1344(f)).

SEC. 12302. APPLICABILITY OF AGENCY REGULATIONS AND GUIDANCE.

(a) IN GENERAL.—The following regulations and guidance shall have no force or effect:

(1) The final rule of the Corps of Engineers entitled ''Final Rule for Regulatory Programs of the Corps of Engineers'' (51 Fed. Reg. 41206 (November 13, 1986)).

(2) The proposed rule of the Environmental Protection Agency entitled ''Advance Notice of Proposed Rulemaking on the Clean Water Act Regulatory Definition of 'Waters of the United States' '' (68 Fed. Reg. 1991 (January 15, 2003)).

(3) The guidance document entitled ''Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in 'Rapanos v. United States' & 'Carabell v. United States' '' (December 2, 2008) (relating to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)).

(4) Any subsequent regulation of or guidance issued by any Federal agency that defines or interprets the term ''navigable waters''.

(b) PROHIBITION.—The Secretary of the Army, acting through the Chief of Engineers, and the Administrator of the Environmental Protection Agency shall not promulgate any rules or issue any guidance that expands or interprets the definition of navigable waters unless expressly authorized by Congress.

SEC. 12303. STATE REGULATION OF WATER.

Nothing in this subtitle affects, amends, or supersedes—

(1) the right of a State to regulate waters in the State; or

(2) the duty of a landowner to adhere to any State nuisance laws (including regulations) relating to waters in the State.

SEC. 12304. CONSENT FOR ENTRY BY FEDERAL REPRESENTATIVES.

Section 308 of the Federal Water Pollution Control Act (33 U.S.C. 1318) is amended by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) ENTRY BY FEDERAL AGENCY.—A representative of a Federal agency shall only enter private property to collect information about navigable waters if the owner of that property—

''(A) has consented to the entry in writing;

''(B) is notified regarding the date of the entry; and

''(C) is given access to any data collected from the entry.

''(2) ACCESS.—If a landowner consents to entry under paragraph (1), the landowner shall have the right to be present at the time any data collection on the property of the landowner is carried out.''.

SEC. 12305. COMPENSATION FOR REGULATORY TAKING.

(a) IN GENERAL.—If a Federal regulation relating to the definition of navigable waters or waters of the United States diminishes the fair market value or economic viability of a property, as determined by an independent appraiser, the Federal agency issuing the regulation shall pay the affected property owner an amount equal to twice the value of the loss.

(b) ADMINISTRATION.—Any payment provided under subsection (a) shall be made from the amounts made available to the relevant agency head for general operations of the agency.

(c) APPLICABILITY.—A Federal regulation described in subsection (a) shall have no force or effect until the date on which each landowner with a claim under this section relating to that regulation has been compensated in accordance with this section.

SA 1066. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 1602 and insert the following:

SEC. 1602. PERMANENT SUSPENSION OF PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to covered commodities (as defined in section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702)), peanuts, and sugar and shall not be applicable to milk:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to covered commodities (as defined in section 1001 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702)), peanuts, and sugar and shall not be applicable to milk:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled ''A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended'', approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to crops of wheat.

SA 1067. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12213. PROTECTION OF PRODUCER INFORMATION.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ''Department'' means the Department of Agriculture.

(2) PRODUCER.—The term ''producer'' means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(b) PROHIBITION OF PUBLIC DISCLOSURE OF PROTECTED INFORMATION.—Except as provided in subsection (c), no officer or employee of the Department of Agriculture, contractor or cooperator of the Department, or officer or employee of another Federal agency shall disclose—

(1) to the Federal Government any information submitted by a producer or owner of agricultural land under this Act; or

(2) any other information provided by a producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land to participate in any program administered by the Department or any other Federal agency.

(c) EXCEPTIONS.—The information described in subsection (a) may be disclosed if—

(1) the information is required to be made publicly available under any other provision of Federal law;

(2) the producer or owner of agricultural land who provided the information has lawfully publicly disclosed the information;

(3) the producer or owner of agricultural land who provided the information consents to the disclosure; or

(4)(A) the information is disclosed to the Attorney General; and

(B) the disclosure is necessary to ensure compliance with and enforcement of Federal law.

(d) NOTICE OF DISCLOSURE.—Not later than 24 hours after information is disclosed pursuant to an exception provided in subsection (b), the officer or employee of the Department of Agriculture, contractor or cooperator of the Department, or officer or employee of another Federal agency shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee of Agriculture in the House of Representatives a report on the disclosed information.

SA 1068. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1111, after line 20, add the following:

SEC. ____. REPORT ON FARM RISK MANAGEMENT PROGRAMS.

(a) IN GENERAL.—Not later than December 1, 2014, and each December 1 thereafter until

December 1, 2017, the Secretary, acting through the Chief Economist, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that analyzes—

(1) the impact of the agriculture risk coverage program under section 1108;

(2) the interaction of that program with—

(A) the adverse market payment program under section 1107;

(B) the marketing loan program under subtitle B of title I;

(C) the supplemental coverage option under section 508(c)(3)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)(3)(B)) (as added by section 11001); and

(D) other Federal crop insurance programs;

(3) any distortion caused by the programs described in paragraphs (1) and (2), and any other farm programs as determined by the Chief Economist, on planting and production decisions; and

(4) any overlap or substitution caused by the programs described in paragraphs (1) and (2)(A) with Federal crop insurance.

(b) SUMMARY.—Not later than June 1, 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a summary report that analyzes the issues described in subsection (a) over the period of crop years 2014 through 2017.

SA 1069. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 174, between lines 6 and 7, insert the following:

SEC. 1615. PROHIBITION ON USE OF FUNDS TO DELAY COMPLIANCE WITH WTO DECISIONS.

The Secretary shall not use any funds (including funds of the Commodity Credit Corporation) to make payments or influence a foreign government or organization (including the Brazilian Cotton Institute) for the purpose of delaying compliance with a decision of the World Trade Organization.

SA 1070. Mr. JOHANNS (for himself, Mr. THUNE, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 355, between lines 7 and 8, insert the following:

SEC. 40___. CATEGORICAL ELIGIBILITY LIMITATIONS.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) by striking the section designation and heading and all that follows through ''(a) PARTICIPATION.—'' and inserting the following:

''SEC. 5. ELIGIBLE HOUSEHOLDS.

''(a) REQUIREMENTS.—

''(1) IN GENERAL.—Participation'';

(2) in subsection (a)—

(A) by striking the second sentence and inserting the following:

''(2) RECIPIENTS OF OTHER FEDERAL BENEFITS.—Except as provided in section 3(n)(4) and subsections (b), (d)(2), (g), and (r) of section 6, a household shall be eligible to participate in the supplemental nutrition assistance program if each member of the household receives—

''(A) cash assistance in the form of ongoing basic needs benefit payments for financially needy families under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

''(B) cash assistance under the supplemental security income program established under title XVI of that Act (42 U.S.C. 1381 et seq.); or

''(C) aid to the aged, blind, or disabled under title I, X, XIV, or XVI of that Act (42 U.S.C. 301 et seq.).'';

(B) in the third sentence, by striking ''Except for sections 6, 16(e)(1), and section 3(n)(4), households'' and inserting the following:

''(3) GENERAL ASSISTANCE.—Except as provided in sections 3(n)(4), 6, and 16(d), a household''; and

(C) in the fourth sentence, by striking ''Assistance'' and inserting the following:

''(4) APPLICATIONS.—Assistance''; and

(3) in subsection (j)—

(A) by inserting ''cash assistance in the form of'' before ''supplemental security income benefits''; and

(B) by striking ''or who receives benefits'' and inserting ''or who receives cash assistance''.

On page 358, line 11, strike ''(a) IN GENERAL.—''.

On page 359, strike lines 11 through 15.

SA 1071. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 1051, strike line 5 and all that follows through page 1055, line 13.

SA 1072. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 174, between lines 6 and 7, insert the following:

SEC. 16____. STUDY ON OFFSETS FOR PAYMENTS TO BRAZILIAN COTTON INSTITUTE.

Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to Congress a report that identifies and recommends $147,300,000 in annual savings for each of 2013 through 2018 from payments, loans, assistance, and plans provided to producers of upland cotton and extra long staple cotton under this title and section 508B of the Federal Crop Insurance Act to offset annual payments of $147,300,000 for each of 2013 through 2018 to be made to the Brazilian Cotton Institute.

SA 1073. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 1066, strike line 23 and all that follows through page 1071, line 16.

SA 1074. Mr. VITTER (for himself, Mr. INHOFE, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SECTION 122___. PROHIBITION OF GASOLINE BLENDS WITH GREATER THAN 10-VOLUME-PERCENT ETHANOL.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency may not, including by granting a waiver under section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)), authorize or otherwise allow the introduction into commerce of gasoline containing greater than 10-volume-percent ethanol.

(b) PROHIBITION OF WAIVERS.—

(1) IN GENERAL.—Any waiver granted under section 211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)) before the date of enactment of this Act that allows the introduction into commerce of gasoline containing greater than 10-volume-percent ethanol for use in motor vehicles shall have no force or effect.

(2) CERTAIN WAIVERS.—The waivers described in subsection (a) include the following:

(A) The waiver entitled, ''Partial Grant and Partial Denial of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent; Decision of the Administrator'', 75 Fed. Reg. 68094 (November 4, 2010).

(B) The waiver entitled, ''Partial Grant of Clean Air Act Waiver Application Submitted by Growth Energy To Increase the Allowable Ethanol Content of Gasoline to 15 Percent; Decision of the Administrator'', 76 Fed. Reg. 4662 (January 26, 2011).

(c) MISFUELING RULE.—The portions of the rule entitled, ''Regulation to Mitigate the Misfueling of Vehicles and Engines with Gasoline Containing Greater Than Ten Volume Percent Ethanol and Modifications to the Reformulated and Conventional Gasoline Programs'', 76 Fed. Reg. 44406 (July 25, 2011) (including amendments to those portions of the rule) to mitigate misfueling shall have no force and effect 60 days after the date of enactment of this Act.

(d) CONFORMING VOLUMETRIC REQUIREMENTS.—Section 211(o) of the Clean Air Act (42 U.S.C. 7545(o)) is amended—

(1) in paragraph (3)(C)—

(A) in clause (i), by striking ''and'';

(B) in clause (ii), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) to limit the applicable percentage of renewable fuel required under this subsection to an amount that would ensure that no refiner, blender, or importer be required directly or indirectly to produce, blend, import, or otherwise enter into commerce any gasoline that contains, on an average annual basis, greater than 10-volume percent ethanol.''; and

(2) by adding at the end the following:

''(13) LIMITATIONS.—No entity required to comply with a provision of this section shall be required either by the applicable volumes under paragraph (2)(B) or by the operation of any other authority in this section (including regulations promulgated under this section) to introduce into commerce gasoline that contains, on an average annual basis, greater than 10 volume percent ethanol.''.

(e) CERTIFICATION FUELS.—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by adding at the end the following:

''(w) CERTIFICATION FUELS.—The Administrator shall ensure that the fuel used for certification of vehicles and engines for compliance with emissions standards promulgated under this title corresponds in all respects to the fuel used by 75 percent or more of the vehicles and engines in use at the time the specifications for the certification fuel are promulgated for vehicles and engines that use the certification fuel.''.

SA 1075. Mr. JOHNSON of Wisconsin submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

SEC. 42___. FRUIT AND VEGETABLE PROGRAM.

Section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a) is amended—

(1) in the section heading, by striking ''**FRESH**'';

(2) in subsection (a), by striking ''fresh'';

(3) by striking subsection (b) and inserting the following:

''(b) PROGRAM.—A school participating in the program—

''(1) shall make free fruits and vegetables available to students throughout the school day (or at such other times as are considered appropriate by the Secretary) in 1 or more areas designated by the school;

''(2) may make the free fruits and vegetables available in any form (such as fresh, frozen, dried, or canned) that meets any nutrition requirement prescribed by the Secretary and consistent with the most recent Dietary Guidelines for Americans published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341); and

''(3) shall purchase, to the maximum extent practicable, domestic commodities or products in compliance with section 12(n) (including any implementing regulations).''; and

(4) in subsection (e), by striking ''fresh''.

SA 1076. Mrs. MCCASKILL (for herself, Mr. COBURN, and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12213. PROHIBITION ON PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.

(a) DEFINITIONS.—In this section—

(1) the terms ''agency'' and ''career appointee'' have the meanings given such terms in section 5381 of title 5, United States Code; and

(2) the term ''sequestration period'' means a period—

(A) beginning on the later of—

(i) the date on which a sequestration order is issued under section 251 or 251A of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 901 and 901a); and

(ii) the first day of the fiscal year to which the sequestration order applies; and

(B) ending on the last day of the fiscal year to which the sequestration order applies.

(b) PROHIBITION.—Notwithstanding any other provision of law, an agency may not pay a performance award under section 5384 of title 5, United States Code, to a career appointee—

(1) during a sequestration period; or

(2) that relates to any period of service performed during a fiscal year during which a sequestration order under section 251 or 251A of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 901 and 901a) is in effect.

SA 1077. Mr. HEINRICH (for himself, Mr. HELLER, Mr. BENNET, Mr. UDALL of New Mexico, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 12_____. FEDERAL LAND TRANSACTION FACILITATION ACT.

The Federal Land Transaction Facilitation Act is amended—

(1) in section 203(2) (43 U.S.C. 2302(2)), by striking ''on the date of enactment of this Act was'' and inserting ''is'';

(2) in section 205 (43 U.S.C. 2304)—

(A) in subsection (a), by striking ''(as in effect on the date of enactment of this Act)''; and

(B) by striking subsection (d);

(3) in section 206 (43 U.S.C. 2305), by striking subsection (f); and

(4) in section 207(b) (43 U.S.C. 2306(b))—

(A) in paragraph (1)—

(i) by striking ''96–568'' and inserting ''96–586''; and

(ii) by striking ''; or'' and inserting a semicolon;

(B) in paragraph (2)—

(i) by inserting ''Public Law 105–263;'' before ''112 Stat.''; and

(ii) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(3) the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109–432; 120 Stat. 3028);

''(4) the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108–424; 118 Stat. 2403);

''(5) subtitle F of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1132 note; Public Law 111–11);

''(6) subtitle O of title I of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460www note, 1132 note; Public Law 111–11);

''(7) section 2601 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1108); or

''(8) section 2606 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1121).''.

SA 1078. Mr. UDALL of Colorado (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. _____. WILDFIRE MITIGATION ASSISTANCE.

(a) IN GENERAL.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) POST DISASTER MITIGATION ASSISTANCE.—The President may provide hazard mitigation assistance in accordance with section 404 in any area in which assistance was provided under this section, whether or not a major disaster had been declared.''.

(b) CONFORMING AMENDMENTS.—The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) in section 404(a) (42 U.S.C. 5170c(a))—

(A) by inserting before the first period '', or any area in which assistance was provided under section 420''; and

(B) in the third sentence, by inserting ''or event under section 420'' after ''major disaster'' each place that term appears; and

(2) in section 322 (e)(1) (42 U.S.C. 5165(e)(1)), by inserting ''or event under section 420'' after ''major disaster'' each place that term appears.

SA 1079. Mr. COONS (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 339, line 13, strike ''$40,000,000'' and insert ''$60,000,000''.

SA 1080. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 902, strike lines 12 and 13 and insert the following:

(5) by redesignating subsections (h) and (j) as subsections (k) and (*l*), respectively;

On page 918, strike lines 7 through 11 and insert the following:

2014 through 2018.

''(j) CONVENTIONAL BREEDING INITIATIVE.—

''(1) DEFINITIONS.—

''(A) CONVENTIONAL BREEDING.—The term 'conventional breeding' means the development of new varieties of an organism through controlled mating and selection without the use of transgenic methods.

''(B) PUBLIC BREED.—The term 'public breed' means a breed that is the commercially available uniform end product of a publicly funded breeding program that—

''(i) has been sufficiently tested to demonstrate improved characteristics and stabile performance; and

''(ii) remains in the public domain for research purposes.

''(C) PUBLIC CULTIVAR.—The term 'public cultivar' means a cultivar that is the commercially available uniform end product of a publicly funded breeding program that—

''(i) has been sufficiently tested to demonstrate improved characteristics and stabile performance; and

''(ii) remains in the public domain for research purposes.

''(2) ESTABLISHMENT.—Beginning on the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall carry out an initiative to address research needs in conventional breeding for public cultivar and public breed development, as described in paragraph (3).

''(3) PURPOSES.—The purposes of the initiative established by paragraph (2) are—

''(A) to fund public cultivar and public breed development through conventional breeding, with no requirement or preference for the use of marker-assisted or genomic selection methods; and

''(B) to conduct research on—

''(i) selection theory;

''(ii) applied quantitative genetics;

''(iii) conventional breeding for improved food quality;

''(iv) conventional breeding for improved local adaptation to biotic stress and abiotic stress; and

''(v) participatory conventional breeding.

''(4) ELIGIBLE ENTITIES.—The Secretary may carry out the initiative established by paragraph (2) through grants to—

''(A) institutions of higher education;

''(B) research institutions or organizations;

''(C) private organizations or corporations;

''(D) State agricultural experiment stations;

''(E) individuals; or

''(F) groups consisting of 2 or more entities or individuals described in subparagraphs (A) through (E).

''(5) RESEARCH PROJECT GRANTS.—In carrying out this subsection, the Secretary shall—

''(A) seek and accept proposals for grants;

''(B) award grants on a competitive basis;

''(C) determine the relevance and merit of proposals through a system of peer review, in consultation with experts in conventional breeding;

''(D) award grants on the basis of merit, quality, and relevance; and

''(E) award grants for a term that is practicable for conventional cultivar development.

''(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $25,000,000 for each of fiscal years 2014 through 2018.'';

(7) in subsection (k) (as redesignated by paragraph (5)), by striking ''2012'' each place it appears and inserting ''2018''; and

(8) in subsection (*l*) (as redesignated by para-

SA 1081. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 998, strike lines 11 through 20 and insert the following:

(A) in subsection (b)—

(i) in paragraph (2)—

(I) in subparagraph (C), by striking ''and'' at the end;

(II) by redesignating subparagraph (D) as subparagraph (E); and

(III) by inserting after subparagraph (C) the following:

''(D) a council (as defined in section 1528 of the Agriculture and Food Act of 1981 (16 U.S.C. 3451)); and''; and

(ii) by striking paragraph (4) and inserting the following:

''(4) USE OF GRANT FUNDS.—

''(A) IN GENERAL.—A recipient of a grant under paragraph (1) shall use the grant funds to assist agricultural producers and rural small businesses by—

''(i) conducting and promoting energy audits; and

''(ii) providing recommendations and information on how—

''(I) to improve the energy efficiency of the operations of the agricultural producers and rural small businesses; and

''(II) to use renewable energy technologies and resources in the operations.

''(B) CERTIFICATION.—Before a recipient of a grant under paragraph (1) uses the grant funds to build a wind turbine, the Secretary shall certify that the wind turbine will not injure—

''(i) any species listed as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(ii) any migratory bird covered by the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.); or

''(iii) any bald or golden eagle covered by the Act entitled 'An Act for the protection of the bald eagle', approved June 8, 1940 (16 U.S.C. 668 et seq.).''; and

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SA 1082. Mr. FLAKE (for himself, Mr. MCCAIN, Mr. UDALL of Colorado, Mr. CRAPO, Mr. RISCH, and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 975, between lines 12 and 13, insert the following:

''(7) FIRE LIABILITY PROVISIONS.—Not later than 90 days after the date of enactment of this section, the Chief and the Director shall issue for use in all contracts and agreements under subsection (b) fire liability provisions that are in substantially the same form as the fire liability provisions contained in—

''(A) integrated resource timber contracts, as described in the Forest Service contract numbered 2400–13, part H, section H.4; and

''(B) timber sale contracts conducted pursuant to section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a).

SA 1083. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON MANDATORY OR COMPULSORY CHECK OFF PROGRAMS.

Notwithstanding any other provision of law, no program to promote and provide research and information for a particular agricultural commodity without reference to 1 or more specific producers or brands (commonly known as a ''check-off program'') shall be mandatory or compulsory.

SA 1084. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12_____. REPEAL OF RENEWABLE FUEL STANDARD.

(a) IN GENERAL.—Section 211 of the Clean Air Act (42 U.S.C. 7545) is amended by striking subsection (o).

(b) ADDITIONAL REPEAL.—Section 204 of the Energy Independence and Security Act of 2007 (42 U.S.C. 7545 note; Public Law 110-140) is repealed.

(c) REGULATIONS.—Beginning on the date of enactment of this Act, the regulations under subparts K and M of part 80 of title 40, Code of Federal Regulations (as in effect on that date of enactment), shall have no force or effect.

SA 1085. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 12_____. ADMINISTRATION.

Notwithstanding any other provision of law, the carrying out of this Act and the amendments made by this Act shall not be done in a manner that targets any individuals or groups on the basis of ideology or political affiliation.

SA 1086. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 378, between lines 15 and 16, insert the following:

SEC. 4_____. INTERVIEW AUTHORITY.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

''(v) INTERVIEW AUTHORITY.—

''(1) IN GENERAL.—The Secretary shall give each participating State the option to carry out the supplemental nutrition assistance program by allowing nonprofit organizations and area agencies on aging to conduct the eligibility interview for applicant households, in accordance with the interview process of the State.

''(2) CRITERIA.—Any nonprofit organization or area agency on aging allowed to conduct an interview under paragraph (1) shall be selected at the discretion of the head of the State agency responsible for administering the supplemental nutrition assistance program in the State.''.

SA 1087. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 846, line 22, insert ''unless the Secretary determines at least 25 percent of the households in a proposed service area that is capable of receiving broadband service are not purchasing the minimum acceptable level of broadband service'' after ''under subsection (e)''.

SA 1088. Mr. BROWN (for himself, Mr. TESTER, Mr. SCHATZ, Mr. REED, Mr. WYDEN, Mr. HEINRICH, Mrs. GILLIBRAND, and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 380, strike line 24 and all that follows through page 381, line 13, and insert the following:

(A) in paragraph (1)(B)—

(i) in clause (i)—

(I) by striking subclause (I) and inserting the following:

''(I) to create or implement a coordinated community plan to meet the food security needs of low-income individuals;'';

(II) in subclause (II), by inserting ''and effectiveness'' after ''self-reliance'';

(III) in subclause (III), by inserting ''food access,'' after ''food,''; and

(ii) in clause (ii), by striking subclause (I) and inserting the following:

''(I) infrastructure improvement and development;''; and

On page 381, between lines 20 and 21, insert the following:

(2) in subsection (b)(2)(B), by striking ''$5,000,000'' and inserting ''$10,000,000'';

On page 381, line 21, strike ''(2)'' and insert ''(3)''.

On page 381, strike lines 22 through 24 and insert the following:

(A) in the matter preceding paragraph (1), by inserting ''or a nonprofit entity working in partnership with a State, local, or tribal government agency or community health organization'' after ''nonprofit entity'';

On page 382, strike lines 7 through 10 and insert the following:

''(C) efforts to reduce food insecurity in the community, including increasing access to food services or improving coordination of services and programs;'';

Beginning on page 382, strike line 19 and all that follows through page 383, line 12, and insert the following:

(4) in subsection (d), by striking paragraphs (3) and (4) and inserting the following:

''(3) develop innovative linkages between the for-profit, nonprofit, and public sectors;

''(4) encourage long-term planning activities and multisystem interagency approaches with multistakeholder collaborations (such as food policy councils, food planning associations, and hunger-free community coalitions) that build the long-term capacity of communities to address the food, food security, and agricultural problems of the communities;

''(5) develop new resources and strategies to help reduce food insecurity in the community and prevent food insecurity in the future; or

''(6) achieve goal 2 or 3 of the hunger-free communities goals.'';

On page 383, strike lines 13 through 16 and insert the following:

(5) in subsection (f)(2), by striking ''3 years'' and inserting ''5 years'';

(6) by striking subsection (h) and inserting the following:

On page 384, line 2, strike the period at the end and insert ''; and''.

On page 384, between lines 2 and 3, insert the following:

(7) in subsection (i)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''and recommend to the targeted entities'' and inserting ''create a nationally accessible web-based clearinghouse of regulations, zoning provisions, and best practices by government and the private and nonprofit sectors that have been shown to improve community food security, and provide to targeted entities training, technical assistance, and''; and

(ii) by striking subparagraphs (C) and (D) and inserting the following:

''(C) health disparities;

''(D) food insecurity;''; and

(B) in paragraph (4), by striking ''$200,000'' and inserting ''$500,000''.

On page 396, strike lines 8 through 12 and insert the following:

SEC. 4202. SENIORS FARMERS' MARKET NUTRITION PROGRAM.

Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended by striking subsection (a) and inserting the following:

''(a) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the seniors farmers' market nutrition program—

''(1) $2,500,000 for fiscal year 2014; and

''(2) $5,000,000 for each of fiscal years 2015 through 2018.''.

On page 420, strike lines 13 through 16 and insert the following:

''(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

''(A) $1,000,000 for fiscal year 2014;

''(B) $2,000,000 for fiscal year 2015;

''(C) $3,000,000 for fiscal year 2016;

''(D) $4,000,000 for fiscal year 2017; and

''(E) $5,000,000 for fiscal year 2018.

Beginning on page 636, strike line 21 and all that follows through page 639, line 2, and insert the following:

''(A) FAMILY FARM.—The term 'family' farm has the meaning given the term in section 761.2 of title 7, Code of Federal Regulations (as in effect on December 30, 2007).

''(B) MID-TIER VALUE CHAIN.—The term 'mid-tier value chain' means a local and regional supply network (including a network that operates through food distribution centers that coordinate agricultural production and the aggregation, storage, processing, distribution, and marketing of locally or regionally produced agricultural products) that links independent producers with businesses and cooperatives that market value-added agricultural products in a manner that—

''(i) targets and strengthens the profitability and competitiveness of small- and medium-sized farms that are structured as family farms; and

''(ii) obtains agreement from an eligible agricultural producer group, farmer cooperative, or majority-controlled producer-based business venture that is engaged in the value chain on a marketing strategy.

''(C) VALUE-ADDED AGRICULTURAL PRODUCT.—The term 'value-added agricultural product' means any agricultural commodity or product—

''(i) that—

''(I) has undergone a change in physical state;

''(II) was produced in a manner that enhances the value of the agricultural commodity or product, as demonstrated through a business plan that shows the enhanced value, as determined by the Secretary;

''(III) is physically segregated in a manner that results in the enhancement of the value of the agricultural commodity or product;

''(IV) is a source of farm-based renewable energy, including E–85 fuel; or

''(V) is aggregated and marketed as a locally produced agricultural food product or as part of a mid-tier value chain; and

''(ii) for which, as a result of the change in physical state or the manner in which the agricultural commodity or product was produced, marketed, or segregated—

''(I) the customer base for the agricultural commodity or product is expanded; and

''(II) a greater portion of the revenue derived from the marketing, processing, or physical segregation of the agricultural commodity or product is available to the producer of the commodity or product.

On page 639, line 5, insert ''on a competitive basis'' after grants.

On page 640, strike lines 12 through 21 and insert the following:

''(i) PRIORITY.—In awarding grants under this subsection, the Secretary shall—

''(I) in the case of a grant under subparagraph (A)(i), give priority to—

''(aa) operators of small- and medium-sized farms and ranches that are structured as family farms; or

''(bb) beginning farmers and ranchers or socially disadvantaged farmers or ranchers; and

''(II) in the case of a grant under subparagraph (A)(ii), give priority to projects (including farmer cooperative projects) that best contribute to—

''(aa) increasing opportunities for operators of small- and medium-sized farms and ranches that are structured as family farms; or

''(bb) creating opportunities for beginning farmers and ranchers or socially disadvantaged farmers and ranchers.

On page 642, line 21, strike ''June 30 of'' and insert ''the date on which the Secretary completes the review process for applications submitted under this section for''.

On page 643, line 4, strike ''$12,500,000'' and insert ''$20,000,000''.

On page 663, strike lines 8 through 23 and insert the following:

''(ii) PRIORITY.—In making or guaranteeing a loan under this paragraph, the Secretary shall give priority to projects that would—

''(I) result in increased access to locally or regionally grown food in underserved communities;

''(II) create new market opportunities for agricultural producers; or

''(III) support strategic economic and community development regional economic development plans on a multijurisdictional basis.

''(iii) GUARANTEE LOAN FEE AND PERCENTAGE.—In making or guaranteeing a loan under clause (i) the Secretary may waive, incorporate into the loan, or reduce the guarantee loan fee that would otherwise be imposed under this paragraph.

On page 1025, line 8, strike ''$20,000,000'' and insert ''$30,000,000''.

SA 1089. Mr. BROWN (for himself and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 167, line 18, strike ''$750,000'' and insert ''$500,000''.

On page 384, line 22, strike ''$22,000,000'' and insert ''$28,000,000''.

On page 384, line 24, strike ''$18,000,000'' and insert ''$44,000,000''.

On page 385, line 2, strike ''$10,000,000; and'' and insert ''$24,000,000;''.

On page 385, line 4, strike ''$4,000,00.''; and'' and insert ''$18,000,000; and''.

On page 385, between lines 4 and 5, insert the following:

''(v) for fiscal year 2018 and each fiscal year thereafter, $10,000,000.''; and

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SA 1090. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 921, line 3, strike ''shall'' and insert ''may''.

On page 921, line 24, strike ''$10,000,000'' and insert ''$20,000,000''.

SA 1091. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike section 1602 and insert the following:

SEC. 1602. REPEAL OF PERMANENT PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 are repealed:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) Section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 are repealed:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) CERTAIN QUOTA PROVISIONS.—The joint resolution entitled ''A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended'', approved May 26, 1941 (7 U.S.C. 1330 and 1340), is repealed.

(d) PROHIBITION.—Notwithstanding any other provision of law, including the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), beginning on October 1, 2018, the Secretary shall have no authority

to support the price of commodities through payments or purchases.

(e) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of this Act.

SA 1092. Mr. THUNE (for himself, Mr. ROBERTS, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Strike sections 1104 through 1110 and insert the following:

SEC. 1104. DEFINITIONS.

In this subtitle, subtitle B, and subtitle F:

(1) ACTUAL CROP REVENUE.—The term ''actual crop revenue'', with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1105(c)(3).

(2) AGRICULTURE RISK COVERAGE GUARANTEE.—The term ''agriculture risk coverage guarantee'', with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1105(c)(4).

(3) AGRICULTURE RISK COVERAGE PAYMENT.—The term ''agriculture risk coverage payment'' means a payment under section 1105(c).

(4) AVERAGE INDIVIDUAL YIELD.—The term ''average individual yield'' means the yield reported by a producer for purposes of subtitle A of the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), to the maximum extent practicable.

(5) COUNTY COVERAGE.—For the purposes of agriculture risk coverage under section 1105, the term ''county coverage'' means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the yield determined by the average county yield described in subsection (c) of that section.

(6) COVERED COMMODITY.—

(A) IN GENERAL.—The term ''covered commodity'' means wheat, corn, grain sorghum, barley, oats, long grain rice, medium grain rice, pulse crops, soybeans, other oilseeds, and peanuts.

(B) POPCORN.—The Secretary—

(i) shall study the feasibility of including popcorn as a covered commodity by 2014; and

(ii) if the Secretary determines it to be feasible, shall designate popcorn as a covered commodity.

(7) ELIGIBLE ACRES.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) through (D), the term ''eligible acres'' means all acres planted or prevented from being planted to all covered commodities on a farm in any crop year.

(B) MAXIMUM.—Except as provided in subparagraph (C), the total quantity of eligible acres on a farm determined under subparagraph (A) shall not exceed the average total acres planted or prevented from being planted to covered commodities and upland cotton on the farm for the 2009 through 2012 crop years, as determined by the Secretary.

(C) ADJUSTMENT.—The Secretary shall provide for an adjustment, as appropriate, in the eligible acres for covered commodities for a farm if any of the following circumstances occurs:

(i) If a conservation reserve contract for a farm in a county entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) expires or is voluntarily terminated or cropland is released from coverage under a conservation reserve contract, the Secretary shall provide for an adjustment, as appropriate, in the eligible acres for the farm to a total quantity that is the higher of—

(I) the total base acreage for the farm, less any upland cotton base acreage, that was suspended during the conservation reserve contract; or

(II) the product obtained by multiplying—

(aa) the average proportion that—

(AA) the total number of acres planted to covered commodities and upland cotton in the county for crop years 2009 through 2012; bears to

(BB) the total number of all acres of covered commodities, grassland, and upland cotton acres in the county for the same crop years; by

(bb) the total acres for which coverage has expired, voluntarily terminated, or been released under the conservation reserve contract.

(ii) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(1)(D) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(a)(1)(D)).

(iii) The producer has any acreage not cropped during the 2009 through 2012 crop years, but placed into an established rotation practice for the purposes of enriching land or conserving moisture for subsequent crop years, including summer fallow, as determined by the Secretary.

(D) EXCLUSION.—The term ''eligible acres'' does not include any crop subsequently planted during the same crop year on the same land for which the first crop is eligible for payments under this subtitle, unless the crop was planted in an area approved for double cropping, as determined by the Secretary.

(8) EXTRA LONG STAPLE COTTON.—The term ''extra long staple cotton'' means cotton that—

(A) is produced from pure strain varieties of the Barbadense species or any hybrid of the species, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which United States upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of the varieties or types; and

(B) is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

(9) INDIVIDUAL COVERAGE.—For purposes of agriculture risk coverage under section 1105, the term ''individual coverage'' means coverage determined using the total quantity of all acreage in a county of the covered commodity that is planted or prevented from being planted for harvest by a producer with the yield determined by the average individual yield of the producer described in subsection (c) of that section.

(10) MEDIUM GRAIN RICE.—The term ''medium grain rice'' includes short grain rice.

(11) OTHER OILSEED.—The term ''other oilseed'' means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or any oilseed designated by the Secretary.

(12) PAYMENT YIELD.—The term ''payment yield'' means the yield established for adverse market payments under section 1102 or 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912, 7952) as in effect on the date of enactment of this Act for a farm for a covered commodity.

(13) PRODUCER.—

(A) IN GENERAL.—The term ''producer'' means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) HYBRID SEED.—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(14) PULSE CROP.—The term ''pulse crop'' means dry peas, lentils, small chickpeas, and large chickpeas.

(15) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(16) REFERENCE PRICE.—The term ''reference price'' means the price per bushel, pound, or hundredweight (or other appropriate unit) of a covered commodity used to determine the actual crop revenue under section 1105(c)(3).

(17) TRANSITIONAL YIELD.—The term ''transitional yield'' has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(18) UNITED STATES.—The term ''United States'', when used in a geographical sense, means all of the States.

SEC. 1105. AGRICULTURE RISK COVERAGE.

(a) PAYMENTS REQUIRED.—If the Secretary determines that payments are required under subsection (c), the Secretary shall make payments for each covered commodity available to producers in accordance with this section.

(b) COVERAGE ELECTION.—

(1) IN GENERAL.—For the period of crop years 2014 through 2018, the producers shall make a 1-time, irrevocable election to receive—

(A) individual coverage under this section, as determined by the Secretary; or

(B) in the case of a county with sufficient data (as determined by the Secretary), county coverage under this section.

(2) EFFECT OF ELECTION.—The election made under paragraph (1) shall be binding on the producers making the election, regardless of covered commodities planted, and applicable to all acres under the operational control of the producers, in a manner that—

(A) acres brought under the operational control of the producers after the election are included; and

(B) acres no longer under the operational control of the producers after the election are no longer subject to the election of the producers but become subject to the election of the subsequent producers.

(3) DUTIES OF THE SECRETARY.—The Secretary shall ensure that producers are precluded from taking any action, including reconstitution, transfer, or other similar action, that would have the effect of altering or reversing the election made under paragraph (1).

(c) AGRICULTURE RISK COVERAGE.—

(1) PAYMENTS.—The Secretary shall make agriculture risk coverage payments available under this subsection for each of the 2014 through 2018 crop years if the Secretary determines that—

(A) the actual crop revenue for the crop year for the covered commodity; is less than

(B) the agriculture risk coverage guarantee for the crop year for the covered commodity.

(2) TIME FOR PAYMENTS.—If the Secretary determines under this subsection that agriculture risk coverage payments are required to be made for the covered commodity, beginning October 1, or as soon as practicable

thereafter, after the end of the applicable marketing year for the covered commodity, the Secretary shall make the agriculture risk coverage payments.

(3) ACTUAL CROP REVENUE.—The amount of the actual crop revenue for a crop year of a covered commodity shall be equal to the product obtained by multiplying—

(A)(i) in the case of individual coverage, the actual average individual yield for the covered commodity, as determined by the Secretary; or

(ii) in the case of county coverage, the actual average yield for the county for the covered commodity, as determined by the Secretary; and

(B) the higher of—

(i) the national average market price received by producers during the 12-month marketing year for the covered commodity, as determined by the Secretary; or

(ii) if applicable, the reference price for the covered commodity under paragraph (4).

(4) REFERENCE PRICE.—The reference price for a covered commodity shall be determined as follows:

(A) IN GENERAL.—Subject to subparagraph (B), the reference price for a covered commodity shall be the product obtained by multiplying—

(i) 55 percent; by

(ii) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(B) ALTERNATIVE PRICE FOR RICE AND PEANUTS.—In the case of long and medium grain rice and peanuts, the reference price shall be—

(i) in the case of long and medium grain rice, $13.00 per hundredweight; and

(ii) in the case of peanuts, $530.00 per ton.

(5) AGRICULTURE RISK COVERAGE GUARANTEE.—

(A) IN GENERAL.—The agriculture risk coverage guarantee for a crop year for a covered commodity shall equal 88 percent of the benchmark revenue.

(B) BENCHMARK REVENUE.—

(i) IN GENERAL.—The benchmark revenue shall be the product obtained by multiplying—

(I)(aa) in the case of individual coverage, subject to clause (ii), the average individual yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; or

(bb) in the case of county coverage, the average county yield, as determined by the Secretary, for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; and

(II) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(ii) USE OF TRANSITIONAL YIELDS.—If the yield determined under clause (i)(I)(aa)—

(I) for the 2013 crop year or any prior crop year, is less than 60 percent of the applicable transitional yield, the Secretary shall use 60 percent of the applicable transitional yield for that crop year; and

(II) for the 2014 crop year and any subsequent crop year, is less than 65 percent of the applicable transitional yield, the Secretary shall use 65 percent of the applicable transitional yield for that crop year.

(6) PAYMENT RATE.—The payment rate for each covered commodity shall be equal to the lesser of—

(A) the amount that—

(i) the agriculture risk coverage guarantee for the covered commodity; exceeds

(ii) the actual crop revenue for the crop year of the covered commodity; or

(B) 10 percent of the benchmark revenue for the crop year of the covered commodity.

(7) PAYMENT AMOUNT.—If agriculture risk coverage payments under this subsection are required to be paid for any of the 2014 through 2018 crop years of a covered commodity, the amount of the agriculture risk coverage payment for the crop year shall be equal to the product obtained by multiplying—

(A) the payment rate under paragraph (5); and

(B)(i) in the case of individual coverage the sum of—

(I) 65 percent of the planted eligible acres of the covered commodity; and

(II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity; or

(ii) in the case of county coverage—

(I) 80 percent of the planted eligible acres of the covered commodity; and

(II) 45 percent of the eligible acres that were prevented from being planted to the covered commodity.

(8) DUTIES OF THE SECRETARY.—In carrying out the program under this subsection, the Secretary shall—

(A) to the maximum extent practicable, use all available information and analysis to check for anomalies in the determination of payments under the program;

(B) to the maximum extent practicable, calculate a separate actual crop revenue and agriculture risk coverage guarantee for irrigated and nonirrigated covered commodities;

(C) differentiate by type or class the national average price of—

(i) sunflower seeds;

(ii) barley, using malting barley values; and

(iii) wheat; and

(D) assign a yield for each acre planted or prevented from being planted for the crop year for the covered commodity on the basis of the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary, if the Secretary cannot establish the yield as determined under paragraph (3)(A)(ii) or (5)(B)(i) or if the yield determined under paragraph (3)(A)(ii) or (5) is an unrepresentative average yield for the covered commodity as determined by the Secretary.

SEC. 1106. PRODUCER AGREEMENT REQUIRED AS CONDITION OF PROVISION OF PAYMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive agriculture risk coverage payments, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.);

(C) to use the land on the farm for an agricultural or conserving use in a quantity equal to the attributable eligible acres of the farm, and not for a nonagricultural commercial, industrial, or residential use, as determined by the Secretary; and

(D) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary, if the agricultural or conserving use involves the noncultivation of any portion of the land referred to in subparagraph (C).

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which agriculture risk coverage payments are made shall result in the termination of the payments, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) EFFECTIVE DATE.—The termination shall take effect on the date determined by the Secretary.

(2) EXCEPTION.—If a producer entitled to an agriculture risk coverage payment dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment, in accordance with rules issued by the Secretary.

(c) REPORTS.—

(1) ACREAGE REPORTS.—As a condition on the receipt of any benefits under this subtitle or subtitle B, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(2) PRODUCTION REPORTS.—As a condition on the receipt of any benefits under section 1105, the Secretary shall require producers on a farm to submit to the Secretary annual production reports with respect to all covered commodities produced on the farm.

(3) PENALTIES.—No penalty with respect to benefits under this subtitle or subtitle B shall be assessed against the producers on a farm for an inaccurate acreage or production report unless the producers on the farm knowingly and willfully falsified the acreage or production report.

(4) DATA REPORTING.—To the maximum extent practicable, the Secretary shall use data reported by the producer pursuant to requirements under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) to meet the obligations described in paragraphs (1) and (2), without additional submissions to the Department.

(d) TENANTS AND SHARECROPPERS.—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(e) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of agriculture risk coverage payments among the producers on a farm on a fair and equitable basis.

SEC. 1107. PERIOD OF EFFECTIVENESS.

Sections 1104 through 1106 shall be effective beginning with the 2014 crop year of each covered commodity through the 2018 crop year.

SA 1093. Mr. LEAHY (for himself, Mr. COWAN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 216, line 15, strike ''and'' at the end.

On page 217, strike line 21 and insert the following:

habitat.''; and

(6) in subsection (i)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

SA 1094. Mr. BROWN (for himself and Mr. JOHANNS) submitted an amendment

intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

In section 1001D(b)(1)(A) of the Food Security Act of 1985 (7 U.S.C. 1308–3a) (as amended by section 1605(a)), strike ''$750,000'' and insert ''$500,000''.

SA 1095. Mr. CARDIN (for himself, Mr. BOOZMAN, Ms. MIKULSKI, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 131 strike ''Secretary'' on line 22 and all that follows through page 132, line 9, and insert the following: ''Secretary—

(i) assumes the production and market risks associated with the agricultural production of crops or livestock; or

(ii) experiences revenue losses under a production contract due to a disaster.

(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

(iii) a partnership of citizens of the United States;

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law; or

(v) a contract grower.

On page 133, line 21, insert ''that are prohibited from replacing livestock due to Federal or State quarantine orders or'' after ''on farms''.

SA 1096. Mr. INHOFE (for himself, Mr. PRYOR, and Mrs. FISCHER) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122___. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) FARM.—The term ''farm'' has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(3) GALLON.—The term ''gallon'' means a United States liquid gallon.

(4) OIL.—The term ''oil'' has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(5) OIL DISCHARGE.—The term ''oil discharge'' has the meaning given the term ''discharge'' in section 112.2 of title 40, Code of Federal Regulations (or successor regulations).

(6) REPORTABLE OIL DISCHARGE HISTORY.—The term ''reportable oil discharge history'' has the meaning used to describe the legal requirement to report a discharge of oil under applicable law.

(7) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term ''Spill Prevention, Control, and Countermeasure rule'' means the regulation, including amendments, promulgated by the Administrator under part 112 of title 40, Code of Federal Regulations (or successor regulations).

(b) CERTIFICATION.—In implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, the Administrator shall—

(1) require certification of compliance with the rule by—

(A) a professional engineer for a farm with—

(i) an individual tank with an aboveground storage capacity greater than 10,000 gallons;

(ii) an aggregate aboveground storage capacity greater than 20,000 gallons; or

(iii) a reportable oil discharge history; or

(B) the owner or operator of the farm (via self-certification) for a farm with—

(i) an aggregate aboveground storage capacity not more than 20,000 gallons and not less than the lesser of—

(I) 6,001 gallons; or

(II) the adjustment described in subsection (d)(2); and

(ii) no reportable oil discharge history of oil; and

(2) not require a certification of a statement of compliance with the rule—

(A) subject to subsection (d), with an aggregate aboveground storage capacity of not less than 2,500 gallons and not more than 6,000 gallons; and

(B) no reportable oil discharge history; and

(3) not require a certification of a statement of compliance with the rule for an aggregate aboveground storage capacity of not more than 2,500 gallons.

(c) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For purposes of subsection (b), the aggregate aboveground storage capacity of a farm excludes—

(1) all containers on separate parcels that have a capacity that is 1,000 gallons or less; and

(2) all containers holding animal feed ingredients approved for use in livestock feed by the Commissioner of Food and Drugs.

(d) STUDY.—

(1) IN GENERAL.—Not later than 12 months of the date of enactment of this Act, the Administrator, in consultation with the Secretary of Agriculture, shall conduct a study to determine the appropriate exemption under subsection (b)(2)(A) and (b)(1)(B) to not more than 6,000 gallons and not less than 2,500 gallons, based on a significant rise of discharge to water.

(2) ADJUSTMENT.—Not later than 18 months after the date on which the study described in paragraph (1) is complete, the Administrator, in consultation with the Secretary of Agriculture, shall promulgate a rule to adjust the exemption levels described in subsection (b)(2)(A) and (b)(1)(B) in accordance with the study.

SA 1097. Mr. GRASSLEY (for himself, Mr. DONNELLY, and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1125, after line 23, insert the following:

SEC. 12108. LIVESTOCK INFORMATION DISCLOSURE.

(a) FINDINGS.—Congress finds that—

(1) United States livestock producers supply a vital link in the food supply of the United States, which is listed as a critical infrastructure by the Secretary of Homeland Security;

(2) domestic terrorist attacks have occurred at livestock operations across the United States, endangering the lives and property of people of the United States;

(3) livestock operations in the United States are largely family owned and operated with most families living at the same location as the livestock operation;

(4) State governments and agencies are the primary authority in almost all States for the protection of water quality under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(5) State agencies maintain records on livestock operations and have the authority to address water quality issues where needed; and

(6) there is no discernible environmental or scientifically research-related need to create a database or other system of records of livestock operations in the United States by the Administrator.

(b) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AGENCY.—The term ''Agency'' means the Environmental Protection Agency.

(3) LIVESTOCK OPERATION.—The term ''livestock operation'' includes any operation involved in the raising or finishing of livestock and poultry.

(c) PROCUREMENT AND DISCLOSURE OF INFORMATION.—

(1) PROHIBITION.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Administrator, any officer or employee of the Agency, or any contractor or cooperator of the Agency, shall not disclose the information described in subparagraph (B) of any owner, operator, or employee of a livestock operation provided to the Agency by a livestock producer or a State agency in accordance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(B) INFORMATION DESCRIBED.—The information referred to in subparagraph (A) is—

(i) names;

(ii) telephone numbers;

(iii) email addresses;

(iv) physical addresses;

(v) Global Positioning System coordinates; or

(vi) other identifying information regarding the location of the owner, operator, or employee.

(2) EFFECT.—Nothing in paragraph (1) affects—

(A) the disclosure of information described in paragraph (1) if—

(i) the information has been transformed into a statistical or aggregate form at the county level or higher without any information that identifies the agricultural operation or agricultural producer; or

(ii) the livestock producer consents to the disclosure;

(B) the authority of any State agency to collect information on livestock operations; or

(C) the authority of the Agency to disclose the information on livestock operations to State or other Federal governmental agencies.

(3) CONDITION OF PERMIT OR OTHER PROGRAMS.—The approval of any permit, practice, or program administered by the Administrator shall not be conditioned on the consent of the livestock producer under paragraph (2)(A)(ii).

SA 1098. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

Subtitle D—Congressional Review of Agency Rulemaking in Cases of Negative Effect on Access to Affordable Food

SEC. 12301. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING IN CASES OF NEGATIVE EFFECT ON ACCESS TO AFFORDABLE FOOD.

Effective beginning on the date of enactment of this Act, if the Secretary determines that a rule promulgated by any Federal agency could have a negative effect on access by any individual to affordable food the procedures described in this subtitle shall take effect and supercede the provisions of chapter 8 of title 5, United States Code.

SEC. 12302. CONGRESSIONAL REVIEW.

(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of the Congress and to the Comptroller General a report containing—

(i) a copy of the rule;

(ii) a concise general statement relating to the rule;

(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within subparagraphs (A) through (C) of section 12305(2);

(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

(v) the proposed effective date of the rule.

(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of title 5, United States Code;

(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date as provided in section 12303(b)(2). The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B).

(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 12303 or as provided for in the rule following enactment of a joint resolution of approval described in section 12303, whichever is later.

(4) A nonmajor rule shall take effect as provided by section 12304 after submission to Congress under paragraph (1).

(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this subtitle in the same Congress by either the House of Representatives or the Senate.

(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 12303.

(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

(A) necessary because of an imminent threat to health or safety or other emergency;

(B) necessary for the enforcement of criminal laws;

(C) necessary for national security; or

(D) issued pursuant to any statute implementing an international trade agreement.

(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 12303.

(d)(1) In addition to the opportunity for review otherwise provided under this subtitle, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

(A) in the case of the Senate, 60 session days, or

(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 12303 and 12304 shall apply to such rule in the succeeding session of Congress.

(2)(A) In applying sections 12303 and 12304 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

(i) such rule were published in the Federal Register on—

(I) in the case of the Senate, the 15th session day, or

(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

SEC. 12303. CONGRESSIONAL APPROVAL PROCEDURE FOR MAJOR RULES.

(a)(1) For purposes of this section, the term ''joint resolution'' means only a joint resolution addressing a report classifying a rule as major pursuant to section 12302(a)(1)(A)(iii) that—

(A) bears no preamble;

(B) bears the following title (with blanks filled as appropriate): ''Approving the rule submitted by _____ relating to _____.'';

(C) includes after its resolving clause only the following (with blanks filled as appropriate): ''That Congress approves the rule submitted by _____ relating to _____.''; and

(D) is introduced pursuant to paragraph (2).

(2) After a House of Congress receives a report classifying a rule as major pursuant to section 12302(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

(A) in the case of the House of Representatives, within three legislative days; and

(B) in the case of the Senate, within three session days.

(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint

resolution described in subsection (a) shall be decided without debate.

(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 12302(b)(2), then such vote shall be taken on that day.

(h) This section and section 12304 are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

SEC. 12304. CONGRESSIONAL DISAPPROVAL PROCEDURE FOR NONMAJOR RULES.

(a) For purposes of this section, the term ''joint resolution'' means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 12302(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ''That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.'' (The blank spaces being appropriately filled in).

(b)(1) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

(2) For purposes of this section, the term submission or publication date means the later of the date on which—

(A) the Congress receives the report submitted under section 12302(a)(1); or

(B) the nonmajor rule is published in the Federal Register, if so published.

(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

(2) if the report under section 12302(a)(1)(A) was submitted during the period referred to in section 12302(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

(1) The joint resolution of the other House shall not be referred to a committee.

(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(B) the vote on final passage shall be on the joint resolution of the other House.

SEC. 12305. DEFINITIONS.

In this subtitle:

(1) The term ''Federal agency'' means any agency as that term is defined in section 551(1) of title 5, United States Code.

(2) The term ''major rule'' means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

(A) an annual effect on the economy of $100,000,000 or more;

(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

(3) The term ''nonmajor rule'' means any rule that is not a major rule.

(4) The term ''rule'' has the meaning given such term in section 551 of title 5, United States Code, except that such term does not include—

(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

(B) any rule relating to agency management or personnel; or

(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

SEC. 12306. JUDICIAL REVIEW.

(a) No determination, finding, action, or omission under this subtitle shall be subject to judicial review.

(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this subtitle for a rule to take effect.

(c) The enactment of a joint resolution of approval under section 12303 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

SEC. 12307. EXEMPTION FOR MONETARY POLICY.

Nothing in this subtitle shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

SEC. 12308. APPLICABILITY.

This subtitle shall only apply to a rule that the Secretary determines to have a negative effect on access by any individual to affordable food.

SEC. 12309. EFFECTIVE DATE OF CERTAIN RULES.

Notwithstanding section 12302—

(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.

SA 1099. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 421, between lines 3 and 4, insert the following:

SEC. 42____. SERVICE OF TRADITIONAL FOODS IN PUBLIC FACILITIES.

(a) DEFINITIONS.—In this section:

(1) FOOD SERVICE PROGRAM.—The term ''food service program'' includes—

(A) food service at a residential child care facility with a license from an appropriate State agency;

(B) a child nutrition program (as defined in section 25(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769f (b));

(C) food service at a hospital, clinic, or long-term care facility; and

(D) a senior meal program.

(2) INDIAN; INDIAN TRIBE.—The terms ''Indian'' and ''Indian tribe'' have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) TRADITIONAL FOOD.—

(A) IN GENERAL.—The term ''traditional food'' means food that has traditionally been prepared and consumed by an Indian tribe.

(B) INCLUSIONS.—The term ''traditional food'' includes—

(i) wild game meat;

(ii) fish;

(iii) seafood; and

(iv) plants.

(4) TRIBAL ORGANIZATION.—The term ''tribal organization'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) PROGRAM.—Notwithstanding any other provision of law, the Secretary shall allow the donation to and serving of traditional food through a food service program at a public or nonprofit facility, including a facility operated by an Indian tribe or tribal organization, that primarily serves Indians if the operator of the food service program—

(1) ensures that the food is received whole, gutted, gilled, as quarters, or as a roast, without further processing;

(2) makes a reasonable determination that—

(A) the animal was not diseased;

(B) the food was butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and

(C) the food will not cause a significant health hazard or potential for human illness;

(3) carries out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination;

(4) cleans and sanitizes food-contact surfaces of equipment and utensils after processing the traditional food; and

(5) labels donated traditional food with the name of the food and stores the traditional food separately from other food for the applicable program, including through storage in a separate freezer or refrigerator or in a separate compartment or shelf in the freezer or refrigerator.

SA 1100. Mrs. HAGAN (for herself, Mr. CRAPO, Mr. CARPER, Ms. LANDRIEU, Mr. PRYOR, Mr. DONNELLY, Mr. VITTER, Ms. HEITKAMP, Mr. COONS, Mr. RISCH, Mrs. MCCASKILL, Mrs. FISCHER, and Mr. JOHANNS) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 122___. USE OF AUTHORIZED PESTICIDES; DISCHARGES OF PESTICIDES; REPORT.

(a) USE OF AUTHORIZED PESTICIDES.—Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in subsection (s) of section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342), the Administrator or a State shall not require a permit under that Act for a discharge from a point source into navigable waters of—

''(A) a pesticide authorized for sale, distribution, or use under this Act; or

''(B) the residue of such a pesticide, resulting from the application of the pesticide.''.

(b) DISCHARGES OF PESTICIDES.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of—

''(A) a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.); or

''(B) the residue of such a pesticide, resulting from the application of the pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) relating to protecting water quality if—

''(i) the discharge would not have occurred without the violation; or

''(ii) the quantity of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.''.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Agriculture, shall submit to the Committee on Environment and Public Works and the Committee on Agriculture of the Senate and the Committee on Transportation and Infrastructure and the Committee on Agriculture of the House of Representatives a report that includes—

(1) the status of intra-agency coordination between the Office of Water and the Office of Pesticide Programs of the Environmental Protection Agency regarding streamlining information collection, standards of review, and data use relating to water quality impacts from the registration and use of pesticides;

(2) an analysis of the effectiveness of current regulatory actions relating to pesticide registration and use aimed at protecting water quality; and

(3) any recommendations on how the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) can be modified to better protect water quality and human health.

SA 1101. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 998 submitted by Mr. LEAHY to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 12, strike lines 6 and 7, and insert the following:

''shall be used for any 1 project;

''(IV) no portion of the proposed service territory is already served by ultra-high speed service;

''(V) the entity receiving the grant, loan, or loan guarantee—

''(aa) does not already provide ultra-high speed service in any State in which the entity operates; and

''(bb) has not received any funding under the broadband technologies opportunity program established under section 6001 of division B of the American Recovery and Reinvestment Act of 2009 (47 U.S.C. 1305) or the programs funded under the heading 'DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM' under the heading 'DEPARTMENT OF AGRICULTURE' under title I of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 119); and

''(VI) paragraph (2)(A)(i) shall

SA 1102. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 39, strike line 13 and all that follows through page 40, line 4, and insert the following:

(c) REFERENCE PRICE.—The reference price for a covered commodity shall be the product obtained by multiplying—

(1) 55 percent; by

(2) the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the high est and lowest prices.

SA 1103. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122___. REDUCING REGULATORY BURDENS.

(a) USE OF AUTHORIZED PESTICIDES.—Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or

use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.''.

(b) DISCHARGES OF PESTICIDES.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

''(i) the discharge would not have occurred but for the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.''.

SA 1104. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 62, line 14, insert ''and section 1207'' after ''this section''.

On page 73, between lines 17 and 18, insert the following:

SEC. 1207. SPECIAL MARKETING LOAN PROVISIONS FOR UPLAND COTTON.

(a) SPECIAL IMPORT QUOTA.—

(1) DEFINITION OF SPECIAL IMPORT QUOTA.—In this subsection, the term ''special import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—The President shall carry out an import quota program during the period beginning on August 1, 2013, and ending on July 31, 2019, as provided in this subsection.

(B) PROGRAM REQUIREMENTS.—Whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered to a definable and significant international market, as determined by the Secretary, exceeds the prevailing world market price, there shall immediately be in effect a special import quota.

(3) QUANTITY.—The quota shall be equal to the consumption during a 1-week period of cotton by domestic mills at the seasonally adjusted average rate of the most recent 3 months for which official data of the Department of Agriculture or other data are available.

(4) APPLICATION.—The quota shall apply to upland cotton purchased not later than 90 days after the date of the Secretary's announcement under paragraph (2) and entered into the United States not later than 180 days after that date.

(5) OVERLAP.—A special quota period may be established that overlaps any existing quota period if required by paragraph (2), except that a special quota period may not be established under this subsection if a quota period has been established under subsection (b).

(6) PREFERENTIAL TARIFF TREATMENT.—The quantity under a special import quota shall be considered to be an in-quota quantity for purposes of—

(A) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(B) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(C) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(D) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 10 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.

(b) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND COTTON.—

(1) DEFINITIONS.—In this subsection:

(A) DEMAND.—The term ''demand'' means—

(i) the average seasonally adjusted annual rate of domestic mill consumption of cotton during the most recent 3 months for which official data of the Department of Agriculture (as determined by the Secretary) are available; and

(ii) the larger of—

(I) average exports of upland cotton during the preceding 6 marketing years; or

(II) cumulative exports of upland cotton plus outstanding export sales for the marketing year in which the quota is established.

(B) LIMITED GLOBAL IMPORT QUOTA.—The term ''limited global import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(C) SUPPLY.—The term ''supply'' means, using the latest official data of the Department of Agriculture—

(i) the carryover of upland cotton at the beginning of the marketing year (adjusted to 480-pound bales) in which the quota is established;

(ii) production of the current crop; and

(iii) imports to the latest date available during the marketing year.

(2) PROGRAM.—The President shall carry out an import quota program that provides that whenever the Secretary determines and announces that the average price of the base quality of upland cotton, as determined by the Secretary, in the designated spot markets for a month exceeded 130 percent of the average price of the quality of cotton in the markets for the preceding 36 months, notwithstanding any other provision of law, there shall immediately be in effect a limited global import quota subject to the following conditions:

(A) QUANTITY.—The quantity of the quota shall be equal to 21 days of domestic mill consumption of upland cotton at the seasonally adjusted average rate of the most recent 3 months for which official data of the Department of Agriculture are available or as estimated by the Secretary.

(B) QUANTITY IF PRIOR QUOTA.—If a quota has been established under this subsection during the preceding 12 months, the quantity of the quota next established under this subsection shall be the smaller of 21 days of domestic mill consumption calculated under subparagraph (A) or the quantity required to increase the supply to 130 percent of the demand.

(C) PREFERENTIAL TARIFF TREATMENT.—The quantity under a limited global import quota shall be considered to be an in-quota quantity for purposes of—

(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(D) QUOTA ENTRY PERIOD.—When a quota is established under this subsection, cotton may be entered under the quota during the 90-day period beginning on the date the quota is established by the Secretary.

(3) NO OVERLAP.—Notwithstanding paragraph (2), a quota period may not be established that overlaps an existing quota period or a special quota period established under subsection (a).

SA 1105. Mr. CHAMBLISS (for himself, Mrs. FEINSTEIN, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 351, between lines 9 and 10, insert the following:

SEC. 3210. IMPORT PROHIBITION ON OLIVE OIL.

Section 8e(a) of the Agricultural Adjustment Act (7 U.S.C. 608e–1(a)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended in the matter preceding the first proviso in the first sentence by inserting ''olive oil,'' after ''clementines,''.

SA 1106. Mr. CHAMBLISS (for himself, Mr. UDALL of Colorado, Mr. BENNET, Mr. CRAPO, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 986, between lines 4 and 5, insert the following:

SEC. 83_____. FOREST SERVICE LARGE AIRTANKER AND AERIAL ASSET FIREFIGHTING RECAPITALIZATION PILOT PROGRAM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Chief of the Forest Service (referred to in this section as the ''Secretary''), may establish a large airtanker and aerial asset lease program in accordance with this section.

(b) AIRCRAFT REQUIREMENTS.—In carrying out the program described in subsection (a), the Secretary may enter into a multiyear lease contract for up to 5 aircraft that meet the criteria—

(1) described in the Forest Service document entitled ''Large Airtanker Modernization Strategy'' and dated February 10, 2012, for large air tankers; and

(2) determined by the Secretary, for other aerial assets.

(c) LEASE TERMS.—The term of any individual lease agreement into which the Secretary enters under this section shall be—

(1) up to 5 years, inclusive of any options to renew or extend the initial lease term; and

(2) in accordance with section 3903 of title 41, United States Code.

(d) PROHIBITION.—No lease entered into under this section shall provide for the purchase of the aircraft by, or the transfer of ownership to, the Forest Service.

SA 1107. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. WORK REQUIREMENTS.

(a) DECLARATION OF POLICY.—Section 2 of the Food and Nutrition Act of 2008 (7 U.S.C. 2011) is amended by adding at the end the following: ''Congress further finds that it should also be the purpose of the food stamp program to increase employment, to encourage healthy marriage, and to promote prosperous self-sufficiency, which means the ability of households to maintain an income above the poverty level without services and benefits from the Federal Government.''.

(b) DEFINITIONS.—Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended by adding at the end the following:

''(w) ABLE-BODIED, WORK-ELIGIBLE ADULT.—

''(1) IN GENERAL.—The term 'able-bodied, work-eligible adult' means an individual who—

''(A) is more than 18, and less than 63, years of age;

''(B) is not physically or mentally incapable of work; and

''(C) is not the full-time caretaker of a disabled adult dependent.

''(2) PHYSICALLY OR MENTALLY INCAPABLE OF WORK.—For purposes of paragraph (1)(B), the term 'physically or mentally incapable of work' means an individual who—

''(A) currently receives benefits under the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) or another program that provides recurring benefits to individuals because the individual is disabled and unable to work; or

''(B) has been medically certified as physically or mentally incapable of work and who has a credible pending application for enrollment in the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.) or another program that provides recurring benefits to individuals because the individual is disabled and unable to work.

''(x) FAMILY HEAD.—The term 'family head' means—

''(1) a biological parent who is lawfully present in the United States and resides within a household with 1 or more dependent children who are the biological offspring of the parent; or

''(2) in the absence of a biological parent, a step parent, adoptive parent, guardian, or adult relative who resides with and provides care to the 1 or more children and is lawfully present in the United States.

''(y) FAMILY UNIT.—The term 'family unit' means—

''(1) an adult residing without dependent children;

''(2) a single-headed family with dependent children; or

''(3) a married couple family with dependent children.

''(z) FAMILY WITH DEPENDENT CHILDREN.—

''(1) IN GENERAL.—The term 'family with dependent children' means a unit consisting of a family head, 1 or more dependent children, and, if applicable, the married spouse of the family head, all of whom share meals and reside within a single household.

''(2) MULTIPLE FAMILIES IN A HOUSEHOLD.—There may be more than 1 family with dependent children in a single household.

''(aa) MARRIED COUPLE FAMILY WITH DEPENDENT CHILDREN.—The term 'married couple family with dependent children' means a family with dependent children that has both a family head and the married spouse of the family head residing with the family.

''(bb) MARRIED SPOUSE OF THE FAMILY HEAD.—The term 'married spouse of the family head' means the lawfully married spouse of the family head who—

''(1) resides with the family head and dependent children; and

''(2) is lawfully present in the United States.

''(cc) MEMBER OF A FAMILY.—The term 'member of a family' means the family head, married spouse if present, and all dependent children within a family with dependent children

''(dd) MONTHLY POTENTIAL WORK ACTIVATION POPULATION.—The term 'monthly potential work activation population' means the sum of—

''(1) all able-bodied, work-eligible adults without dependents who have received food stamp benefits and have maintained less than 60 hours of paid employment during a month;

''(2) all work-eligible single-headed families with dependent children that have received food stamp benefits during the month and have maintained less than 120 hours of paid employment by the family head during the month; and

''(3) all work-eligible married couples with dependent children that have received food stamp benefits during the month and have maintained less than 120 combined hours of paid employment between the family head and the married spouse, summed together and counted jointly, during the month.

''(ee) MONTHLY WORK ACTIVATION PARTICIPANTS.—The term 'monthly work activation participants' means the sum of—

''(1) all able-bodied, work-eligible adults without dependents who have received food stamp benefits and have maintained—

''(A) less than 60 hours of paid employment during a month; and

''(B) more than 60 hours of combined paid employment and work activation activity during the month;

''(2) all work-eligible single-headed families with dependent children that have received food stamp benefits during the month and include a family head who has maintained—

''(A) less than 120 hours of paid employment during the month; and

''(B) more than 120 hours of combined paid employment and work activation activity during the month; and

''(3) all work-eligible married couples with dependent children who have received food stamp benefits during the month, and have maintained—

''(A) less than 120 combined hours of paid employment between the family head and the spouse, combined, during the month; and

''(B) more than 120 hours of combined paid employment and work activation activity between the family head and the married spouse, combined, during the month.

''(ff) SINGLE-HEADED FAMILY WITH DEPENDENT CHILDREN.—The term 'single-headed family with dependent children' means a family with dependent children that—

''(1) contains a family head residing with the family; but

''(2) does not have a married spouse of the family head residing with the family.

''(gg) WORK ACTIVATION.—

''(1) IN GENERAL.—The term 'work activation' means—

''(A) supervised job search;

''(B) community service activities;

''(C) education and job training for individuals who are family heads or married spouses of family heads;

''(D) workfare under section 20; or

''(E) drug or alcohol treatment.

''(2) SUPERVISED JOB SEARCH.—For purposes of paragraph (1)(A), the term 'supervised job search' means a job search program that has the following characteristics:

''(A) The job search occurs at an official location where the presence and activity of the recipient can be directly observed, supervised, and monitored.

''(B) The recipient's entry, time on site, and exit from the official job search location are recorded in a manner that prevents fraud.

''(C) The recipient is expected to remain and undertake job search activities at the job search center, except for brief, authorized departures for specified off-site interviews.

''(D) The quantity of time the recipient is observed and monitored engaging in job search at the official location is recorded for purposes of compliance with section 29.

''(hh) WORK ACTIVATION RATIO.—The term 'work activation ratio' means the quotient obtained by dividing—

''(1) the number of work activation participants in a month; by

''(2) the monthly potential work activation population for the month.

''(ii) WORK ACTIVITIES.—The term 'work activities' means—

''(1) paid employment;

''(2) work activation; or

''(3) a combination of both paid employment and work activation.

''(jj) WORK-ELIGIBLE ADULT WITHOUT DEPENDENT CHILDREN.—The term 'work-eligible adult without dependent children' means an individual who—

''(1) is an able-bodied, work-eligible adult; and

''(2) is not a family head or the married spouse of a family head.

''(kk) WORK-ELIGIBLE FAMILY UNIT.—The term 'work-eligible family unit' means—

''(1) an able-bodied, work-eligible adult without dependent children;

''(2) a work-eligible single-headed family with dependent children; or

''(3) a work-eligible married couple family with dependent children.

''(ll) WORK-ELIGIBLE MARRIED COUPLE FAMILY WITH DEPENDENT CHILDREN.—The term 'work-eligible married couple family with dependent children' means a married couple with dependent children that contains at least 1 work-eligible, able-bodied adult who is—

''(1) the family head; or

''(2) the married spouse of the family head.

''(mm) WORK-ELIGIBLE SINGLE-HEADED FAMILY WITH DEPENDENT CHILDREN.—The term 'work-eligible single-headed family with dependent children' means a single-headed family with dependent children that has a family head who is an able-bodied, work-eligible adult.''.

(c) CONDITIONS OF PARTICIPATION.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)) is amended by striking subsection (d) and inserting the following:

''(d) CONDITIONS OF PARTICIPATION.—

''(1) WORK REQUIREMENTS.—

''(A) IN GENERAL.—No able-bodied, work-eligible adult shall be eligible to participate in the food stamp program if the individual—

''(i) refuses, at the time of application and every 12 months thereafter, to register for employment in a manner prescribed by the Secretary;

''(ii) refuses without good cause to accept an offer of employment, at a site or plant not subject to a strike or lockout at the time of the refusal, at a wage not less than the higher of—

''(I) the applicable Federal or State minimum wage; or

''(II) 80 percent of the wage that would have applied had the minimum hourly rate under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) been applicable to the offer of employment;

''(iii) refuses without good cause to provide a State agency with sufficient information to allow the State agency to determine the employment status or the job availability of the individual; or

''(iv) voluntarily—

''(I) quits a job; or

''(II) reduces work effort and, after the reduction, is working less than 30 hours per week, unless another adult in the same family unit increases employment at the same time by an amount that is at least equal to the reduction in work effort by the first adult.

''(B) FAMILY UNIT INELIGIBILITY.—If an able-bodied, work-eligible adult is ineligible to participate in the food stamp program because of subparagraph (A), no other member of the family unit to which that adult belongs shall be eligible to participate.

''(C) DURATION OF INELIGIBILITY.—An able-bodied, work-eligible adult who becomes ineligible under subparagraph (A), and members of the family unit who become ineligible under subparagraph (B), shall remain ineligible for 3 months after the date on which ineligibility began.

''(D) RESTORATION OF ELIGIBILITY.—At the end of the 3-month period of ineligibility under subparagraph (c), members of a work-eligible family unit may have their eligibility to participate in the food stamp program restored, if—

''(i) the family unit is no longer a work-eligible family unit; or

''(ii) the adult members of the family unit begin and maintain any combination of paid employment and work activation sufficient to meet the appropriate standards for resumption of benefits in section 29(c)(2).

''(2) STRIKE AGAINST A GOVERNMENT.—For the purpose of subparagraph (A)(iv), an employee of the Federal Government, a State, or a political subdivision of a State, who is dismissed for participating in a strike against the Federal Government, the State, or the political subdivision of the State shall be considered to have voluntarily quit without good cause.

''(3) STRIKING WORKERS INELIGIBLE.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C) and notwithstanding any other provision of law, no member of a family shall be eligible to participate in the food stamp program at any time that any able-bodied, work-eligible adult member of the household is on strike as defined in section 501 of the Labor Management Relations Act, 1947 (29 U.S.C. 142), because of a labor dispute (other than a lockout) as defined in section 2 of the National Labor Relations Act (29 U.S.C. 152).

''(B) PRIOR ELIGIBILITY.—

''(i) IN GENERAL.—Subject to clauses (ii), a family unit shall not lose eligibility to participate in the food stamp program as a result of 1 of the members of the family unit going on strike if the household was eligible immediately prior to the strike.

''(ii) NO INCREASED ALLOTMENT.—A family unit described in clause (i) shall not receive an increased allotment as the result of a decrease in the income of the 1 or more striking members of the household.

''(C) REFUSAL TO ACCEPT EMPLOYMENT.—Ineligibility described in subparagraph (A) shall not apply to any family unit that does not contain a member on strike, if any of the members of the family unit refuses to accept employment at a plant or site because of a strike or lockout.''.

(d) ELIGIBILITY OF STUDENTS WITH DEPENDENT CHILDREN.—Section 6(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)) is amended by striking paragraph (8) and inserting the following:

''(8) is enrolled full-time in an institution of higher education, as determined by the institution, and—

''(A) is a single parent with responsibility for the care of a dependent child under 12 years of age; or

''(B) is a family head or married spouse of a family head in a married couple family with dependent children and has a dependent child under age 12 residing in the home.''.

(e) WORK REQUIREMENT.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by striking subsection (o) and inserting the following:

''(o) FULFILLMENT OF EMPLOYMENT AND WORK ACTIVATION REQUIREMENTS.—

''(1) IN GENERAL.—If 1 or more adults within a work-eligible family unit are required by the State agency to participate in work activation under section 29, no member of the family unit shall be eligible for food stamp benefits unless the family unit complies with the employment and work activation standards.

''(2) SANCTIONS AND RESUMPTION OF BENEFITS.—If 1 or more adults within a work-eligible family unit who are required by the State agency to participate in work activation under section 29 during a given month fail to comply with the work activation standards, benefits for all members of the family unit—

''(A) shall be terminated in accordance with section 29(c)(1); and

''(B) may be resumed upon compliance with section 29(c)(2).''.

(f) EXCLUSION.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by adding at the end the following:

''(r) MINOR CHILDREN.—No child less than age 18 years of age may participate in the food stamp program unless the child is a member of a family with dependent children and resides with an adult who is—

''(1) the family head of the same family of which the child is also a member;

''(2) eligible to participate, and participating, in the food stamp program as a member of the same household as the child; and

''(3) lawfully residing, and eligible to work, in the United States.''.

(g) HEARING AND DETERMINATION.—Section 11(e)(10) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)(10)) is amended by striking '': *Provided*'' and all that follows through ''hearing;'' at the end and inserting a semicolon.

(h) WORK REQUIREMENTS AND ACTIVATION PROGRAM.—The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

''SEC. 29. WORK REQUIREMENTS AND ACTIVATION PROGRAM.

''(a) EMPLOYMENT AND WORK ACTIVATION STANDARDS.—

''(1) IN GENERAL.—A family unit with adult members that is required to participate in work activation under subsection (b) during a full month of participation in the food stamp program shall fulfill the following levels of work activity during that month:

''(A) Each able-bodied, work-eligible adult without dependent children shall be required to perform work activities for at least 60 hours per month.

''(B) Each family head of a work-eligible single-headed family with dependent children shall be required to perform work activities for at least 120 hours per month.

''(C) Subject to paragraph (2), in each work-eligible married couple family with dependent children, the family head and married spouse shall be required to perform work activities that when added together for the 2 adults equal at least 120 hours per month.

''(2) REQUIREMENTS.—

''(A) SINGLE JOINT OBLIGATION.—The 120-hour requirement under paragraph (1)(C) shall be a single joint obligation for the married couple as a whole in which the activities of both married partners shall be combined together and counted jointly.

''(B) RELATIONSHIP TO PAID EMPLOYMENT AND WORK ACTIVATION.—For purposes of meeting the 120-hour requirement, the paid employment and work activation of the family head shall be added to the paid employment and work activation of the married spouse, and the requirement shall be fulfilled if the sum of the work activities of the 2 individuals equals or exceeds 120 hours per month.

''(C) OPTIONS.—The work requirement for a work-eligible married couple family with dependent children may be fulfilled—

''(i) by 120 or more hours of work activity by the family head;

''(ii) by 120 or more hours of work activities by the married spouse; or

''(iii) if the combined work activities of the family head and married spouse which when added together equal or exceed 120 hours.

''(D) NO SEPARATE WORK ACTIVATION REQUIREMENT.—Neither the family head nor the married spouse in a married couple with dependent children shall be subject to a separate work activation requirement as individuals.

''(b) PRO RATA REDUCTION IN EMPLOYMENT AND WORK ACTIVATION STANDARD DURING A PARTIAL MONTH.—

''(1) IN GENERAL.—A work-eligible family unit shall be subject to a pro-rated work activity standard, if the family unit—

''(A) receives a pro-rated monthly allotment during the initial month of enrollment under section 8(c); and

''(B) is required by the State to participate in the work activation program during that month.

''(2) PRO-RATED WORK ACTIVITY STANDARD.—For purposes of paragraph (1), the term 'pro-rated work activity standard' means a standard that equals a number of hours of work activity of a family unit that bears the same proportion to the employment and work activation requirement for the family unit for a full month under subsection (a) as the proportion that—

''(A) the pro-rated monthly allotment received by the household for the partial month under section 8(c); bears to

''(B) the full allotment the same household would receive for a complete month.

''(3) REQUIREMENT.—For purposes of fulfilling the pro-rated work activity requirement during an initial month of enrollment in the food stamp program, only those hours of adult work activity that occurred during the portion of the month in which the family unit was participating in the food stamp program shall be counted.

''(c) SANCTION FOR NONCOMPLIANCE.—

''(1) STANDARD.—

''(A) IN GENERAL.—If 1 or more members of a work-eligible family unit are required to participate in the work activation program under subsection (e) in a calendar month and the 1 or more individuals fail to fulfill the work activity standard under subsection (a) or (b) for that month—

''(i) no member of the family unit shall be eligible to receive food stamp benefits during the subsequent calendar month; and

''(ii) except as provided in subparagraph (B), the State agency shall not provide the food stamp benefit payment for all members of the family unit that otherwise would have been issued at the beginning of the next month.

''(B) ADMINISTRATIVE DELAY OF SANCTION.—

''(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), if it is administratively

infeasible for the State to not provide the food stamp benefit that would be issued at the beginning of the first month after the month of noncompliance, the State shall not provide the payment to all members of the family unit that otherwise would have been made at the beginning of the second month after the month of noncompliance.

''(ii) DEADLINE.—The sanction of benefits shall occur not later than 32 days after the end of the month of noncompliance.

''(iii) RELATIONSHIP OF PAYMENTS TO MEMBERS OF THE FAMILY UNIT.—At least 1 monthly payment to all members of the family unit shall be not provided for each month of noncompliance under subparagraph (A).

''(2) RESUMPTION OF BENEFITS AFTER SANCTION.—

''(A) IN GENERAL.—If a family unit has had the monthly benefit of the family unit not provided due to noncompliance with a work activity requirement under subsection (b), the family unit shall not be eligible to receive future benefits under the food stamp program, until—

''(i) the 1 or more work-eligible members of the family unit have participated in the work activation program under subsection (e) for at least 4 consecutive subsequent weeks and fulfilled the work activity standard for the family unit for that same 4-week period; or

''(ii) the family unit no longer contains any able-bodied, work-eligible adults.

''(B) LIMITATION.—The resumed benefits cannot restore or compensate for the benefits that were not provided due to the sanction imposed under paragraph (1).

''(d) WORK ACTIVATION IS NOT EMPLOYMENT.—Participation in work activation activities under this section shall—

''(1) not be considered to be employment; and

''(2) not be subject to any law pertaining to wages, compensation, hours, or conditions of employment under any law administered by the Secretary of Labor.

''(e) WORK ACTIVATION PROGRAM.—

''(1) PROGRAM.—Each State participating in the food stamp program shall carry out a work activation program.

''(2) PURPOSE.—

''(A) IN GENERAL.—The goal of each work activation program shall be to increase the employment of able-bodied, work-eligible adult food stamp recipients.

''(B) REQUIREMENT.—To accomplish the goal, each State shall require able-bodied adult food stamp recipients who are unemployed or under-employed to engage in work activation.

''(3) TARGET WORK ACTIVATION RATIOS.—

''(A) IN GENERAL.—Beginning on the date that is 180 days after the date of enactment of this section, a State shall engage able-bodied food stamp recipients in work activation each month in sufficient numbers to meet the following monthly target work activation ratios:

''(i) In 2014, the monthly target work activation ratio shall be 4 percent.

''(ii) In 2015 and each subsequent year, the monthly target work activation ratio shall be 7 percent.

''(B) LIMITATION ON EDUCATION AND TRAINING AS A COMPONENT OF WORK ACTIVATION.—For purposes of compliance by the State with the work activation ratios, not more than 20 percent of the monthly work activation participants counted by the State may be engaged in employment and training as a means of fulfilling the employment and work activation standards of the participants.

''(4) WORK ACTIVATION PRIORITY POPULATIONS.—

''(A) IN GENERAL.—In carrying out the work activation programs, a State shall give priority to participation by the following recipient groups:

''(i) Work-eligible adults without dependent children.

''(ii) Work-eligible adults who are also recipients of housing assistance.

''(iii) Other work-eligible recipients at the time of initial application for food stamp benefits.

''(B) PARTICIPATION SHARE.—Except as provided in subparagraph (C), at least 80 percent of the participants in a work activation program shall belong to at least 1 of the 3 priority groups listed in subparagraph (A).

''(C) EXCEPTION.—

''(i) IN GENERAL.—The percentage requirement in subparagraph (B) shall not apply if the number of recipients in the 3 priority groups in the State is insufficient to meet that requirement.

''(ii) PRIORITY.—In circumstances described in clause (i), the State shall continue to give priority to any recipients who belong to 1 of the 3 priority groups.

''(5) REIMBURSABLE EXPENSES OF PARTICIPANTS.—

''(A) IN GENERAL.—A State agency shall provide payments or reimbursements to participants in work activation carried out under this section for—

''(i) the actual costs of transportation and other actual costs (other than dependent care costs) that are reasonably necessary and directly related to participation in the work activation components of the program; and

''(ii) the actual costs of such dependent care expenses as are determined by the State agency to be necessary for the participation of an individual in the work activation components of the program (other than an individual who is the caretaker relative of a dependent in a family receiving benefits under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)) in a local area in which an employment, training, or education program under title IV of that Act (42 U.S.C. 601 et seq.) is in operation, on the condition that no such payment or reimbursement shall exceed the applicable local market rate.

''(B) VOUCHERS.—

''(i) IN GENERAL.—In lieu of providing reimbursements for dependent care expenses under subparagraph (A)(ii), a State agency may, at the option of the State agency, arrange for dependent care through providers by providing vouchers to the household to allow the recipient to choose between all lawful providers.

''(ii) VALUE OF VOUCHERS.—The value of a voucher shall not exceed the average local market rate.

''(C) VALUE OF SERVICES.—The value of any dependent care services provided for or arranged under subparagraph (A) or (B), or any amount received as a payment or reimbursement under subparagraph (A), shall—

''(i) not be treated as income for the purposes of any other Federal or federally assisted program that bases eligibility for, or the amount of benefits on, need; and

''(ii) not be claimed as an employment-related expense for the purposes of the credit provided under section 21 of the Internal Revenue Code of 1986.

''(6) PENALTIES FOR INADEQUATE STATE PERFORMANCE.—

''(A) DEFINITIONS.—In this paragraph:

''(i) NON-PERFORMANCE MONTH.—The term 'non-performance month' means a month in which a State fails to engage food stamp recipients in work activation in sufficient numbers to meet or exceed the appropriate target work activation ratio under paragraph (3).

''(ii) PENALTY MONTH.—The term 'penalty month' means a month in which a State is penalized for the failure.

''(B) PENALTY.—If, in a month, a State fails to engage food stamp recipients in work activation in sufficient numbers to meet or exceed the appropriate work activation ratio under paragraph (3), the Federal food stamp funding provided to the State in a subsequent penalty month shall be reduced in accordance with this paragraph.

''(C) TIMING.—The penalty month shall be not later than 4 months after the non-performance month.

''(D) REDUCTION.—The amount of Federal food stamp funding a State shall receive for the penalty month shall equal the product obtained by multiplying—

''(i) the amount of Federal food stamp funds the State would otherwise have received; and

''(ii) the quotient obtained by dividing—

''(I) the actual monthly work activation ratio achieved by the State in the penalty month; by

''(II) the target monthly work activation ratio for the penalty month.

''(7) REWARDS TO STATES FOR REDUCING GOVERNMENT DEPENDENCE.—

''(A) IN GENERAL.—If, in any future year, a State reduces the food stamp caseload of the State below the levels that existed in calendar year 2006, the State shall receive a financial reward for reducing dependence.

''(B) AMOUNT.—The reward shall equal ¼ of the savings to the Federal Government for that year that resulted from the caseload reduction.

''(C) USE OF REWARD.—A State may use reward funding under this paragraph for any purpose chosen by the State that—

''(i) provides benefits or services to individuals with incomes below 200 percent of the Federal poverty level;

''(ii) improves social outcomes in low-income populations;

''(iii) encourages healthy marriage; or

''(iv) increases self-sufficiency and reduces dependence.

''(8) AUTHORIZATION OF FUNDING.—

''(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to provide funds to State governments for the purpose of carrying out work activation programs in accordance with this section $2,500,000,000 for fiscal year 2014 and each subsequent fiscal year.

''(B) ALLOCATION AMONG STATES.—The total amount appropriated under subparagraph (A) for a fiscal year shall be allocated among the States in accordance with the proportion of each State's share of total funding for the food stamp program under this Act in fiscal year 2007.''.

(i) CONFORMING AMENDMENTS.—

(1) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(A) in subsection (a), in the second sentence, by striking '', 6(d)(2),'';

(B) in subsection (d)(14), by striking ''section 6(d)(4)(I)'' and inserting ''section 29'';

(C) in subsection (e)(3)(B)(ii), by striking ''subsection (d)(3)'' and inserting ''section 29''; and

(D) in the first sentence of subsection (g)(3), by striking ''section 6(d)'' and inserting ''section 29''.

(2) Section 7(i)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(i)(1)) is amended by striking ''section 6(o)(2)'' and inserting ''section 6(o)''.

(3) Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(A) by striking paragraph (19); and

(B) by redesignating paragraphs (20) through (23) as paragraphs (19) through (22), respectively.

(4) Section 16 of the Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended—

(A) in subsection (b)(4), by striking ''section 6(d)'' and inserting ''section 29''; and

(B) by striking subsection (h).

(5) Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended—

(A) in subsection (b)—

(i) in paragraph (1)(B)(iv)(III)—

(I) by striking item (bb); and

(II) by redesignating items (cc) through (jj) as items (bb) through (ii), respectively;

(ii) in paragraph (2), by striking the second sentence; and

(iii) in paragraph (3)(B), in the first sentence, by striking ''section 6(d)'' and inserting ''section 29,''; and

(B) by striking subsection (g).

(6) Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended—

(A) in subsection (b)—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively;

(B) by striking subsection (f); and

(C) by redesignating subsection (g) as subsection (f).

(7) Section 22(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)) is amended by striking paragraph (4).

(8) Section 26(f)(3)(E) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(f)(3)(E)) is amended by striking ''(22), and (23)'' and inserting ''(21), and (22)''.

(9) Section 501(b)(2)(E) of the Workforce Investment Act of 1998 (20 U.S.C. 9271(b)(2)(E)) is amended by striking ''section 6(d)'' and all that follows through the end and inserting ''section 29 of the Food and Nutrition Act of 2008.''.

(10) Section 112(b)(8)(A)(iii) of the Workforce Investment Act of 1998 (29 U.S.C. 2822(b)(8)(A)(iii)) is amended by striking ''section 6(d)(4)'' and all that follows through ''(7 U.S.C. 2015(d)(4))'' and inserting ''section 29 of the Food and Nutrition Act of 2008''.

(11) Section 121(b)(2)(B)(ii) of the Workforce Investment Act of 1998 (29 U.S.C. 2841(b)(2)(B)(ii)) is amended by striking ''section 6(d)(4)'' and all that follows through the end and inserting ''section 29 of the Food and Nutrition Act of 2008;''.

SEC. _____. CATEGORICAL ELIGIBILITY LIMITED TO CASH ASSISTANCE.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the second sentence of subsection (a), by striking ''households in which each member receives benefits'' and inserting ''households in which each member receives cash assistance''; and

(2) in subsection (j), by striking ''who receives benefits'' and inserting ''who receives cash assistance''.

SEC. _____. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCE.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (e)(6)(C), by striking clause (iv), and

(2) in subsection (k), by striking paragraph (4) and inserting the following:

''(4) THIRD PARTY ENERGY ASSISTANCE PAYMENTS.—For purposes of subsection (d)(1), a payment made under a State law (other than a law referred to in paragraph (2)(G)) to provide energy assistance to a household shall be considered money payable directly to the household.''.

(b) CONFORMING AMENDMENTS.—Section 2605(f)(2) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''and for purposes of determining any excess shelter expense deduction under section 5(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e))'', and

(2) in subparagraph (A), by inserting before the semicolon the following: '', except that such payments or allowances shall not be considered to be expended for purposes of determining any excess shelter expense deduction under section 5(e)(6) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6))''.

SA 1108. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 929, between lines 2 and 3, insert the following:

SEC. 73___. AGRICULTURAL TECHNOLOGY INNOVATION PARTNERSHIP PILOT PROGRAM FOR REGIONAL COLLABORATION AND INNOVATIVE VENTURE DEVELOPMENT TRAINING.

Subtitle A of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 is amended by adding after section 604 (7 U.S.C. 7642) the following:

''SEC. 605. AGRICULTURAL TECHNOLOGY INNOVATION PARTNERSHIP PILOT PROGRAM FOR REGIONAL COLLABORATION AND INNOVATIVE VENTURE DEVELOPMENT TRAINING.

''(a) IN GENERAL.—Funds made available under this section shall be used to provide regional collaborations, technology transfer and commercialization, and innovative venture development training under the Agricultural Technology Innovation Partnership program of the Office of Technology Transfer in the Agricultural Research Service.

''(b) FUNDING.—Of the funds made available to the Agricultural Research Service, the Secretary shall use to carry out this section $500,000 for each of fiscal years 2014 through 2018.''.

SA 1109. Mr. WICKER (for himself, Mr. VITTER, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1150, after line 15, add the following:

SEC. 122_____. GRASSROOTS RURAL AND SMALL COMMUNITY WATER SYSTEMS ASSISTANCE.

(a) FINDINGS.—Congress finds that—

(1) the Safe Drinking Water Act Amendments of 1996 (Public Law 104–182) authorized technical assistance for small and rural communities to assist those communities in complying with regulations promulgated pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(2) technical assistance and compliance training—

(A) ensures that Federal regulations do not overwhelm the resources of small and rural communities; and

(B) provides small and rural communities lacking technical resources with the necessary skills to improve and protect water resources;

(3) across the United States, more than 90 percent of the community water systems serve a population of less than 10,000 individuals;

(4) small and rural communities have the greatest difficulty providing safe, affordable public drinking water and wastewater services due to limited economies of scale and lack of technical expertise; and

(5) in addition to being the main source of compliance assistance, small and rural water technical assistance has been the main source of emergency response assistance in small and rural communities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) to most effectively assist small and rural communities, the Environmental Protection Agency should prioritize the types of technical assistance that are most beneficial to those communities, based on input from those communities; and

(2) local support is the key to making Federal assistance initiatives work in small and rural communities to the maximum benefit.

(c) FUNDING PRIORITIES.—Section 1442(e) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)) is amended—

(1) by designating the first through seventh sentences as paragraphs (1) through (7), respectively;

(2) in paragraph (5) (as so designated), by striking ''1997 through 2003'' and inserting ''2014 through 2019''; and

(3) by adding at the end the following:

''(8) NONPROFIT ORGANIZATIONS.—

''(A) IN GENERAL.—The Administrator may use amounts made available to carry out this section to provide technical assistance to nonprofit organizations that provide to small public water systems onsite technical assistance, circuit-rider technical assistance programs, onsite and regional training, assistance with implementing source water protection plans, and assistance with implementation monitoring plans, rules, regulations, and water security enhancements.

''(B) PREFERENCE.—To ensure that technical assistance funding is used in a manner that is most beneficial to the small and rural communities of a State, the Administrator shall give preference under this paragraph to nonprofit organizations that, as determined by the Administrator, are the most qualified and experienced and that the small community water systems in that State find to be the most beneficial and effective.''.

SA 1110. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 83, strike line 16 and all that follows through page 84, line 18, and insert the following:

Subtitle C—Sugar Program Repeal

SEC. 1301. REPEAL OF SUGAR PROGRAM.

Section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272) is repealed.

SEC. 1302. ELIMINATION OF SUGAR PRICE SUPPORT AND PRODUCTION ADJUSTMENT PROGRAMS.

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

(1) a processor of any of the 2014 or subsequent crops of sugarcane or sugar beets shall not be eligible for a loan under any provision of law with respect to the crop; and

(2) the Secretary of Agriculture may not make price support available, whether in the form of a loan, payment, purchase, or other operation, for any of the 2014 and subsequent crops of sugar beets and sugarcane by using the funds of the Commodity Credit Corporation or other funds available to the Secretary.

(b) TERMINATION OF MARKETING QUOTAS AND ALLOTMENTS.—

(1) IN GENERAL.—Part VII of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa et seq.) is repealed.

(2) CONFORMING AMENDMENT.—Section 344(f)(2) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1344(f)(2)) is amended by

striking ''sugar cane for sugar, sugar beets for sugar,''.

(c) GENERAL POWERS.—

(1) SECTION 32 ACTIVITIES.—Section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), is amended in the second sentence of the first paragraph—

(A) in paragraph (1), by inserting ''(other than sugar beets and sugarcane)'' after ''commodities''; and

(B) in paragraph (3), by inserting ''(other than sugar beets and sugarcane)'' after ''commodity''.

(2) POWERS OF COMMODITY CREDIT CORPORATION.—Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c(a)) is amended by inserting '', sugar beets, and sugarcane'' after ''tobacco''.

(3) PRICE SUPPORT FOR NONBASIC AGRICULTURAL COMMODITIES.—Section 201(a) of the Agricultural Act of 1949 (7 U.S.C. 1446(a)) is amended by striking ''milk, sugar beets, and sugarcane'' and inserting '', and milk''.

(4) COMMODITY CREDIT CORPORATION STORAGE PAYMENTS.—Section 167 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7287) is repealed.

(5) SUSPENSION AND REPEAL OF PERMANENT PRICE SUPPORT AUTHORITY.—Section 171(a)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7301(a)(1)) is amended—

(A) by striking subparagraph (E); and

(B) by redesignating subparagraphs (F) through (I) as subparagraphs (E) through (H), respectively.

(6) STORAGE FACILITY LOANS.—Section 1402(c) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7971) is repealed.

(d) TRANSITION PROVISIONS.—This section and the amendments made by this section shall not affect the liability of any person under any provision of law as in effect before the application of this section and the amendments made by this section.

SEC. 1303. ELIMINATION OF SUGAR TARIFF AND OVER-QUOTA TARIFF RATE.

(a) ELIMINATION OF TARIFF ON RAW CANE SUGAR.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking subheadings 1701.13 through 1701.14.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.13, as in effect on the day before the date of the enactment of this section:

''	1701.13.00	Cane sugar specified in subheading note 2 to this chapter	Free		39.85¢/kg	
	1701.14.00	Other cane sugar	Free		39.85¢/kg	''.

(b) ELIMINATION OF TARIFF ON BEET SUGAR.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking subheadings 1701.12 through 1701.12.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.12, as in effect on the day before the date of the enactment of this section:

''	1701.12.00	Beet sugar	Free		42.05¢/kg	''.

(c) ELIMINATION OF TARIFF ON CERTAIN REFINED SUGAR.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking the superior text immediately preceding subheading 1701.91.05 and by striking subheadings 1701.91.05 through 1701.91.30 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.12.05, as in effect on the day before the date of the enactment of this section:

''	1701.91.02	Containing added coloring but not containing added flavoring matter	Free		42.05¢/kg	'';

(2) by striking subheadings 1701.99 through 1701.99.50 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1701.99, as in effect on the day before the date of the enactment of this section:

''	1701.99.00	Other	Free		42.05¢/kg	'';

(3) by striking the superior text immediately preceding subheading 1702.90.05 and by striking subheadings 1702.90.05 through 1702.90.20 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 1702.60.22:

''	1702.90.02	Containing soluble non-sugar solids (excluding any foreign substances, including but not limited to molasses, that may have been added to or developed in the product) equal to 6 percent or less by weight of the total soluble solids	Free		42.05¢/kg	'';

and

(4) by striking the superior text immediately preceding subheading 2106.90.42 and by striking subheadings 2106.90.42 through 2106.90.46 and inserting in numerical sequence the following new subheading, with the article description for such subheading having the same degree of indentation as the article description for subheading 2106.90.39:

''	2106.90.40	Syrups derived from cane or beet sugar, containing added coloring but not added flavoring matter	Free		42.50¢/kg	''.

(d) CONFORMING AMENDMENT.—Chapter 17 of the Harmonized Tariff Schedule of the United States is amended by striking additional U.S. note 5.

(e) ADMINISTRATION OF TARIFF-RATE QUOTAS.—Section 404(d)(1) of the Uruguay Round Agreements Act (19 U.S.C. 3601(d)(1)) is amended—

(1) by inserting ''or'' at the end of subparagraph (B);

(2) by striking ''; or'' at the end of subparagraph (C) and inserting a period; and

(3) by striking subparagraph (D).

(f) EFFECTIVE DATE.—The amendments made by this section apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

SEC. 1304. APPLICATION.

Except as otherwise provided in this subtitle, this subtitle and the amendments made by this subtitle shall apply beginning with the 2014 crop of sugar beets and sugarcane.

SA 1111. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

Beginning on page 858, strike line7 and all that follows through page 860, line 9, and insert the following:

''(k) BROADBAND BUILDOUT DATA.—

''(1) IN GENERAL.—As a condition of receiving a grant, loan, or loan guarantee under this section, a recipient of assistance shall provide to the Secretary address-level broadband buildout data that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee not later than 30 days after the earlier of—

''(A) the date of completion of any project milestone established by the Secretary; or

''(B) the date of completion of the project.

''(2) ADDRESS-LEVEL DATA.—The Secretary shall make accessible to each State and provide to the Administrator of the National Broadband Map the address-level broadband buildout data described in paragraph (1) for inclusion, to the extent practicable, in the National Broadband Map.'';

SA 1112. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 123, between lines 13 and 14, insert the following:

Subpart D—Dairy Block Grant Program

SEC. 14___. ESTABLISHMENT OF PILOT DAIRY BLOCK GRANT PROGRAM.

(a) PURPOSE.—The purpose of this section is to require the Secretary to make grants to States to be used by State departments of agriculture solely to enhance the competitiveness of dairy farms, specifically by providing technical assistance to promote farm productivity, profitability, and environmental stewardship.

(b) ESTABLISHMENT.—The Secretary shall establish and administer a pilot program to achieve the purpose of this section under

which the Secretary shall make block grants in amounts to be determined by the Secretary to eligible States, as determined by the Secretary.

(c) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State department of agriculture shall prepare and submit, for approval by the Secretary, an application at such time, in such a manner, and containing such information as the Secretary shall require, including—

(A) a State plan that meets the requirements described in paragraph (2);

(B) an assurance that the State will comply with the requirements of the plan; and

(C) an assurance that grant funds received under this section shall supplement, and not supplant, the expenditure of State funds in support of dairy farms in the State.

(2) PLAN REQUIREMENTS.—A State plan shall—

(A) identify the lead agency charged with the responsibility of carrying out the plan; and

(B) indicate the manner in which grant funds will be use to enhance the competitiveness of dairy farms.

(d) ADMINISTRATION.—Grants made to an eligible State under subsection (b) shall be administered by the department of agriculture of the State.

(e) STATE PROGRAM AUTHORITY.—In carrying out the block grant program in a State, an eligible State may determine participant eligibility.

(f) REPORT.—At the conclusion of the block grant program, the Secretary shall submit to Congress a report describing the results of the program.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000, to remain available until expended.

SA 1113. Ms. LANDRIEU (for herself, Mr. MENENDEZ, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle D—National Flood Insurance Program

SEC. 12301. DELAY IN IMPLEMENTATION OF SECTION 100207 OF THE BIGGERT-WATERS FLOOD INSURANCE REFORM ACT OF 2012.

Notwithstanding any other provision of law, section 1308(h) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(h)), as added by section 100207 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 919), shall have no force or effect until the date that is 3 years after the date of enactment of this Act.

SEC. 12302. AFFORDABILITY STUDY.

Section 100236 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112–141; 126 Stat. 957) is amended—

(1) in subsection (c), by striking ''Not'' and inserting the following: ''Subject to subsection (e), not'';

(2) in subsection (d)—

(A) by striking ''Notwithstanding'' and inserting the following:

''(1) NATIONAL FLOOD INSURANCE FUND.—Notwithstanding''; and

(B) by adding at the end the following:

''(2) OTHER FUNDING SOURCES.—To carry out this section, in addition to the amount made available under paragraph (1), the Administrator may use any other amounts that are available to the Administrator.''; and

(3) by adding at the end the following:

''(e) ALTERNATIVE.—If the Administrator determines that the report required under subsection (c) cannot be submitted by the date specified under subsection (c)—

''(1) the Administrator shall notify, not later than 60 days after the date of enactment of this subsection, the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives of an alternative method of gathering the information required under this section;

''(2) the Administrator shall submit, not later than 180 days after the Administrator submits the notification required under paragraph (1), to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives the information gathered using the alternative method described in paragraph (1); and

''(3) upon the submission of information required under paragraph (2), the requirement under subsection (c) shall be deemed satisfied.''.

SA 1114. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 1096, between lines 15 and 16, insert the following:

SEC. 110__. MARKET LOSS PILOT ENDORSEMENT PROGRAM.

Section 523 of the Federal Crop Insurance Act (7 U.S.C. 1523) is amended by adding at the end the following:

''(i) MARKET LOSS PILOT ENDORSEMENT PROGRAM.—

''(1) IN GENERAL.—To the extent practicable starting with the 2014 reinsurance year, notwithstanding subsection (a)(1) and the limitation on premium increases in section 508(i)(1), the Corporation shall establish and carry out a market loss pilot endorsement program for producers of specialty crops (as defined in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465)).

''(2) LOSSES COVERED.—The endorsement authorized under this subsection shall cover losses of a defined commodity due to a quarantine imposed under Federal law, pursuant to the terms of which the commodity is destroyed, may not be marketed, or otherwise may not be used for its intended purpose (as determined by the Secretary).

''(3) BUY-UP REQUIREMENT.—An endorsement authorized under this subsection shall be purchased as part of a policy or plan of insurance at the additional coverage level.

''(4) DETERMINATION BY BOARD.—The Board shall approve a policy or plan of insurance proposed under paragraph (1) if, as determined by the Board, the policy or plan of insurance—

''(A) protects the interest of producers;

''(B) is actuarially sound; and

''(C) requires the payment of premiums and administrative fees by a producer obtaining the insurance.''.

SA 1115. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 954, to reauthorize agricultural programs through 2018; which was ordered to lie on the table; as follows:

On page 877, after line 18, insert the following:

SEC. 6208. GAO REPORT ON UNIVERSAL SERVICE REFORMS.

(a) PURPOSE.—The purpose of the report required under subsection (b) is to aid Congress in monitoring and measuring the effects of a series of reforms by the Federal Communications Commission (in this section referred to as the ''FCC'') intended to promote the availability and affordability of broadband service throughout the United States.

(b) REPORT.—The Comptroller General of the United States shall prepare a report providing detailed measurements, statistics, and metrics with respect to—

(1) the progress of implementation of the reforms adopted in the FCC's Report and Order and Further Notice of Proposed Rulemaking adopted on October 27, 2011 (FCC 11–161) (in this section referred to as the ''Order'');

(2) the effects, if any, of such reforms on retail end user rates during the applicable calendar year for—

(A) local voice telephony services (including any subscriber line charges and access recovery charges assessed by carriers upon purchasers of such services);

(B) interconnected VoIP services;

(C) long distance voice services;

(D) mobile wireless voice services;

(E) bundles of voice telephony or VoIP services (such as local and long distance voice packages);

(F) fixed broadband Internet access services; and

(G) mobile broadband Internet access services;

(3) any disparities or trends detectable during the applicable calendar year with respect to the relative average (such as per-consumer) retail rates charged for each of the services listed in paragraph (2) to consumers (including both residential and business users) located in rural areas and urban areas;

(4) any disparities or trends detectable during the applicable calendar year with respect to the relative average (such as per-consumer) retail rates charged for each of the services listed in paragraph (2) as between incumbent local exchange carriers subject to rate-of-return regulation;

(5) the effects, if any, of those reforms adopted in the Order on average fixed and mobile broadband Internet access speeds, respectively, available to residential and business consumers, respectively, during the applicable calendar year;

(6) any disparities or trends detectable during the applicable calendar year with respect to the relative average fixed and mobile broadband Internet access speeds, respectively, available to residential and business consumers, respectively, in rural areas and urban areas;

(7) the effects, if any, of those reforms adopted in the Order on the magnitude and pace of investments in broadband-capable networks in rural areas, including such investments financed by the Department of Agriculture's Rural Utilities Service under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.);

(8) any disparities or trends detectable during the applicable calendar year with respect to the relative magnitude and pace of investments in broadband-capable networks in rural areas and urban areas;

(9) any disparities or trends detectable during the applicable calendar year with respect to the magnitude and pace of investments in broadband-capable networks in areas served by carriers subject to rate-of-return regulation;

(10) the effects, if any, of those reforms adopted in the Order on adoption of broadband Internet access services by end users;

(11) the effects, if any, of such reforms on State universal service funds or other State universal service initiatives, including carrier-of-last-resort requirements that may be enforced by any State; and

(12) the effects, if any, of such reforms in minimizing consumer payment burdens, curbing the growth of the universal service fund, and improving the economic efficiency of the universal service program.

(c) TIMING.—On or before December 31, 2013, and annually thereafter for the following 5 calendar years, the Comptroller General shall submit the report required under subsection (b) to the following:

(1) The Committee on Commerce, Science, and Transportation of the Senate.

(2) The Committee on Agriculture, Nutrition, and Forestry of the Senate.

(3) The Committee on Energy and Commerce of the House of Representatives.

(4) The Committee on Agriculture of the House of Representatives.

(d) DATA INCLUSION.—The report required under subsection (b) shall include all data that the Comptroller General deems relevant to and supportive of any conclusions drawn with respect to the effects of the FCC's reforms and any disparities or trends detected in the items subject to the report.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to grant the Comptroller General of the United States with any new or additional authority, or to aggrandize, add, or expand any authority currently vested in the Comptroller General.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Thursday, June 6, 2013, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to examine the progress made by Native Hawaiians toward stated goals of the Hawaiian Homelands Commission Act.

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 danielle_deraney@energy.senate.gov.

For further information, please contact Cisco Minthorn at (202) 224–4756 or Danielle Deraney at (202) 224–1219.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, June 6, 2013, at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the programs and activities of the Department of the Interior.

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 should send it to the Committee on Energy and Natural Resources, United States Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to john_assini@energy.senate.gov.

For further information, please contact David Brooks (202) 224–9863 or John Assini (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 22, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Senate Building.

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

COMMITTEE ON FINANCE

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on, May 22, 2013, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''S. 662, the Trade Facilitation and Trade Enforcement Act of 2013.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 22, 2013, at 10:30 a.m., to hold a International Development and Foreign Assistance, Economic Affairs, International Environmental Protection, and Peace Corps subcommittee hearing entitled, ''Different Perspectives on International Development.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on, May 22, 2013, at 10 a.m. in SC–430.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 22, 2013, at 10 a.m. to conduct a hearing entitled ''Performance Management and Congressional Oversight: 380 Recommendations to Reduce Overlap and Duplication to Make Washington More Efficient.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 22, 2013, at 5 p.m.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 22, 2013, at 10 a.m. in room 428A Russell Senate Office Building to conduct a roundtable entitled ''Bridging the Skills Gap: How the STEM Education Pipeline Can Develop a High-Skilled American Workforce for Small Business.

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

SPECIAL COMMITTEE ON AGING

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on May 22, 2013, to conduct a hearing entitled ''10 Years Later: A Look at the Medicare Prescription Drug Program.''

The Committee will meet in room 366 of the Dirksen Senate Office Building beginning at 2:30 p.m.

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

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Financial and Contracting Oversight be authorized to meet during the session of the Senate on May 22, 2013, at 2 p.m. to conduct a hearing entitled, ''Oversight and Business Practices of Durable Medical Equipment Companies.''

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

SUBCOMMITTEE ON WATER AND WILDLIFE

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Subcommittee on Water and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 22, 2013, at 2:30 p.m. in room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Nutrient Trading and Water Quality.''

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

PRIVILEGES OF THE FLOOR

Mr. WICKER. Mr. President, I ask unanimous consent that Ian Mulcahy, Emily Smail, and Donald Rausch, legislative fellows on my staff, be granted

the privilege of the floor during the remainder of this Congress.

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

STOLEN VALOR ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 258, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 258) to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

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

The bill (H.R. 258) was ordered to a third reading, was read the third time, and passed.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appoints the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 113th Congress: The Honorable JOHN BOOZMAN of Arkansas.

ORDERS FOR THURSDAY, MAY 23, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, May 23, 2013; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 10:30 a.m. with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. REID. There will be two votes at 10:30 a.m. tomorrow. The first vote will be a cloture vote on the D.C. Circuit Court of Appeals nomination, and the second vote will be on the Sanders amendment to the farm bill. We will continue to work through more amendments on the farm bill tomorrow. Senators will be notified when any votes are scheduled.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:47 p.m., adjourned until Thursday, May 23, 2013, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN HONOR OF THE 95TH ANNIVERSARY OF THE AZERBAIJAN DEMOCRATIC REPUBLIC

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mrs. DAVIS of California. Mr. Speaker, I rise today to congratulate the people of the Republic of Azerbaijan in general, and the Azerbaijani community of San Diego in particular, on the 95th anniversary of the Azerbaijan Democratic Republic.

On May 28, 1918, Azerbaijan declared its independence and established the Azerbaijan Democratic Republic. The first-ever parliamentary democracy in the Muslim world, Azerbaijan proclaimed the right to vote for all regardless of race, gender, ethnicity, and religion, preceding even the United States in granting women equal political rights with men.

This Republic was recognized by many advanced nations of the time, including the United States. In fact, following a meeting with a delegation of the Azerbaijan Democratic Republic during the Paris Peace Conference in 1919, President Woodrow Wilson remarked that he and these men spoke the same language with respect to conceptions of liberty, right, and justice.

Tragically, Azerbaijan's independence was interrupted when the Russian Red Army invaded the nation in 1920. Only in 1991, as the Soviet Union disintegrated, were the people of Azerbaijan given a second chance to restore their democracy and rejoin the world's community of free nations.

Over the last twenty–two years, the Republic of Azerbaijan has consolidated its sovereignty and independence, and has become one of the fastest growing economies in the region and beyond. Azerbaijan is also a staunch ally and strategic partner of the United States in the critically important Caspian region.

I congratulate the people of Azerbaijan on this important anniversary, and commend them on their continued efforts and commitment to building a strong and vibrant Azerbaijan.

WHEATLAND UNION HIGH SCHOOL SELECTED AS A 2013 CALIFORNIA DISTINGUISHED SCHOOL

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. GARAMENDI. Mr. Speaker, I rise today to congratulate Wheatland Union High School on its selection as a 2013 California Distinguished School.

The California Distinguished School award is given by the California State Board of Education to public schools that best demonstrate educational excellence for all students and progress in narrowing the achievement gap. It is awarded to approximately five percent of California schools each year, and none is more deserving than Wheatland Union High School.

Since it was established in 1907, Wheatland Union High School has been a cornerstone of the south Yuba County community, which has a rich history of supporting the state's vital agricultural sector. Serving the communities of Wheatland, Plumas Lake and Smartsville, as well as Beale Air Force Base, the high school covers an astounding 150 square miles, and has always been dedicated to providing the best possible education for all students. This is the first formal acknowledgement of their efforts.

Mr. Speaker, I am honored to recognize the impressive achievement of this fine school. I ask my colleagues to join me in congratulating Wheatland Union High School and thanking them for their continued efforts in serving Yuba County students.

A TRIBUTE IN HONOR OF THE LIFE OF THE HONORABLE ROBERT HOWARD BURY, SR.

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor the life of a great and good man, a man who lived a life of service to his country and his community. Robert Howard Bury died peacefully, surrounded by his loving family, at the age of 94 on May 2, 2013.

Bob Bury was born in San Francisco to Helen and Howard Bury. He and his sister Gloria lived a happy but impecunious life with them. At an early age Bob delivered newspapers and groceries to help make ends meet for the family. This early training served him well in his later career as a successful tire dealer in Redwood City and Palo Alto.

Bob Bury was a fine provider for his family and his life was synonymous with service. He served his country in the United States Navy, with four years in combat in the Pacific. He was a Machinists Mate 1st Class and served on the USS *Karnes,* an attack transport ship. Bob was proud of being aboard the *Karnes* during the Battle of Okinawa when the ship was delivering reinforcements of troops and equipment, despite being under Kamikaze attack.

Bob also served his community through his many years of extraordinary service to his beloved home town, Redwood City. He served 24 years on the Redwood City Council, seeing the City through many difficult years, and was Mayor from 1968 to 1972. He served in leadership posts in countless organizations, including the Redwood City Chamber of Commerce, the Redwood City Port Commission, Redwood City Kiwanis, and the San Mateo County Visitors Bureau. Bob retired from service only two years ago when he left the San Mateo County Mosquito and Vector Control District Board. Bob Bury earned and deserved the sobriquet "Mr. Redwood City"!

Bob adored his family, and they him. He leaves his beloved wife of 70 years, June. He also leaves four children; Susan (Harry Battin), Bob Bury Jr. (Sue Subbot), Judy Bury Alessandri (Tom Alessandri), and Patricia Bury, as well as several grandchildren who affectionately called him "Bobbie".

Mr. Speaker, I ask my colleagues to join me in honoring the extraordinary life and accomplishments of Bob Bury, and in extolling his life of service to others. I also ask my colleagues to join me in extending our most sincere condolences to Bob Bury's family, for their loss is a great one. I'm very proud to have had the opportunity to know and work with Bob Bury and even prouder to call him my friend. Through his leadership, integrity and decency, he made our country and our community stronger and better.

UNLISTED U.S. ARMY EOD/BOMB DISPOSAL CAUSALITY

HON. ERIC A. "RICK" CRAWFORD

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. CRAWFORD. Mr. Speaker, I would like to submit the following:

[Researched by SGM Mike R. Vining, USA Retired]

This is a list of Army Bomb Disposal/Explosive Ordnance Disposal deaths involving either training, performing bomb disposal duties, or involvement in combat or post combat operations regardless of duty assignment at the time of death or illness resulting in death.

American Battle Monuments Commission—WWII: All the below profiles marked with (*) are listed on this website. Type in their last name [leave a space] first name and hit the search button.

American Battle Monuments Commission—Korea: All the below profiles marked with (+) are listed on this website. Type in their last name [leave a space] first name and hit the search button.

1. PVT C.E. Mullenix was killed on 15 May 1943. A report from the 10th Bomb Disposal Squad states that on 15 May 1943, PVT C. E. Mullenix was killed by an explosion during training at Aberdeen, Maryland. 2LT Jesse F. Donovan and PVT D. J. Kueter were also injured in the same accident. 2LT Donovan and PVT Kueter were briefly hospitalized and released. It is believed by a roommate of PVT Mullenix that they were on a work detail to move unstable WWI artillery rounds. No other details given. This information was provided by LTC Robert Leiendecker, USA (Retired) with additional information provided by Dr. Jeffrey M. Leatherwood, Ph.D.

2. PFC Laurence C. Paystrup was killed and SGT Ira Wiggins was mortally wounded on 26 May 1943. SGT Wiggins died from his

wounds on 27 May 1943. PFC Paystrup and SGT Wiggins were assigned to the 2nd Ordnance Bomb Disposal Squad. Their deaths were the result of five M9A1 anti-tank rifle grenades falling from a truck and detonating at Speitla, Tunisia.

Additional Facts: Born: 6 July 1919; Age: 23; Home State: Utah; Buried: Levan Cemetery, Levan, Utah.

Find-A-Grave—PFC Paystrup

3. SGT Ira Wiggins was mortally wounded and PFC Laurence C. Paystrup were killed and on 26 May 1943. SGT Wiggins died from his wounds on 27 May 1943. SGT Wiggins and PFC Paystrup were assigned to the 2nd Ordnance Bomb Disposal Squad. Their deaths were the result of five M9A1 anti-tank rifle grenades falling from a truck and detonating at Speitla, Tunisia.

4. CPT Frederick Harrison ''Harrison'' Dillon and 1LT Steven ''Steve'' Todorovich, Jr. were presumed killed on 10 October 1943. CPT Dillon and 1LT Todorovich were assigned to the 235th Ordnance Bomb Disposal Company (Provisional). CPT Dillon was commander of the 235th Ordnance Bomb Disposal Company (Provisional). CPT Dillon and 1LT Tordorvich were listed as passenger onboard a North American B–25C Mitchell bomber (Serial Number 42–6451) that departed at 1420 hours, 10 October 1943. The aircraft was armed with only seven .50 caliber machineguns. The aircraft was flying a ''ferry'' route between Algiers, Algeria and Tunis, Tunisia when the aircraft disappeared and presumed crashed somewhere in the Mediterranean Sea. Algiers was the Headquarters for Allied Forces in North Africa and it is assumed that CPT Dillon and 1LT Todorovich were traveling on official bomb disposal business. CPT Dillon and 1LT Todorovich were likely scheduled to make a connecting flight from Tunis to Naples, Italy. At the time of their disappearance their duty location was Palermo, Sicily. Despite investigations by the Army Air Force, neither wreckage, nor remains have been recovered. CPT Dillon is listed as missing-in-action, non-battle casualty. Also listed as missing in action on the flight is the pilot 1LT Herbert L. Hastings, copilot 2LT Ray Brown Lobdell, and crew chief S/Sgt William B. Brezee of 379th Bomber Squadron, 310th Bomber Group, Medium, 12th Air Force, and a third passenger CPT Lewis T. Stoneburner III, Medical Corps, 45th General Hospital.

Note: The 235th Ordnance Bomb Disposal Company (Provisional) had five killed-in-actions, four officers and one enlisted, but no names, dates, or circumstances.

Source Documents: Missing Air Crew Report No. 1102, 27 October 1943 and Routine Casualty Report No. 26121, 21 November 1943. Dr. Jeffrey M. Leatherwood, Ph.D. was instrumental in obtaining these documents and conducting this research. Additional information was provided by Ed Dillon, Major USAF (Retired), a cousin of CPT F.H. Dillon.

Additional Facts: Service Number: O1548195; Born: February 1918, Utica, New York, Age: 25; Home State: New York; Memorial: Tablets of the Missing at Sicily-Rome American Cemetery and Memorial, Nettuno, Italy (*).

Find-A-Grave—CPT Dillon

Defense POW and MIA Office—WWII Army ''D''

5. 1LT Steven ''Steve'' Todorovich, Jr. and CPT Frederick Harrison ''Harrison'' Dillon were presumed killed on 10 October 1943. CPT Dillon and 1LT Todorovich were assigned to the 235th Ordnance Bomb Disposal Company (Provisional). 1LT Todorovich was commander of the 1st Platoon of the 235th Ordnance Bomb Disposal Company (Provisional). 1LT Tordorvich and CPT Dillon were listed as passenger onboard a North American B–25C Mitchell bomber (Serial Number 42–6451) that departed at 1420 hours, 10 October 1943. The aircraft was armed with only seven .50 caliber machineguns. The aircraft was flying a ''ferry'' route between Algiers, Algeria and Tunis, Tunisia when the aircraft disappeared and presumed crashed somewhere in the Mediterranean Sea. Algiers was the Headquarters for Allied Forces in North Africa and it is assumed that 1LT Todorovich and CPT Dillon were traveling on official bomb disposal business. 1LT Todorovich and CPT Dillon were likely scheduled to make a connecting flight from Tunis to Naples, Italy. At the time of their disappearance their duty location was Palermo, Sicily. Despite investigations by the Army Air Force, neither wreckage, nor remains have been recovered. At the time of their disappearance their duty location was Palermo, Sicily. 1LT Todorovich is listed as missing-in-action, non-battle casualty. Also listed as missing in action on the flight is the pilot 1LT Herbert L. Hastings, copilot 2LT Ray Brown Lobdell, and crew chief S/Sgt William B. Brezee of 379th Bomber Squadron, 310th Bomber Group, Medium, 12th Air Force, and a third passenger CPT Lewis T. Stoneburner III, Medical Corps, 45th General Hospital.

Note: The 235th Ordnance Bomb Disposal Company (Provisional) had five killed-in-actions, four officers and one enlisted, but no names, dates, or circumstances.

Source Documents: Missing Air Crew Report No. 1102, 27 October 1943 and Routine Casualty Report No. 26121, 21 November 1943. Dr. Jeffrey M. Leatherwood, Ph.D. was instrumental in obtaining these documents and conducting this research. Additional information was provided by Ed Dillon, Major USAF (Retired), a cousin of CPT F.H. Dillon.

Additional Facts: Service Number: O1550517; Home State: Maryland; Memorial: Tablets of the Missing at Sicily-Rome American Cemetery and Memorial, Nettuno, Italy (*).

Find-A-Grave—1LT Todorovich

Defense POW and MIA Office—WWII Army ''T''

6. T/5 CPL Herbert M. Paszotta was killed on 11 November 1943. T/5 CPL Paszotta was assigned to the 1st Ordnance Bomb Disposal Squad. T/5 CPL Paszotta died from injuries he received in an accident involving two trucks in the vicinity of Paestum, Italy.

Note: From LTC Bob Leiendecker, USA (Retied): I have a document that lists a T/5 Panzota as one of the original members of the 1st Ordnance Bomb Disposal Squad when it was activated on 17 February 1943. Then another document says, quote, ''CPL Herbert Pazsotta was killed in an accident today. His loss is keenly felt by members of both squads,'' end quote. That entry was on 11 November 1943.

Additional Facts: Service Number: 35369347; Home State: Indiana; Buried: Sicily-Rome American Cemetery and Memorial, Nettuno, Italy, Plot: C, Row: 6, Grave: 46 (*).

Find-A-Grave T/5 CPL Paszotta

7. T/5 CPL Philip J. Zore was killed on 20 May 1944. T/5 CPL Zore was assigned to the 142nd Ordnance Bomb Disposal Squad.

Note: From LTC Robert Leiendecker, USA (Retired): I have a copy of the History of the 142nd Bomb Disposal Squad for May 1944 and I will quote the entry in it. Members of the squad were at a farewell dance for members of the 235th Ordnance Bomb Disposal Company (Provisional) that had been deactivated. T15 CPL Zore had been chosen from the 235th Ordnance Bomb Disposal Company (Provisional) along with others to be a charter member of the new 142nd Ordnance Bomb Disposal Squad. The dance was in honor of those that had not been placed in squads and would be soon departing. The date for the dance was 19 May 1944 and arrangements were made to have (chaperoned) Woman Army Corps (WACs) personnel on hand along with several Italian women (Signorinas).

142nd Ordnance Bomb Disposal Squad history: Quote, ''At the conclusion of the dance the drivers prepared their 6x6's for the taxi service afforded the Signorinas. The girls were taken home and the drivers returned. T15 CPL Zore, one of the designated drivers, asked for special permission to escort his (new girl) friend home and it was granted. Although much of the mystery has not been cleared, whether it was foul play or just accidental, Zore's body was found afloat (in a pond) not far from the home of his (girl) friend the following morning. Since the victim was one of the author's closest friends he has chosen not to dwell on the subject any more than possible, but he feels his death should be recorded in our history as a memorial to his friendship'' unquote. Zore's vehicle was not found. One of Zore's buddies identified his corpse, and remembered this puzzling incident long afterward.

Note: The 235th Ordnance Bomb Disposal Company (Provisional) had five killed-in-actions, four officers and one enlisted, but no names, dates, or circumstances.

Additional Facts: Service Number: 36252406; Home State: Wisconsin; Buried: Sicily-Rome American Cemetery and Memorial, Nettuno, Italy, Plot: F, Row: 3, Grave: 36 (*).

Find-A-Grave—T/5 CPL Zore

8. T/5 CPL Norman Reynolds and PVT Joseph T. Seredinski were presumed killed on 17 August 1944. T/5 CPL Reynolds and PVT Seredinski were assigned to the 4th Platoon, 234th Ordnance Bomb Disposal Company. They were involved in an explosion at an ammunition storage dump. T15 CPL Reynolds and PVT Seredinski are listed as missing-in-action.

Additional Facts: Service Number: 31135327; Home State: Massachusetts; Memorial: Tablets of the Missing at Normandy American Cemetery and Memorial, Colleville-sur-Mer, France (*).

Find-A-Grave—T/5 CPL Reynolds

Defense POW and MIA Office—WWII Army ''R''

9. PVT Joseph T. Seredinski and T/5 CPL Norman Reynolds were presumed killed on 17 August 1944. PVT Seredinski and T/5 CPL Reynolds were assigned to the 4th Platoon, 234th Ordnance Bomb Disposal Company. They were involved in an explosion at an ammunition storage dump. PVT Seredinski and T/5 CPL Ryenolds are listed as missing-in-action.

Additional Facts: Service Number: 33333852; Home State: Pennsylvania; Memorial: Tablets of the Missing at Normandy American Cemetery and Memorial, Colleville-sur-Mer, France (*).

Find-A-Grave—PVT Seredinski

Defense POW and MIA Office—WWII Army ''S''

10. T/SGT James H. Eberle was killed on 23 August 1944. T/SGT Eberle was assigned to the 151st Ordnance Bomb Disposal Squad. T/SGT Eberle was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 36071153; Home State: Illinois; Buried: Florence American Cemetery and Memorial, Florence, Italy, Plot: F, Row: 8, Grave: 28 (*).

Find-A-Grave—T/SGT Eberle

11. T/5 CPL Elmer L. Allison and T/5 CPL Joseph Kozic were killed on 16 October 1944. T/5 CPL Allison and T/5 CPL Kozic were assigned to the 134th Ordnance Bomb Disposal Squad. They were involved in a minefield accident.

12. T/5 CPL Joseph Kozic and T/5 CPL Elmer L. Allison were killed on 16 October 1944. T/5 CPL Kozic and T/5 CPL Allison were assigned to the 134th Ordnance Bomb Disposal Squad. They were involved in a minefield accident.

13. T/SGT Joseph Michel, Jr. and T/5 CPL Paul F. Tyler were killed on 7 January 1945. T/SGT Michel and T/5 CPL Tyler were assigned to the 45th Ordnance Bomb Disposal Squad. They were killed during enemy action.

Additional Facts: Service Number: 12061912; Home State: New York; Buried: Lorraine American Cemetery and Memorial, St. Avold, France, Plot: B, Row: 14, Grave: 47. Find-A-Grave—T/SGT Michel

14. T/5 CPL Paul F. Tyler and T/SGT Joseph Michel, Jr. were killed on 7 January 1945. T/5 CPL Tyler and T/SGT Michel were assigned to the 45th Ordnance Bomb Disposal Squad. They were killed during enemy action.

Additional Facts: Service Number: 32305466; Home State: New Jersey; Buried: Lorraine American Cemetery and Memorial, St. Avold, France, Plot: C, Row: 18, Grave: 96. Find-A-Grave—T/5 CPL Tyler

15. SGT John H. Baxley was killed on 1 February 1945 according to Army historical bomb disposal records. SGT Baxley was assigned to the 30th Ordnance Bomb Disposal Squad (Separate) in Belgium. SGT Baxley was killed while attempting to inert a dangerous German anti-tank projectile near Verviers, Belgium.

Additional Facts: Born: 14 November 1921; Age: 23; Home State: New York; Buried: Long Island National Cemetery, Farmingdale, New York; Plot: J, 0, 13806.

Find-A-Grave—SGT John H. Baxley

16. CPT Bernard E. Anderson was mortally injured on 13 January 1945 and died from wounds on 26 February 1945. CPT Anderson was assigned to the 48th Ordnance Bomb Disposal Squad (Separate). His death was listed as a non-battle casualty.

Additional Facts: Service Number: 01556832; Home State: Maryland; Burial: Cambridge American Cemetery and Memorial, Coton, England, Plot: F, Row: 6, Grave 125. Find-A-Grave—CPT Anderson

Note: According to LTC Robert E. ''Bob'' Leiendecker, USA (Retired) records, in March 1945, two members of the 234th Ordnance Service Platoon (Bomb Disposal) were killed near Heming, France when the unit's truck loaded with hazardous and unserviceable German ammunition exploded.

17. SGT Ernest P. Smith, Jr. and T/5 CPL Joseph V. Tabone were killed on 12 March 1945. SGT Smith and T/5 Tabone were assigned to the 177th Ordnance Bomb Disposal Squad. SGT Smith was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 34787310; Home State: Florida; Buried: Manila American Cemetery and Memorial, Manila, Philippines, Plot: D, Row: 4, Grave: 112 (*).

Find-A-Grave—SGT Smith

18. T/5 CPL Joseph V. Tabone and SGT Ernest P. Smith, Jr. were killed on 12 March 1945. T/5 Tabone and SGT Smith were assigned to the 177th Ordnance Bomb Disposal Squad. T/5 CPL Tabone was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 32789265; Home State: New York; Buried: Manila American Cemetery and Memorial, Manila, Philippines, Plot: A, Row: 10, Grave: 63 (*).

Find-A-Grave—T/5 CPL Tabone

19. T/5 CPL Dallas Harold Factor and an unknown member of the squad were killed on 14 March 1945. T/5 CPL Factor and the other squad member were assigned to the 26th Ordnance Bomb Disposal Squad. T/5 CPL Factor and the other squad member were killed in action by mines while working near Samres, in the Ardennes (Belgium and Luxembourg region). This is formation was provided by SGM James Ferris, USA (Retired). His grave marker states that he was killed on 14 November 1945.

Additional Facts: Born: 19 August 1909, Mount Sterling, Illinois; Age: 35; Hometown: Des Moines, Iowa; Buried: Quincy National Cemetery, Quincy, Illinois, Plot: Section: B, 112C. Find-A-Grave—T/5 CPL Factor

Note: A report from the 26th Ordnance Bomb Disposal Squad states that on 14 March 1945 two members of the squad were killed in action by mines while working in the Ardennes (Belgium and Luxembourg region). Now one of the names is known. This information was provided by LTC Robert Leiendecker, USA (Retired).

20. T/5 CPL Harold L. Pinkham, PFC Leo E. Gonshor, PFC Robert E. Inman, and PVT Edward R. Morris were killed on 17 March 1945. T/5 CPL Pinkham, PFC Gonshor, PFC Inman, and PVT Morris were assigned to the 232nd Ordnance Service Platoon (Bomb Disposal). T/5 CPL Pinkham was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 31133783; Home State: Massachusetts; Buried: Henri-Chapelle American Cemetery and Memorial, Henri-Chapelle, Belgium, Plot: F, Row: 6, Grave: 59(*)

Find-A-Grave—T/5 CPL Pinkham

21. PFC Leo E. Gonshor, T/5 CPL Harold L. Pinkham, PFC Robert E. Inman, and PVT Edward R. Morris were killed on 17 March 1945. PFC Gonshor, T/5 CPL Pinkham, PFC Inman, and PVT Morris were assigned to the 232nd Ordnance Service Platoon (Bomb Disposal). PFC Gonshor was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number 33354443; Home State: Pennsylvania; Buried: Henri-Chapelle American Cemetery and Memorial, Henri-Chapelle, Belgium, Plot: E, Row: 6, Grave: 28 (*).

Find-A-Grave—PFC Gonshor

22. PFC Robert E. Inman, T/5 CPL Harold L. Pinkham, PFC Leo E. Gonshor, and PVT Edward R. Morris were killed on 17 March 1945. PFC Inman, T/5 CPL Pinkham, PFC Gonshor, and PVT Morris were assigned to the 232nd Ordnance Service Platoon (Bomb Disposal). PFC Inman was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 35332453; Home State: Ohio; Buried: Henri-Chapelle American Cemetery and Memorial, Henri-Chapelle, Belgium, Plot: E, Row: 1, Grave: 53 (*). Find-A-Grave—PFC Inman

23. PVT Edward R. Morris, T/5 CPL Harold L. Pinkham, PFC Leo E. Gonshor and PFC Robert E. Inman were killed on 17 March 1945. PVT Morris, T/5 CPL Pinkham, PFC Gonshor and PFC Inman were assigned to the 232nd Ordnance Service Platoon (Bomb Disposal). PVT Morris was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 35292391; Home State: West Virginia; Buried: Henri-Chapelle American Cemetery and Memorial, Henri-Chapelle, Belgium, Plot: H, Row: 5, Grave: 65 (*).

Find-A-Grave—PVT Morris

Note: According to LTC Robert E. ''Bob'' Leiendecker, USA (Retired) records, a member of the 234th Ordnance Service Platoon (Bomb Disposal) was injured on 13 April 1945. He was admitted to the 51st Evacuation Hospital where he died the following day (14 April 1945) of acute cardiac failure.

24. T/5 CPL Roscoe I. Moore and T/5 CPL Dean A. Shoulders were killed on 18 March 1945. T/5 CPL Moore and T/5 CPL Shoulders were assigned to the 53rd Ordnance Bomb Disposal Squad (Separate). Their deaths were recorded to had taken place in Germany (no exact location and circumstances are given). This information was provided by LTC Robert Leiendecker, USA (Retired).

Additional Facts: Born: 29 May 1921; Age: 23; Service Number: 39618122; MOS 924; Home State: Petroleum County, Montana; Buried: Custer National Cemetery, Crow Agency, Big Horn County, Montana; Section: D; Site: 69; Remains transferred from Netherlands American Cemetery and Memorial, Margraten, Netherlands and reinterred on 9 December 1948. Find-A-Grave—T/5 Moore

Genealogy Trails—WWII—T/5 Moore

25. T/5 CPL Dean A. Shoulders and T/5 CPL Roscoe I. Moore were killed on 18 March 1945. T/5 CPL Shoulders and T/5 CPL Moore were assigned to the 53rd Ordnance Bomb Disposal Squad (Separate). Their deaths were recorded to had taken place in Germany (no exact location and circumstances are given). This information was provided by LTC Robert Leiendecker, USA (Retired).

Additional Facts: Service Number: 32757002; MOS 924; Hometown: National Park, New Jersey.

NATIONAL PARK WWII MEMORIAL—NATIONAL PARK NJ—T/5 SHOULDERS

Note: On 13 April 1945 a bomb disposal technician died in a hospital of cardiac failure, while on an incident. The technician was a member of the 234th Ordnance Service Platoon (Bomb Disposal). This information was provided by LTC Robert Leiendecker, USA (Retired).

26. T/SGT Landon H. Chambers was killed on 16 April 1945. T/SGT Chambers was assigned to the 160th Ordnance Bomb Disposal Squad. T/SGT Chambers was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 18187385; Born: 13 October 1922, Galveston, Texas; Age: 22; Home State: Texas; Buried: Netherlands American Cemetery and Memorial, Margraten, Netherlands, Plot: I, Row: 7, Grave: 2 (*).

Find-A-Grave—T/SGT Chambers

27. T/5 CPL Merle W. Fry was presumed killed on 18 April 1945. T/5 CPL Fry was assigned to the 92nd Ordnance (Bomb Disposal) Squad. T/5 CPL Fry was assigned to the same unit and presumed killed on the same date as CPT George C. Sarauw, 2LT Arthur J. Zellmer, T/SGT Francis H. Zurn, and T/5 CPL Elmer J. Craddock were killed, and T/5 CPL Raymond J. Rondeau was presumed killed. They are listed on the EOD Memorial. The unit was participating in the assault landing on le Jima (also called le Shima), Okinawa when their vehicle detonated a landmine. T/5 CPL Fry is listed as missing-in-action. T/5 CPL Fry was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 13060083; Home State: New York; Memorial: Tablets of the Missing at National Memorial Cemetery of the Pacific (Punchbowl National Cemetery), Honolulu, Hawaii (*).

Find-A-Grave—T/5 CPL Fry

Defense POW and MIA Office—WWII Army ''F''

28. T/SGT Sam A. McCleneghan was killed on 1 May 1945. T/SGT McCleneghan was assigned to the 125th Ordnance (Bomb Disposal) Squad. T/SGT McCleneghan was posthumously awarded the Purple Heart Medal.

Additional Facts: Service Number: 37703570; Home State: Colorado; Buried: Netherlands American Cemetery and Memorial, Margraten, Netherlands, Plot: J, Row: 2, Grave: 13 (*).

Find-A-Grave—T/SGT McCleneghan

29. T/5 CPL George C. Miller was presumed killed on 6 May 1945. T/5 CPL Miller was assigned to the 234th Ordnance Service Platoon (Bomb Disposal). T/5 Miller is listed as missing-in-action.

Additional Facts: Service Number: 35381016; Home State: Ohio; Memorial: Tablets of the Missing at Cambridge American Cemetery and Memorial, Cambridge, England (*).

Find-A-Grave—T/5 CPL Miller

Defense POW and MIA Office—WWII Army ''M''

30. T/SGT Earl R. Colebaugh, T/5 CPL Clement E. Berger, and T/5 CPL Robert H. Falkenheim were killed on 9 May 1945. T/SGT Colebaugh, T/5 CPL Berger, and T/5 CPL Falkenheim were assigned to the 123rd Ordnance (Bomb Disposal) Squad, Third Army. T/SGT Colebaugh, T/5 CPL Berger, and T/5 CPL Falkenheim were killed in Czechoslovakia, while disposing of ammunition. T/SGT Colebaugh was posthumously awarded the Purple Heart Medal. Medals: Army of Occupation—Europe Medal.

Additional Facts: Service Number: 36775329; Home State: Illinois; Buried: Lorraine American Cemetery and Memorial, Saint Avold, Lorraine Region, France, Plot: J, Row: 36, Grave: 13 (*).

Find-A-Grave—T/SGT Colebaugh

31. T/5 CPL Robert H. Falkenheim, T/SGT Earl R. Colebaugh, and T/5 CPL Clement E. Berger and were killed on 9 May 1945. T/5 CPL Falkenheim, T/SGT Colebaugh, and T/5 CPL Berger were assigned to the 123rd Ordnance (Bomb Disposal) Squad, Third Army. T/5 CPL Falkenheim, T/SGT Colebaugh, and T/5 CPL Berger were killed in Czechoslovakia, while disposing of ammunition. T/5 CPL Falkenheim was posthumously awarded the Purple Heart Medal. Medals: Army of Occupation—Europe Medal.

Additional Facts: Service Number: 6831089; Home State: Illinois; Buried: Lorraine American Cemetery and Memorial, Saint Avold, Lorraine Region, France, Plot: E, Row: 20, Grave: 35 (*).

Find-A-Grave—T/5 CPL Falkenheim

32. T/5 CPL Clement E. Berger, T/SGT Earl R. Colebaugh, and T/5 CPL Falkenheim were killed on 9 May 1945. T/5 CPL Berger, T/SGT Colebaugh, and T/5 CPL Falkenheim were assigned to the 123rd Ordnance (Bomb Disposal) Squad, Third Army. T/5 CPL Berger, T/SGT Colebaugh, and T/5 Falkenheim were killed in Czechoslovakia, while disposing of ammunition. T/5 CPL Berger was posthumously awarded the Purple Heart Medal. Medals: Army of Occupation—Europe Medal.

Additional Facts: Service Number: 42028085; Home State: New York; Buried: Lorraine American Cemetery and Memorial, Saint Avold, Lorraine Region, France, Plot: J, Row: 4, Grave: 8 (*).

Find-A-Grave—T/5 CPL Berger

33. 1LT Hugh C. W. Huntley was presumed killed on 24 May 1945. 1LT Huntley was a Flight Engineer assigned to U.S. Army Air Force's XXI Command, 874th Bomber Squadron, 498th Bomber Group, Very Heavy. 1LT Huntley's B–29–65–BW bomber (#44–69852) ''Filthy Fay III'' (call sign T SQ 26, tail code 26) departed Saipan on 24 May 1945, on an incendiary bombing mission over South Tokyo, Japan, as part of Mission 181 during night of 23–24 May. Five hundred and twenty of 562 B–29's sent against Tokyo bomb an urban-industrial area south of the Imperial Palace along the west side of the harbor; five other B–29's hit targets of opportunity. Seventeen B–29's are lost. This is the largest number of B–29's participating in a single mission during World War II. The bomber went missing on 24 May 1945, between Tokyo and the Marinas. There were 11 crewmembers and one passenger aboard the bomber; pilot MAJ Virgil Olds, copilot 2LT Allan W. Rutter, navigator 1LT John Pobicky, Jr., bombardier, CPT Leonard S. Ringo, radio operator S/Sgt Russell D. Faull, radio operator T/Sgt Richard J. Strand, central fire control gunner S/Sgt Glenn M. Flanigan, left gunner S/Sgt Wibur C. Connatser, right gunner Sgt Joseph S. Baniewicz, tail gunner S/Sgt Arthur E. Horn, and passenger CPT Frederick J. Miller. They are listed as missing in action on 25 May 1945. 1LT Huntley was awarded the Purple Heart Medal and Air Medal with three Oak Leaf Clusters. 1LT Huntley was a graduate of Army's Bomb Disposal School. This information was provided by LTC Robert Leiendecker, USA (Retired). Missing Air Crew Report (MACR) Number 14491.

Additional Facts: Service Number (enlisted): 20949939; Service Number (officer): O1550626 Born: 1918; Hometown: Laramie, Wyoming; Memorial: Tablets of the Missing at National Memorial Cemetery of the Pacific (Punchbowl National Cemetery), Honolulu, Hawaii. Missing Air Crew Report Number—1LT Huntley

POW and MIA—1LT Huntley

Defense POW and MIA Office—WWII Army Air Forces ''H''

34. LT Alter was killed on 11 June 1945. LT Alter was assigned to the 213th Ordnance (Bomb Disposal) Squad. LT Alter was killed, while attempting to render safe a U.S. depth bomb.

35. T/5 CPL Robert S. Dearing, Jr. was presumed killed on 10 July 1945. T/5 CPL Dearing was assigned to the 104th Ordnance (Bomb Disposal) Squad. T/5 CPL Dearing is listed as missing-in-action. T/5 CPL Dearing was posthumously awarded the Soldier's Medal.

Additional Facts: Service Number: 34705111; Born: 23 February 1924; Age: 20; Home State: Alabama; Memorial: Tablets of the Missing at National Memorial Cemetery of the Pacific (Punchbowl National Cemetery), Honolulu, Hawaii (*); Buried: Wislon-Nooe Cemetery, Franklin County, Alabama.

Find-A-Grave—T/5 CPL Dearing (1)

Find-A-Grave—T/5 CPL Dearing (2)

Defense POW and MIA Office—WWII Army ''D''

36. T/5 CPL Lester W. Hambly was presumed killed on 10 July 1945. T/5 CPL Hambly was assigned to the 97th Ordnance (Bomb Disposal) Squad. T/5 CPL Hambly was last known working in the squad's ammunition holding area. T/5 CPL Hambly is listed as missing-inaction.

Additional Facts: Service Number: 39696955; Home State: California; Memorial: Tablets of the Missing at National Memorial Cemetery of the Pacific (Punchbowl National Cemetery), Honolulu, Hawaii (*).

Find-A-Grave—T/5 CPL Hambly

Defense POW and MIA Office—WWII Army ''H''

37. PFC David W. Ekvall, PFC Andrew Fahrenbach, Jr., PFC James A. Linton, and PFC Frank T. Sowers were presumed killed on 30 December 1945. PFC Ekvall, PFC Fahrenbach, PFC Linton, and PFC Sowers were assigned to the 93rd Ordnance (Bomb Disposal) Squad. They were assigned to the same unit and were all presumed killed on the same date as 2LT Leonard K. Tundermann. 2LT Tundennan is on the EOD Memorial. 2LT Thundermann was presumed killed while disposing of Japanese bombs in the area of Yonan, Korea. PFC Ekvall is listed as missing-in-action. Medals: Army of Occupation—Far East Medal.

Additional Facts: Service Number: 36904368; Home State: Illinois; Memorial: Tablets of the Missing at Manila American Cemetery and Memorial, Manila, Philippines (*).

Find-A-Grave—PFC Ekvall

Defense POW and MIA Office—WWII Army ''E''

38. PFC Andrew Fahrenbach, Jr., PFC David W. Ekvall, PFC James A. Linton, and PFC Frank T. Sowers were presumed killed on 30 December 1945. PFC Fahrenbach, PFC Ekvall, PFC Linton, and PFC Sowers were assigned to the 93rd Ordnance (Bomb Disposal) Squad. They were assigned to the same unit and were all presumed killed on the same date as 2LT Leonard K. Tundermann. 2LT Tunderman is on the EOD Memorial. 2LT Thundermann was presumed killed while disposing of Japanese bombs in the area of Yonan, Korea. PFC Fahrenbach is listed as missing-in-action. Medals: Army of Occupation—Far East Medal.

Additional Facts: Service Number: 42162339; Home State: New York; Memorial: Tablets of the Missing at National Memorial Cemetery of the Pacific (Punchbowl National Cemetery), Honolulu, Hawaii (*).

Find-A-Grave—PFC Fahrenbach

Defense POW and MIA Office—WWII Army ''F''

39. PFC James Albert Linton, PFC David W. Ekvall, PFC Andrew Fahrenbach, Jr., and PFC Frank T. Sowers were presumed killed on 30 December 1945. PFC Linton, PFC Ekvall, PFC Fahrenbach, and PFC Sowers were assigned to the 93rd Ordnance (Bomb Disposal) Squad. They were assigned to the same unit and were all presumed killed on the same date as 2LT Leonard K. Tundermann. 2LT Tunderman is on the EOD Memorial. 2LT Thundermann was presumed killed while disposing of Japanese bombs in the area of Yonan, Korea. PFC Linton is listed as missing-in-action. Medals: Army of Occupation—Far East Medal.

Additional Facts: Service Number: 44024965; Born: 15 September 1926; Age: 19; Home State: Georgia; Memorial: Tablets of the Missing at Manila American Cemetery and Memorial, Manila, Philippines (*); Buried: Oakland Cemetery, Waycross, Georgia.

Find-A-Grave—PFC Linton (1)

Find-A-Grave—PFC Linton (2)

Defense POW and MIA—Army WWII ''L''

40. PFC Frank T. Sowers, PFC David W. Ekvall, PFC Andrew Fahrenbach, Jr., and PFC James A. Linton were presumed killed on 30 December 1945. PFC Sowers, PFC Ekvall, PFC Fahrenbach, and PFC Linton were assigned to the 93rd Ordnance (Bomb Disposal) Squad. They were assigned to the same unit and were all presumed killed on the same date as 2LT Leonard K. Tundermann. 2LT Tunderman is on the EOD Memorial. 2LT Thundermann was presumed killed while disposing of Japanese bombs in the area of Yonan, Korea. PFC Sowers in listed as missing-in-action. PFC Sowers was posthumously awarded the Bronze Star Medal. Medals: Army of Occupation—Far East Medal.

Additional Facts: Service Number: 35241397; Home State: Ohio; Memorial: Tablets of the Missing at Manila American Cemetery and Memorial, Manila, Philippines (*).

Find-A-Grave—PFC Sowers

Defense POW and MIA Office—WWII Army ''S''

Note: According to the ''European Theater of Operations (ETO) Bomb Disposal History,'' pp. 34–35: Forty-three bomb disposal personnel were killed and 68 were injured in the line of duty, excluding losses during combat. The Explosive Ordnance Disposal Memorial lists only 32 Army bomb disposal personnel lost their lives in the European Theater of Operations during World War Two. This list adds 28 killed in the ETO and ten killed in the Pacific Theater of Operations.

Note: In October of 1946, four men from the 87th Ordnance (Bomb Disposal) Squad, IX Air Force Command were killed during an explosion in an ammunition storage area near Bremerhaven, Germany. Additionally, two men from the 87th Ordnance Service Squad (Bomb Disposal) were injured and four German prisoners of war that were assisting the squad were killed in the explosion.

41. SGT Doroteo Reyes was killed on 30 May 1947. SGT Reyes was a squad leader assigned to the 77th Ordnance Bomb Disposal Squad (Philippine Scouts). SGT Reyes was in a motor vehicle accident and died from his injuries, which occurred at 1400 hours, Caba, La Union, Philippines.

42. SFC Thomas L. McDonough and PFC Paul Royal Seymour were killed on 6 September 1950. SFC McDonough and PFC Seymour were assigned to the 1st Ordnance Bomb Disposal Detachment, 1st Ordnance Medium Maintenance Company, 8th Army. SFC McDonough and PFC Seymour were killed-in-action while fighting the enemy in South Korea. SFC McDonough was posthumously awarded the Purple Heart Medal. He also received the Korean Service Medal, the United Nations Service Medal, the National Defense Service Medal, the Korean Presidential Unit Citation, and the Republic of Korea War Service Medal.

Additional Facts: Service Number: RA33153496; MOS: 1942; Born: 1917; Hometown: Washington, Pennsylvania (+).

Korean War Project Remembrance—SFC McDonough

43. PFC Paul Royal Seymour and SFC Thomas L. McDonough were killed on 6 September 1950. PFC Seymour and SFC McDonough were assigned to the 1st Ordnance Bomb Disposal Detachment, 1st Ordnance Medium Maintenance Company, 8th Army. PFC Seymour and SFC McDonough were killed-inaction while fighting the enemy in South Korea. PFC Seymour was posthumously awarded the Purple Heart Medal. He also received the Korean Service Medal, the United Nations Service Medal, the National Defense Service Medal, the Korean Presidential Unit Citation, and the Republic of Korea War Service Medal.

Additional Facts: Service Number: RA12351691; MOS: 3924; Born: 1932; Hometown: Keeseville, New York, Buried: Saint Peters Cemetery, Plattsburgh, Pennsylvania (+).

Find-A-Grave—PFC Seymour

Korean War Project Remembrance—PFC Seymour

44. CPL Earle M. Lockwood, Jr. was killed on 15 September 1950. CPL Lockwood was assigned to the 1st Ordnance Bomb Disposal Detachment, 1st Ordnance Medium Maintenance Company, 8th Army. He was killed-in-action while fighting the enemy in South Korea. CPL Lockwood was posthumously awarded the Purple Heart Medal. He also received the Korean Service Medal, the United Nations Service Medal, the National Defense Service Medal, the Korean Presidential Unit Citation, and the Republic of Korea War Service Medal. CPL Lockwood may have been posthumously promoted to SGT.

Additional Facts: Service Number: RA11164944; MOS: 3924; Born: 1930; Hometown: Newtown, Connecticut (+).

Korean War Project Remembrance—CPL Lockwood

45. SFC Charles W. Shrider and PFC Raymond D. Stefaniak were killed on 1 October 1951. SFC Shrider and PFC Stefaniak were assigned to the 938th Ordnance Company (Explosive Ordnance Disposal) at Fort Bragg, North Carolina. SFC Shrider and PFC Stefaniak were transporting a trailer full of TNT and Composition ''C'' explosives that was being pulled behind their jeep, when at 1400 hours an explosion occurred in the trailer. Their jeep was hurled forward more than 100 feet, setting it on fire. The explosion ignited five gallons of gasoline that they were carrying. SFC Shrider and PFC Stefaniak were on Longstreet Road and had just pulled into the fenced-off dud disposal area on the Fort Bragg range prior to the accident. SFC Shrider was trapped inside the jeep following the explosion and died instantly. PFC Stefaniak was thrown clear on the right side of the jeep. SFC Cecil Coley and CPL Ben Smith of the range personnel office rushed to the aid of PFC Stefaniak and pulled the injured man clear of the burning jeep. SFC Coley and CPL Smith were unable to reach SFC Shrider, who was slumped inside the jeep, due to the intense flames from the vehicle. PFC Stefaniak was rushed to Womack Army Hospital where he died about an hour later from third-degree burns. LTG John W. Leonard has ordered a board of officers to investigate the accident.

Additional Facts: Born: 21 February 1919; Age: 32; Buried: Desenberg Cemetery, Lafayette, Ohio.

SFC Shrider's next-of-kin was listed as his wife, Mrs. Martha M. Shrider of 226 Green Street, Fayetteville, North Carolina.

Find-A-G-Grave—SFC Shrider

46. PFC Raymond D. Stefaniak and SFC Charles W. Shrider were killed on 1 October 1951. PFC Stefaniak and SFC Shrider were assigned to the 938th Ordnance Company (Explosive Ordnance Disposal) at Fort Bragg, North Carolina. PFC Stefaniak SFC Shrider were transporting a trailer full of TNT and Composition ''C'' explosives that was being pulled behind their jeep, when at 1400 hours an explosion occurred in the trailer. Their jeep was hurled forward more than 100 feet, setting it on fire. The explosion ignited five gallons of gasoline that they were carrying. PFC Stefaniak and SFC Shrider were on Longstreet Road and had just pulled into the fenced-off dud disposal area on the Fort Bragg range prior to the accident. PFC Stefaniak was thrown clear on the right side of the jeep. SFC Shrider was trapped inside the jeep following the explosion and died instantly. SFC Cecil Coley and CPL Ben Smith of the range personnel office rushed to the aid of PFC Stefaniak and pulled the injured man clear of the burning jeep. SFC Coley and CPL Smith were unable to reach SFC Shrider, who was slumped inside the jeep, due to the intense flames from the vehicle. PFC Stefaniak was rushed to Womack Army Hospital where he died about an hour later from third-degree burns. LTG John W. Leonard has ordered a board of officers to investigate the accident.

Additional Facts: Age: 23.

PFC Stefaniak's next-of-kin was listed as his sister, Gertrude Waclawski of Grand Rapids, Michigan. His father is Jose and his mother is Mary Stefaniak.

Find-A-Grave—PFC Stefaniak

47. SFC Biddle Carrol ''B.C., Jack, Izzy or Buzz'' Izard, Jr. was killed on 19 June 1968. SFC Izard was assigned to the 45th Military Intelligence Company, 528th Ordnance Detachment, 519th Military Intelligence Battalion (Field Army), 525th Military Intelligence Group, Combined Material Exploitation Center (CMEC), Military Assistance Command Vietnam (MACV), Saigon, Republic of Vietnam. CMEC was tasked with the responsibility to examine, evaluate, and classify captured enemy material. SFC Izard was killed in the afternoon when a dud RPG–2 (B–40) rocket exploded. The team was in the process of loading a 2 1/2–ton truck with captured enemy ammunition at Tan Son Nhut Air Base, Saigon, Long An Province, Republic of Vietnam. Three other men were helping to load the truck at the time of the accident. SFC Izard was awarded the Bronze Star Medal and the Purple Heart Medal. SFC Izard was an Explosive Ordnance Disposal school graduate.

Additional Facts: Navy Service Number: 616 03 15; Army Service Number: 19357542; Service Number: 448035054; Born: 2 August 1920; Coleman, Oklahoma; Age: 47; Hometown: El Paso, Texas; MOS: 55C4A: Ammunition Maintenance Specialist; Length of Service: 22 years; Tour Started: 9 April 1967; Buried: Fort Rosecrans National Cemetery, San Diego, California, Section 0, Grave Number 4110; Vietnam Memorial Panel: 56W Line 34.

Virtual Vietnam Wall—SFC Izard

The Wall—SFC Izard

Army Together We Served—SFC Izard

Navy Together We Served—BM 2/c Izzy

Find-A-Grave—SFC Izard

48. MSG Cornelius Vincent Spillane, Jr. passed away on 16 August 1968. MSG Spillane was assigned to Headquarters Headquarters Company, 80th General Support Group, Army Support Command Da Nang, 1st Logistics Command, Republic of Vietnam. MSG Spillane contracted Hepatitis on 11 July 1968, at Quang Nam Province, Republic of Vietnam. MSG Spillane was evacuated to Trippler Army Medical Center, Hawaii where he died a week later with kidney failure. He was awarded the Bronze Star Medal with ''V' Device with two Oak Leaf Clusters and the Purple Heart Medal. MSG Spillane was an Explosive Ordnance Disposal school graduate.

Additional Facts: Service Number: 31376234; Born: 7 February 1924; Age: 44; Hometown: South Berwick, Maine; Vietnam Memorial Panel: 52W Line 014.

Virtual Vietnam Wall—MSG Spillane

Army Together We Served—MSG Spillane

49. CPT Paul Barkley Bowman was killed on 31 January 1970. CPT Bowman was assigned to Headquarters and Headquarters Company, 25th Infantry Division. Captain Bowman was aboard a helicopter that was shot down north of Tay Ninh in an area called ''Mo Con Woods.'' The area was called Mo Con Woods because it was heavily forested with sparse civilian population and the North Vietnamese Army (NVA) used this area for infiltration across the Cambodia border, which was close by. The day before a helicopter was on a recon mission in that same area when it took ground fire from a 12.7mm antiaircraft gun. The helicopter was able to get away without taking any hit. It was believed an estimated battalion sized force was in the area getting ready for a broader dry season offensive in the Tay Ninh area. On 31 January 1970, A, B, and C Company from the 25th Infantry Division were airlifted by Hueys into the area. The force expected heavy casualties with A and B Companies took several killed-in-actions (KIAs) and C Company had eight to ten wounded-in actions (WIAs). Many of the NVA soldiers melted back across the border, but those fighting a rear guard action were emplaced in heavily fortified bunkers. With U.S. forces on the ground taking heavy fire Huey helicopter UH–1H (tail number 68–15462) carrying CPT Bowman made a heroic approach at treetop level to drop CS gas and to put down suppressive machinegun fire on the enemy to root them out of the bunkers. The helicopter was shot down with a total loss of lives onboard. The efforts of all onboard the helicopter saved the lives of many soldiers on the ground that day. Seven soldiers died in that crash, four aircrew members and three passengers. Those that were killed were from B Company, 25th Aviation Battalion, 25th Infantry Division, CW2 Ronald Joe Fulton, pilot; 2LT Michael Lorrell Arrants, copilot; SGT John Thomas Rodgers, gunner; SGT Jerald Dale West, crew chief; and passenger from Headquarter Headquarters Company, 25th Infantry Division CPT John Lawrence Beek; CPT Paul Barkley Bowman, and CPT Jerry David. CPT Bowman was awarded the Distinguished Flying Cross, Bronze Star Medal, and the Purple Heart Medal. CPT Bowman was an Explosive Ordnance Disposal school graduate. CPT Bowman was inducted in the U.S. Army Chemical Corps Hall of Fame in June 2010.

Additional Facts: Service Number: 369427269; Born: 3 September 1943; Age: 26; Hometown: Newaygo, Michigan; Buried: Newaygo Cemetery, Newaygo, Michigan, Plot: Section F, Lot 095, Grave 2; Vietnam Memorial Panel: 14W Line 083.

Virtual Vietnam Wall—CPT Bowman

The Wall—CPT Bowman

Army Together We Served—CPT Bowman

Find-A-Grave—CPT Bowman

50. CPT Frederick Phillip ''Fred'' Smith was killed on 13 February 1971. CPT Smith was the Assistant Division Chemical Officer assigned to Headquarters, Headquarters Company 1st Cavalry Division (Airmobile), United States Army, Pacific—Republic of Vietnam. CPT Smith was stationed at Phuoc Vinh, Camp Casey, Republic of South Vietnam. On 13 February 1971, CPT Smith was conducting a ''People Sniffer'' mission over Binh Tuy Province, III Corps (present-day Binh Thuan Province) in a valley suspected to be occupied by enemy troops at Military grid coordinates YS848912. Headquarters, Headquarters Battery, 2d Battalion, 20th Artillery (aerial rocket), 1st Cavalry Division (Airmobile) was tasked to support the mission. The mission team consisted of one Army UH–1H Huey helicopter (68–16360) and two AH–1G Cobra attack helicopters. LTC Adalbert E. ''Bert'' Toepel, Jr., 2d Battalion's commanding officer, sat in the Huey's front left seat as the aircraft commander. In the front right seat sat the pilot, CPT L.R. Burnette. The crew engineer (or crew chief) in the far left well was SP4 T.M. Morgan. PFC W. Wallace was the gunner in the far right well. Besides CPT Smith, others on the flight included 2d Battalion's Sergeant Major, SGM Dobson, and an enlisted soldier from the 184th Chemical Platoon (Direct Support) that was there to assist CPT Smith with the drop. The mission's objective was to make one or two runs at 1,500 feet (optimum altitude for maximum effect) down the valley dropping approximately 20 modified Air Force BLU E158 tactical CS–2 (2–chlorobenzalmalononitrile) clusters bombs from the Huey helicopter. CS is a chemical agent in the family of riot control agents, commonly called ''tear gas.'' Each E158 cluster bomb consisted of 264 D-cell battery-sized canisters of CS held in place by a plastic unit that measures 3-foot-long and 1-foot-wide. A timing fuse detonates a bursting/igniting charge that sends the smaller munitions over a 50-meter area, spraying CS as they scatter. The hope was that the tear gas submunitions would drive the enemy from their hiding places and expose them in a more open area making them vulnerable to rocket and gunfire from two supporting Cobra attack helicopters. The drop time was in early morning to assure that the CS gas would settle into the jungle canopy instead of being blown away by the wind, which was expected to happen later in the day. Take off was scheduled for 0600 hours. No problems were encountered in the preparations and loading of the canisters, which were placed on end just inside the open doors of the helicopter's cargo compartment. As a safety precaution, the pilot of the aircraft (right seat) wore a protective mask in the event any of the CS gas entered the crew compartment and adversely affected either of the pilots. It is not recalled if anybody else was wearing a protective mask during the mission. All passengers were seat-belted in. Upon the start of their run, there was a sudden explosion in the passenger/cargo compartment and the entire interior was immediately filled with burning CS gas. Somehow the arming wires of the third cluster must have come loose, and an E 158 cluster began detonating inside the Huey helicopter by the door. It's surmised that the cause of the malfunction was that someone somehow accidentally snagged the arming wire, which activated the timer. The copper retaining wires on the fuzes had been precut. This explosion started a chain reaction setting off the other clusters. Prior to the mission, a gallon can of transmission fluid was placed in the cargo compartment. After the clusters went off the crew chief announced over the intercom, ''Sir, the transmission fluid is on fire!'' The pilot immediately went into autorotation in order to get the aircraft closer to the ground and the crew prepared for a possible emergency landing in the 100-foot plus high jungle canopy. The aircraft commander instructed the crew in the cargo compartment to jettison all canisters, which the aircraft commander now believes had already happened. In avoiding the conflagration in the cargo compartment someone somersaulted onto the radio console, located between the two pilots. The aircraft commander wrestled with that person briefly to remove him from the proximity of the aircraft controls. The aircraft commander instructed the pilot to check his instruments and the pilot reported that they still had power. Now realizing that there wasn't a fire on board, but there was a lot of CS gas and smoke, the aircraft commander jettisoned his aircraft entry door. With his sight now returning, the aircraft commander took control of the aircraft from the pilot and flew in a slip (sideways), which caused air to blow across the interior of the helicopter and helped evacuate the gas fumes. While this was going on, CPT Smith, although badly burned and with his clothing on fire from the black powder bursting charges, realized that everyone's lives was endanger and he was able to undo his seatbelt and push all of the clusters out of the helicopter. In the confusion, blinded and choking by the CS smoke, he may have been thrown out during the autorotation or by the explosion of the charges. CPT Smith went out with the clusters munitions and fell 1,500 feet to his death. When their vision returned, someone reported that CPT Smith was missing. What was originally thought to be a burning can of transmission fluid turned out to be the burning of a small container of CS gas on the floor of the aircraft. The small containers of burning gas caused extensive damage to the nylon seats and interior insulation in the aircraft. CPT Smith's quick thinking and actions saved the lives of six people onboard the Huey helicopter. The helicopter crewmembers were wearing their standard issue Nomex flight clothing and gloves, and were protected from more serious burns on their skin. Despite protective clothing and a helmet, one of the CS containers became lodged just behind the aircraft commander's neck, which resulted in third-degree burns. One of those containers also landed next to his right arm resulting in second-degree burns. Portions of his face not covered by the visor of his flight helmet were hit by gas and caused first- and second-degree burns. Other crewmembers were similarly burned. The helicopter crew chief was transferred to Camp Zama Hospital in Japan with severe burns. The passengers on the helicopter wore standard nylon jungle fatigues and were also extensively burned. The enlisted soldier assisting Captain Smith received severe burns and was transferred to Camp Zama Hospital where he underwent an extensive period of hospitalization. Not knowing what damage may have occurred to the aircraft, the helicopter was flown to a nearby artillery firebase FSB Mace where it landed. The accompanying escort aircraft followed. SP4 Lee Gurley and another medic from C Company, 15th Medical Battalion, 1st Cavalry Division (Airmobile) treated the injured. The incident was then reported to the division tactical operations center. Three days later an infantry unit was able to go in and recover Captain Smith's body. CPT Smith was awarded the Silver Star Medal, Bronze Star Medal with Oak Leaf Cluster, and the Purple Heart Medal. CPT Smith was an Explosive Ordnance Disposal school graduate. CPT Smith was inducted in the U.S. Army Chemical Corps Hall of Fame in June 2008.

Additional Facts: Service Number (Enlisted): RA 18733814; Service Number: 448463006; Born: 6 March 1946, Oklahoma City, Oklahoma; Age: 24; Hometown: Oklahoma City, Oklahoma; Buried: Rose Hill Burial Park, 6001 NW Grand Blvd, Oklahoma City, Oklahoma; Vietnam Memorial: Panel 05W-Line 102.

Virtual Vietnam Wall—CPT Smith
The Wall—CPT Smith
Army Together We Served—CPT Smith
First Cavalry Division Memorial
Find-A-Grave—CPT Smith

Acknowledgements:
1. SGM James G. ''Jim'' Ferris, USA (Retired).
2. LTC Robert E. ''Bob'' Leiendecker, USA (Retired).
3. Dr. Jeffrey M. Leatherwood, Ph.D.

Note: All mortuary records for World War II, for all branches, are kept at the Total Army Personnel Command (TAPC). You may write and request a copy of his Individual Deceased Personal File (IDPF) at the below listed address:

U.S. Total Army Personnel Command
ATTN: TAPC-PAO (FOIA)
200 Stoval Street
Alexandria, VA 22332–0404
Phone: (703) 325–5300 (for questions and to check your request)

A TRIBUTE IN HONOR OF THE LIFE OF THE HONORABLE FERNANDO VEGA

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Ms. ESHOO. Mr. Speaker, I rise today to honor the life of a great and good man, Fernando Vega, who lived a life of service to his country and his community, and who died peacefully at his home at the age of 88, surrounded by his loving family.

Fernando Vega was born in Houston, Texas, on November 20, 1924, and died on May 9, 2013 in Redwood City, California. Between the bookmarks of birth and death, he accomplished much and served many. He was a devoted husband and father, and his marriage in 1948 to his beloved Tina was an inspiration to everyone. He proudly served his country in the United States Army Air Corps where he received the training that led to his lifelong career as an airline mechanic. A transfer led Tina and Fernando to Redwood City with their six children in 1960, a move that proved fortuitous for them and our entire community.

Fernando made Redwood City his home and gave it his all. To supplement his income for his large family, he opened Vegas Market and Grill on Middlefield Road. The market was sold in 1984, but it still bears the family's name. He served on the Redwood City Council with distinction, and was a member of the Redwood City Elementary School District Board of Trustees. He was a Commissioner of the San Mateo County Grand Jury and the San Mateo County Civil Service Commission.

Fernando was rightfully proud of his service with Kiwanis in the formation and continued operation of the Redwood City Farmer's Market which contributed so much to the needy in the community. He began his service with the market in the late '80s and only ended it about five years ago when a stroke deprived him of the mobility he needed to help out.

Fernando is survived by his beloved wife Tina, and was predeceased by his son David

(Pat). His children Oscar (Nada), George (Karen), Eloy (Sef), Fernanado (Carol), and Belinda will miss him deeply, as will his many grandchildren and great–grandchildren.

Mr. Speaker, I ask my colleagues to join me in honoring the extraordinary life and accomplishments of Fernando Vega and in extolling his life of service to others. I ask my colleagues to also join me in extending our most sincere condolences to Fernando Vega's family, for their loss is a great one. I'm very proud to have had the opportunity to know and work with Fernando and even prouder to have called him my friend. There wasn't a finer human being or greater patriot. Through his integrity, leadership and decency, he strengthened our country and our community in countless ways.

HONORING COLONEL MARK C. GARDNER

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to honor Colonel Mark C. Gardner and to recognize his lifetime of service to our country.

On June 28, Col. Gardner will retire from the Georgia National Guard after thirty years of sacrifice and service to this great nation.

While he currently serves as the Georgia National Guard's State Inspector General, he has worked in many different capacities. In 1983, Col. Gardner's first assignment was with U.S. Army Missile Command, and he has since been assigned to infantry, maintenance, and forward support duties across the world. His career has taken him to Korea, Panama, Afghanistan, Iraq, and several military installations here in the United States.

For his distinguished leadership throughout his career, Col. Gardner has been awarded with decorations like the Legion of Merit with Oak Leaf Cluster, the Joint Service Commendation Medal, the Meritorious Service Medal with six Oak Leaf Clusters, the Army Achievement Medal, the National Defense Service Medal, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korea Defense Service Medal, the Army Reserve Service Medal, the Parachutist Badge, and the Air Assault Badge.

Col. Gardner has played an invaluable role in the U.S. Armed Forces for decades and he will surely be missed.

Mr. Speaker, on behalf of the 11th District of Georgia, my deepest thanks to Col. Gardner for devoting his life to the upholding the Constitution of the United States and to the protection of its citizens. I wish him a happy—and well-deserved—retirement.

IN RECOGNITION OF POYANT SIGNS

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize Poyant Signs of New Bedford, Massachusetts, as the company celebrates seventy-five years of business this month.

Founder Maurice J. Poyant first began his signmaking company in 1938, originally operating under the name Artcraft Sign Company. His small business would see great expansion and many changes over the course of the following decades, such as moving into its well-known Acushnet Avenue storefront, the purchase of its first 45-foot crane, and incorporation of the business under the new name Poyant Signs in the 1950s. Several members of the Poyant family would go on to lead the company over the years following Maurice's retirement, including Maurice's son Leonard Poyant and grandson Richard Poyant. As sales continued to increase, Poyant Signs maintained its growth and success, and over the years the company was even able to acquire several competing signage companies. Although it has since outgrown its Acushnet Avenue location, Poyant Signs still calls New Bedford home, and is headquartered today in a modern 45,000 square foot facility located in New Bedford Business Park.

The success of Poyant Signs has continued into the twenty-first century, and today the company stands as the largest sign manufacturer in New England. It serves both well-known local businesses and clients that operate on a national level, and the company has been the recipient of numerous awards within the industry. In 2009, Poyant Signs was honored as a finalist in the Massachusetts Family Business of the Year Awards, as well as by the New Hampshire Sign Association Awards for the company's excellence in signmaking.

Since its founding in 1938, Poyant Signs has played a central role in the development of New Bedford's local economy. The company is emblematic of the type of business that makes New Bedford the great city that it is today, and it is certainly fitting to celebrate this company's many years of success.

Mr. Speaker, I am proud to recognize Poyant Signs upon the company's seventy-fifth anniversary. I ask that my colleagues join me in this recognition and in congratulating Poyant Signs for its many decades of prosperity.

THEY GOT TO TEXAS AS FAST AS THEY COULD

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. POE of Texas. Mr. Speaker, from the establishment of our great State, people have traveled from all over the world to come to Texas either to live, to work or to visit. Before Texas was a state, some even came to fight for us. Many of the soldiers that fought in the battle at the Alamo were from different states and even a few countries. The diversity of people that have traveled to the state since the 1800's has contributed to its vast culture. That has made Texas what it is today.

Today, Texas' diversity is expansive and includes the contributions of many different cultures that help make Texas' own culture that much more unique. From the numerous Vietnamese Pho restaurants in downtown Houston to the German Karbach Brewery in North Houston, the global influence on Houston's culture is immense.

The Houston Chronicle recently reported about a Houston historian who focused on determining how streets in Houston-area communities received their names. Many settlers provided the names for not only cities and counties but for streets in local communities as well. Spring Branch, a community in the Second Congressional District of Texas, had several streets named after early immigrant settlers from Germany. Most of the early settlers were German farmers who came to the United States in pursuit of prosperity and to have land to farm. The City of Houston was named after the great Sam Houston, who was of Scots-Irish descent and originally from Virginia. The county that encompasses Houston, Harris County, was named after John Richardson Harris, a settler who came to Texas from New York by way of Missouri.

As the saying goes, if you weren't born in Texas, you got there as fast as you could.

People from around the world continue to hang a "Gone to Texas" sign on their front door. Our Texas pride comes from our rich history, a history that was built by the contributions of many local heroes and leaders who simply got to Texas as fast as they could. And that's just the way it is.

OLIVIA FOUSEL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 22, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Olivia Fousel for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Olivia Fousel is an 8th grader at Moore Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Olivia Fousel is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Olivia Fousel for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 23, 2013 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

JUNE 4

9:30 a.m.
Committee on Armed Services
To hold hearings to examine pending legislation regarding sexual assaults in the military.
TBA

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine wildland fire management.
SD–366

2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Communications, Technology, and the Internet
To hold hearings to examine the state of wireless communications.
SR–253

JUNE 5

10 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold hearings to examine the Missile Defense Agency.
SD–192

Committee on Veterans' Affairs
To hold hearings to examine pending benefits legislation.
SR–418

JUNE 6

9:30 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine programs and activities of the Department of the Interior.
SD–366

2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on Water and Power
To hold an oversight hearing to examine the progress made by Native Hawaiians toward stated goals of the Hawaiian Homelands Commission Act.
SD–366

JUNE 11

9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD–G50

11 a.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD–G50

2 p.m.
Committee on Armed Services
Subcommittee on Personnel
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SD–G50

3:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR–232A

6 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR–232A

JUNE 12

9:30 a.m.
Committee on Armed Services
Subcommittee on SeaPower
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

2:30 p.m.
Committee on Armed Services
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

JUNE 13

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

JUNE 14

9:30 a.m.
Committee on Armed Services
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2014.
SR–222

JUNE 20

10 a.m.
Committee on Energy and Natural Resources
To hold an oversight hearing to examine water resource issues in the Klamath River Basin.
SD–366

Daily Digest

HIGHLIGHTS

Senate agreed to S. Res. 65, Iran Sanctions Resolution, as amended.

Senate

Chamber Action

Routine Proceedings, pages S3701–S3789

Measures Introduced: Twenty-three bills and one resolution were introduced, as follows: S. 1005–1027, and S. Res. 152. **Pages S3760–61**

Measures Reported:

S. Res. 143, recognizing the threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in the efforts of the United States Government to promote democracy and good governance on the occasion of World Press Freedom Day on May 3, 2013. **Page S3759**

Measures Passed:

Iran Sanctions Resolution: By a unanimous vote of 99 yeas (Vote No. 133), Senate agreed to S. Res. 65, 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, after agreeing to the committee-reported amendment. **Pages S3736–45**

Stolen Valor Act: Senate passed H.R. 258, to amend title 18, United States Code, with respect to fraudulent representations about having received military decorations or medals. **Page S3789**

Measures Considered:

Farm Bill—Agreement: Senate continued consideration of S. 954, to reauthorize agricultural programs through 2018, taking action on the following amendments proposed thereto: **Pages S3712–36, S3745–52**

Adopted:

Stabenow (for Franken) Amendment No. 992, to provide access to grocery delivery for homebound seniors and individuals with disabilities eligible for supplemental nutrition assistance benefits. **Pages S3716–17**

Stabenow (for Vitter) Amendment No. 1056, to end food stamp eligibility for convicted violent rapists, pedophiles, and murderers. **Page S3717**

Rejected:

By 36 yeas to 60 nays (Vote No. 132), Inhofe/Graham Amendment No. 960, to repeal the nutrition entitlement programs and establish a nutrition assistance block grant program. **Pages S3712–16**

By 45 yeas to 54 nays (Vote No. 134), Stabenow (for Shaheen) Amendment No. 925, to reform the Federal sugar program. **Pages S3727–28, S3734–36, S3745–46**

Pending:

Stabenow (for Leahy) Amendment No. 998, to establish a pilot program for gigabit Internet projects in rural areas. **Page S3712**

Sanders/Begich Amendment No. 965, to permit States to require that any food, beverage, or other edible product offered for sale have a label on indicating that the food, beverage, or other edible product contains a genetically engineered ingredient. **Pages S3749–52**

A unanimous-consent agreement was reached providing for further consideration of the bill on Thursday, May 23, 2013, following the cloture vote on the nomination of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, and notwithstanding cloture having been invoked, if invoked, Senate continue legislative session and consideration of the bill; Senate then vote on or in relation to Sanders/Begich Amendment No. 965 (listed above); that there be no second-degree amendments in order to Sanders/Begich Amendment No. 965 prior to the vote; that the amendment be subject to a 60 affirmative vote threshold; and that the time consumed during consideration of the bill count post-cloture. **Page S3751**

Appointments:

Commission on Security and Cooperation in Europe (Helsinki): The Chair, on behalf of the Vice

President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appointed the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 113th Congress: Senator Boozman.

Page S3789

Messages from the House: Page S3757

Measures Referred: Page S3757

Measures Placed on the Calendar: Pages S3701, S3757

Enrolled Bills Presented: Page S3757

Executive Communications: Pages S3757–59

Executive Reports of Committees: Pages S3759–60

Additional Cosponsors: Pages S3761–63

Statements on Introduced Bills/Resolutions: Pages S3763–67

Additional Statements: Pages S3756–57

Amendments Submitted: Pages S3767–88

Notices of Hearings/Meetings: Page S3788

Authorities for Committees to Meet: Page S3788

Privileges of the Floor: Pages S3788–89

Record Votes: Three record votes were taken today. (Total—134) Pages S3716, S3744, S3746

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:47 p.m., until 9:30 a.m. on Thursday, May 23, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3789.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF THE ARMY

Committee on Appropriations: Subcommittee on Department of Defense concluded a hearing to examine proposed budget estimates for fiscal year 2014 for the Army, after receiving testimony from John M. McHugh, Secretary, and General Raymond T. Odierno, Chief of Staff, both of the Department of the Army, Department of Defense.

APPROPRIATIONS: UNITED STATES FOREST SERVICE

Committee on Appropriations: Subcommittee on Department of the Interior, Environment, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2014 for the United States Forest Service, after receiving testimony from Tom Tidwell, Chief, and Barbara Cooper, Acting Director of Strategic Planning, Budget and Accountability, both of the United States Forest Service, Department of Agriculture.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 3,270 nominations in the Army, Navy, Air Force, and Marine Corps.

TAX REFORM

Committee on the Budget: Committee concluded a hearing to examine supporting broad-based economic growth and fiscal responsibility through tax reform, after receiving testimony from Michael Linden, Center for American Progress, and Adam Looney, The Brookings Institution, both of Washington, D.C.; and Veronique de Rugy, George Mason University Mercatus Center, Arlington, Virginia.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nomination of Anthony Renard Foxx, of North Carolina, to be Secretary of Transportation, after the nominee, who was introduced by Senators Hagan and Burr, testified and answered questions in his own behalf.

NUTRIENT TRADING AND WATER QUALITY

Committee on Environment and Public Works: Subcommittee on Water and Wildlife concluded a hearing to examine nutrient trading and water quality, after receiving testimony from Michael H. Shapiro, Principal Deputy Assistant Administrator for Water, Environmental Protection Agency; Beth L. McGee, Chesapeake Bay Foundation, Annapolis, Maryland; Marty Matlock, University of Arkansas Center for Agricultural and Rural Sustainability, Fayetteville; and Susan Parker Bodine, Barnes and Thornburg, and George S. Hawkins, District of Columbia Water and Sewer Authority, both of Washington, D.C.

TRADE FACILITATION AND TRADE ENFORCEMENT ACT

Committee on Finance: Committee concluded a hearing to examine S. 662, to reauthorize trade facilitation and trade enforcement functions and activities, after receiving testimony from William A. Cook, Chrysler Group LLC, Rochester, Michigan; David Cooper, The Procter and Gamble Company, Cincinnati, Ohio; Clark R. Silcox, National Electrical Manufacturers Association, Rosslyn, Virginia; and Mary Ann Comstock, UPS Supply Chain Solutions, Inc., Sweet Grass, Montana.

INTERNATIONAL DEVELOPMENT

Committee on Foreign Relations: Subcommittee on International Development and Foreign Assistance, Economic Affairs, International Environmental Protection, and Peace Corps concluded a hearing to examine different perspectives on international development, after receiving testimony from William Lane, Caterpillar, Inc., on behalf of the U.S. Global Leadership Campaign, John Murphy, U.S. Chamber of Commerce, and Todd J. Moss, Center for Global Development, all of Washington, D.C.

GOVERNMENT EFFICIENCY AND EFFECTIVENESS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine performance management and congressional oversight, focusing on government efficiency and effectiveness, and opportunities to reduce fragmentation, overlap, and duplication, after receiving testimony from Gene L. Dodaro, Comptroller General of the United States, and Cathleen Berrick, Managing Director, Homeland Security and Justice Issues, both of the Government Accountability Office.

DURABLE MEDICAL EQUIPMENT COMPANIES

Committee on Homeland Security and Governmental Affairs: Subcommittee on Financial and Contracting Oversight concluded an oversight hearing to examine business practices of durable medical equipment companies, after receiving testimony from Steve Silverman, Med-Care Diabetic and Medical Supplies, Boca Raton, Florida.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nominations of Brian C. Deese, of Massachusetts, to be Deputy Director of the Office of Management and Budget, and Michael Kenny O'Keefe, and Robert D. Okun, both to be an Associate Judge of the Superior Court of the District of Columbia.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 959, to amend the Federal Food, Drug, and Cosmetic Act with respect to compounding drugs, with an amendment in the nature of a substitute; and

The nominations of Mark Gaston Pearce, of New York, Richard F. Griffin, Jr., of the District of Columbia, Sharon Block, of the District of Columbia, Harry I. Johnson III, of Virginia, and Philip Andrew Miscimarra, of Illinois, all to be a Member of the National Labor Relations Board.

BUSINESS MEETING

Committee on the Judiciary: On *Tuesday,* May 21, 2013, Committee ordered favorably reported S. 744, to provide for comprehensive immigration reform, with amendments.

STEM EDUCATION

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine how the Science, Technology, Engineering, and Mathematics (STEM) Education Pipeline can develop a high-skilled American workforce for small business, focusing on bridging the skills gap, including S. 744, to provide for comprehensive immigration reform, after receiving testimony from Johan Uvin, Deputy Assistant Secretary, Office of Vocational and Adult Education, and Camsie McAdams, Senior Advisor, STEM, Office of Program Evaluation and Policy, both of the Department of Education; Gerri Fiala, Deputy Assistant Secretary of Labor, Employment and Training Administration; Rose Wang, Binary Group, and Joan Ferrini-Mundy, National Science Foundation, both of Arlington, Virginia; Loren Goodman, InRule Technology, Chicago, Illinois; Leah Belsky, Kaltura, and Shree Taylor, Delta Decisions of DC, both of Washington, D.C.; Dee Mooney, Micron Foundation, Boise, Idaho; Naomi Moneypenny, ManyWorlds, Inc., Houston, Texas; and Bob Kolvoord, James Madison University Center for STEM Education and Outreach, Harrisonburg, Virginia.

MEDICARE PRESCRIPTION DRUG PROGRAM

Special Committee on Aging: Committee concluded a hearing to examine the Medicare prescription drug program, focusing on 10 years later, after receiving testimony from Margaret Woerner, Medicare Rights Center, New York, New York; and Jack Hoadley, Georgetown University Health Policy Institute, Richard I. Smith, Pharmaceutical Research and Manufacturers of America, and Robert G. Romasco, AARP, all of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 39 public bills, H.R. 2083–2121; and 5 resolutions, H.J. Res. 47–48; H. Con. Res. 38; and H. Res. 231, 233 were introduced. **Pages H2909–13**

Additional Cosponsors: **Pages H2913–14**

Report Filed: A report was filed today as follows:

H. Res. 232, providing for consideration of the bill (H.R. 1911) to amend the Higher Education Act of 1965 to establish interest rates for new loans made on or after July 1, 2013, and for other purposes (H. Rept. 113–89). **Page H2909**

Speaker: Read a letter from the Speaker wherein he appointed Representative McClintock to act as Speaker pro tempore for today. **Page H2841**

Recess: The House recessed at 10:56 a.m. and reconvened at 12 noon. **Page H2848**

Chaplain: The prayer was offered by the guest chaplain, Dr. Ken Whitten, Idlewild Baptist Church, Lutz, Florida. **Page H2848**

Commission to Eliminate Child Abuse and Neglect Fatalities—Appointment: Read a letter from Representative Pelosi, Democratic Leader, in which she appointed Mr. Robert E. ''Bud'' Cramer of Huntsville, AL to the Commission to Eliminate Child Abuse and Neglect Fatalities. **Page H2852**

Moment of Silence: The House observed a moment of silence in honor of the victims of the devastating tornadoes in Oklahoma and Texas. **Page H2861**

Northern Route Approval Act: The House passed H.R. 3, to approve the construction, operation, and maintenance of the Keystone XL pipeline, by a recorded vote of 241 ayes to 175 noes with 1 answering ''present'', Roll No. 179. **Pages H2852–95**

Rejected the Bishop (NY) motion to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 194 yeas to 223 nays, Roll No. 178. **Pages H2892–93**

Pursuant to the rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–11 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendments in the nature of a substitute recommended by the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources now printed in the bill. **Page H2875**

Agreed to:

Cohen amendment (No. 9 printed in H. Rept. 113–88) that requires TransCanada to submit its oil spill response plan, and any updates to the plan, to the Governors of each State in which the Keystone XL pipeline operates. TransCanada is required to develop such a plan under current law and regulations; only certain Federal agencies receive and review the plan and **Pages H2884–85**

Weber (TX) amendment (No. 1 printed in H. Rept. 113–88) that adds to the findings in Section 2 highlighting the State Department's scientific and environmental findings which conclude that the Keystone XL pipeline is a safe and environmentally sound project (by a recorded vote of 246 ayes to 168 noes, Roll No. 169). **Pages H2876–77, H2886–87**

Rejected:

Waxman amendment (No. 2 printed in H. Rept. 113–88) that sought to add a finding that ''the reliance on oil sands crudes for transportation fuels would likely result in an increase in incremental greenhouse gas emissions'' in the United States, resulting in additional greenhouse gas emissions equal to 4.3 million passenger vehicles. Also provided that the bill would not go into effect unless the President found that TransCanada or tar sands producers will fully offset the additional greenhouse gas emissions (by a recorded vote of 146 ayes to 269 noes, Roll No. 170); **Pages H2877–78, H2887**

Johnson (GA) amendment (No. 3 printed in H. Rept. 113–88) that sought to require a study on the health impacts of increased air pollution in communities surrounding the refineries that will transport diluted bitumen through the proposed Keystone XL pipeline (by a recorded vote of 177 ayes to 239 noes, Roll No. 171); **Pages H2878–79, H2887–88**

Connolly amendment (No. 4 printed in H. Rept. 113–88) that sought to require a threat assessment of pipeline vulnerabilities to terrorist attack and corrective actions necessary to protect the pipeline from such an attack and to mitigate any resulting spill (by a recorded vote of 176 ayes to 239 noes, Roll No. 172); **Pages H2879–80, H2888–89**

Rahall amendment (No. 5 printed in H. Rept. 113–88) that sought to strike section 3 of the bill (Keystone XL Permit Approval). Section 3 eliminates the requirement for a Presidential Permit to construct the Keystone XL pipeline across an international border. Section 3 further deems the new application for the Keystone XL pipeline approved, based on a final environmental impact statement

issued by the U.S. Department of State for a different pipeline route (by a recorded vote of 177 ayes to 238 noes, Roll No. 173); **Pages H2880–81, H2889**

Esty amendment (No. 6 printed in H. Rept. 113–88) that sought to remove the mandate to allow one specifically named company to never receive appropriate oversight through the permit process for operation and/or maintenance—in perpetuity, while allowing construction permit fast-track (by a recorded vote of 182 ayes to 234 noes, Roll No. 174); **Pages H2881–82, H2889–90**

Jackson Lee amendment (No. 7 printed in H. Rept. 113–88) that sought to lengthen the time period for filing a claim under the Act from 60 days to 1 year (by a recorded vote of 182 ayes to 234 noes, Roll No. 175); **Pages H2882–83, H2890**

Chu amendment (No. 8 printed in H. Rept. 113–88) that sought to requires the GAO to conduct a study and prepare a report of the Keystone XL pipeline to determine the total projected costs of pipeline spill cleanup, including the potential impacts of a petroleum spill on public health and the environment and the quantity and quality of water available for agricultural and municipal purposes (by a recorded vote of 185 ayes to 231 noes, Roll No. 176); and **Pages H2883–84, H2890–91**

Holt amendment (No. 10 printed in H. Rept. 113–88) that sought to increase American energy independence by requiring that all oil and refined fuels transported through the Keystone XL Pipeline be used here in the United States and not exported, unless the President finds that an exception is required by law or in the national interest (by a recorded vote of 162 ayes to 255 noes, Roll No. 177). **Pages H2885–86, H2891–92**

H. Res. 228, the rule providing for consideration of the bill, was agreed to by a recorded vote of 228 ayes to 185 noes, Roll No. 168, after the previous question was ordered by a yea-and-nay vote of 223 yeas to 194 nays, Roll No. 167. **Pages H2860–62**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow. **Page H2895**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Improving Postsecondary Education Data for Students Act: H.R. 1949, amended, to direct the Secretary of Education to convene the Advisory Committee on Improving Postsecondary Education Data to conduct a study on improvements to postsecondary education transparency at the Federal level and **Pages H2895–98**

Resolving Environmental and Grid Reliability Conflicts Act of 2013: H.R. 271, to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation. **Pages H2898–99**

Migratory Bird Conservation Commission—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the Migratory Bird Conservation Commission: Representatives Wittman and Dingell. **Pages H2899–H2900**

Military Compensation and Retirement Modernization Commission—Appointment: The Chair announced the Speaker's appointment of the following individuals on the part of the House to the Military Compensation and Retirement Modernization Commission: Mr. Dov S. Zakheim of Silver Spring, MD and Mr. Michael R. Higgins of Washington, DC. **Page H2900**

Tom Lantos Human Rights Commission—Appointment: Read a letter from Representative Pelosi, Democratic Leader, in which she re-appointed Representative McGovern as Co-Chair of the Tom Lantos Human Rights Commission. **Page H2900**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2852.

Quorum Calls—Votes: Two yea-and-nay votes and 11 recorded votes developed during the proceedings of today and appear on pages H2860–61, H2861–62, H2886–87, H2887, H2887–88, H2888–89, H2889, H2889–90, H2890, H2890–91, H2891–92, H2892–93 and H2894. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:11 p.m.

Committee Meetings

MISCELLANEOUS MEASURE

Committee on Appropriations: Full Committee held a markup on Homeland Security Appropriations Bill for FY 2014. The bill was ordered reported, as amended.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Strategic Forces held a markup on H.R. 1960, the "National Defense Authorization Act for Fiscal Year 2014". The bill was forwarded, without amendment.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Intelligence, Emerging Threats and Capabilities held a markup on H.R. 1960, the "National Defense Authorization Act for Fiscal Year 2014". The bill was forwarded, without amendment.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Seapower and Projection Forces held a markup on H.R. 1960, the ''National Defense Authorization Act for Fiscal Year 2014''. The bill was forwarded, without amendment.

MISCELLANEOUS MEASURE

Committee on Armed Services: Subcommittee on Military Personnel held a markup on H.R. 1960, the ''National Defense Authorization Act for Fiscal Year 2014''. The bill was forwarded, without amendment.

EXAMINING THE REGULATORY AND ENFORCEMENT ACTIONS OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing entitled ''Examining the Regulatory and Enforcement Actions of the Equal Employment Opportunity Commission''. Testimony was heard from Jacqueline A. Berrien, Chair, Equal Employment Opportunity Commission.

EXAMINING SAMHSA'S ROLE IN DELIVERING SERVICES TO THE SEVERELY MENTALLY ILL

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Examining SAMHSA's Role in Delivering Services to the Severely Mentally Ill''. Testimony was heard from Pamela S. Hyde, Administrator, Substance Abuse and Mental Health Services Administration; and public witnesses.

MISCELLANEOUS MEASURE

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade began a markup on H.R. 2052, the ''Global Investment in American Jobs Act of 2013''.

LEGISLATIVE MEASURES

Committee on Energy and Commerce: Subcommittee on Environment and the Economy held a hearing entitled ''Federal and State Partnership for Environmental Protection Act of 2013; the ''Reducing Excessive Deadline Obligations Act of 2013;'' and the ''Federal Facility Accountability Act of 2013''. Testimony was heard from Carolyn Hanson, Deputy Executive Director, Environmental Council of the States; Jeffery Steers, Director, Central Office Division of Land Protection and Revitalization, Virginia Department of Environmental Quality; Dan Miller, Senior Assistant Attorney General, Natural Resources and Environment Section, Colorado Department of Law; Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency; Thomas Duch, City Manager, Garfield, New Jersey; David M. Bearden, Specialist in Environmental Policy, Congressional Research Service; and David Trimble, Director, Natural Resources and Environment, Government Accountability Office.

ANNUAL REPORT OF THE FINANCIAL STABILITY OVERSIGHT COUNCIL

Committee on Financial Services: Full Committee held a hearing entitled ''The Annual Report of the Financial Stability Oversight Council''. Testimony was heard from Jacob Lew, Secretary, Department of the Treasury.

ARE LARGE FINANCIAL INSTITUTIONS IMMUNE FROM FEDERAL PROSECUTION?

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''Who Is Too Big to Fail: Are Large Financial Institutions Immune from Federal Prosecution?''. Testimony was heard from Mythili Raman, Acting Assistant Attorney General, Criminal Division, Department of Justice.

MISCELLANEOUS MEASURE

Committee on Foreign Affairs: Full Committee held a markup on H.R. 850, the ''Nuclear Iran Prevention Act of 2013''. The bill was ordered reported, as amended.

MIDDLE EAST AND NORTH AFRICA FY 2014 BUDGET: PRIORITIES AND CHALLENGES

Committee on Foreign Affairs: Subcommittee on the Middle East and North Africa held a hearing entitled ''The Middle East and North Africa FY 2014 Budget: Priorities and Challenges''. Testimony was heard from Beth Jones, Acting Assistant Secretary of State, Bureau of Near Eastern Affairs, Department of State; Alina L. Romanowski, Acting Assistant Administrator, Bureau for the Middle East, U.S. Agency for International Development.

ASSESSING THE THREAT TO THE HOMELAND FROM AL QAEDA OPERATIONS IN IRAN AND SYRIA

Committee on Homeland Security: Subcommittee on Counterterrorism and Intelligence held a hearing entitled ''Assessing the Threat to the Homeland from al Qaeda Operations in Iran and Syria''. Testimony was heard from public witnesses.

PROTECTING U.S. CITIZENS' CONSTITUTIONAL RIGHTS DURING THE WAR ON TERROR

Committee on the Judiciary: Full Committee held a hearing entitled ''Protecting U.S. Citizens' Constitutional Rights During the War on Terror''. Testimony was heard from public witnesses.

BORDER SECURITY, ECONOMIC OPPORTUNITY AND IMMIGRATION MODERNIZATION ACT; AND IMMIGRATION REFORM AND CONTROL ACT OF 1986

Committee on the Judiciary: Full Committee held a hearing on S. 744, the ''Border Security, Economic Opportunity and Immigration Modernization Act''; and the Immigration Reform and Control Act of 1986: Lessons Learned or Mistakes Repeated?''. Testimony was heard from public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on the following measures: H.R. 1964, the ''National Petroleum Reserve Alaska Access Act''; H.R. 1965, the ''Federal Lands Jobs and Energy Security Act''; H.R. 1394, the ''Planning for American Energy Act of 2013''; H.R. 555, the ''BLM Live Internet Auctions Act''. Testimony was heard from Jamie Connell, BLM Acting Deputy Director, Department of the Interior; Dan Sullivan, Commissioner, Department of Natural Resources, State of Alaska, Charlotte E. Brower, Mayor, North Slope Borough; and public witnesses.

IRS TARGETING AMERICANS FOR THEIR POLITICAL BELIEFS

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''The IRS Targeting Americans for Their Political Beliefs''. Testimony was heard from Neal S. Wolin, Deputy Secretary, Department of the Treasury; J. Russell George, Treasury Inspector General for Tax Administration; and a public witness.

SMARTER SOLUTIONS FOR STUDENTS ACT

Committee on Rules: Full Committee held a hearing on H.R. 1911, the ''Smarter Solutions for Students Act''. The Committee granted, by record vote of 7–2, a closed rule for H.R. 1911. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill. The rule provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–12 shall be considered as adopted. The rule provides that the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. Section 2 of the rule directs the Clerk to, in the engrossment of H.R. 1911, add the text of H.R. 1949 as passed by the House as a new matter at the end of H.R. 1911 and make conforming modifications in the engrossment. Section 3 of the rule provides that on any legislative day during the period from May 24, 2013, through May 31, 2013: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment. Section 4 of the rule provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of the resolution. Section 5 of the rule provides that the Committee on Appropriations may, at any time before 6 p.m. on Wednesday, May 29, 2013, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2014. Section 6 of the rule provides that the Committee on Agriculture may, at any time before 6 p.m. on Wednesday, May 29, 2013, file a report to accompany H.R. 1947. Testimony was heard from Chairman Kline, and Representatives George Miller (CA), Davis (CA), Courtney, Rice, and Edwards.

EXASCALE COMPUTING CHALLENGES AND OPPORTUNITIES

Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled ''Exascale Computing Challenges and Opportunities''. Testimony was heard from Roscoe Giles, Chairman, Advanced Scientific Computing Advisory Committee; Rick Stevens, Associate Laboratory Director for Computing, Environment and Life Sciences, Argonne National Laboratory; Dona Crawford, Associate Director for Computation, Lawrence Livermore National Laboratory; and a public witness.

SAVING TAXPAYER DOLLARS: FREEZING THE FEDERAL REAL ESTATE FOOTPRINT

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled ''Saving Taxpayer Dollars: Freezing the Federal Real Estate Footprint''. Testimony was heard from Dorothy Robyn, Commissioner, Public Buildings, Service, General Services Administration; E.J. Holland, Jr., Assistant Secretary for Administration, Department of Health and Human Services; Jeffery Orner, Chief Readiness Support Officer, Department

of Homeland Security; and William Borchardt, Executive Director for Operations, Nuclear Regulatory Commission.

PRESIDENT'S FISCAL YEAR 2014 BUDGET: ADMINISTRATION PRIORITIES FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing entitled ''The President's Fiscal Year 2014 Budget: Administration Priorities for the U.S. Environmental Protection Agency''. Testimony was heard from Nancy Stoner, Acting Administrator, Office of Water, Environmental Protection Agency; and Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency.

EXAMINATION OF VA'S SPECIAL INITIATIVE TO PROCESS RATING CLAIMS PENDING OVER TWO YEARS

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''Expediting Claims or Exploiting Statistics?'' An Examination of VA's Special Initiative to Process Rating Claims Pending Over Two Years. Testimony was heard from Allison A. Hickey, Under Secretary for Benefits, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

ONGOING INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee held a hearing entitled ''Ongoing Intelligence Activities.'' This was a closed hearing.

ONGOING INTELLIGENCE ACTIVITIES

House Permanent Select Committee on Intelligence: Full Committee held a hearing entitled ''Ongoing Intelligence Activities.'' This was a closed hearing.

Joint Meetings

ECONOMIC OUTLOOK

Joint Economic Committee: Committee concluded a hearing to examine the current economic outlook, after receiving testimony from Ben S. Bernanke, Chairman, Board of Governors of the Federal Reserve System.

COMMITTEE MEETINGS FOR THURSDAY, MAY 23, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2014 for various agencies within the Department of Agriculture, 10 a.m., SD–124.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nomination of Penny Pritzker, of Illinois, to be Secretary of Commerce, 11 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings to examine the extraction of gas from shale, focusing on current practices within the industry and environmental concerns to be addressed, 10 a.m., SH–216.

Committee on Environment and Public Works: to hold hearings to examine the nomination of Allison M. Macfarlane, of Maryland, to be a Member of the Nuclear Regulatory Commission, 9 a.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine United States-European Union economic relations, focusing on crisis and opportunity, 10 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce, to hold hearings to examine improving Federal health care in rural America, focusing on developing the workforce and building partnerships, 10 a.m., SD–342.

Committee on the Judiciary: business meeting to consider the nominations of Patricia E. Campbell-Smith, of the District of Columbia, and Elaine D. Kaplan, of the District of Columbia, both to be a Judge of the United States Court of Federal Claims, and Charles R. Breyer, of California, Rachel Elise Barkow, of New York, and William H. Pryor, Jr., of Alabama, all to be a Member of the United States Sentencing Commission, 10 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Derek Anthony West, of California, to be Associate Attorney General, Department of Justice, and Valerie E. Caproni, of the District of Columbia, and Vernon S. Broderick, both to be a United States District Judge for the Southern District of New York, 10:30 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Armed Services, Subcommittee on Tactical Air and Land Forces, markup on H.R. 1960, the ''National Defense Authorization Act for Fiscal Year 2014'', 9 a.m., 2118 Rayburn.

Subcommittee on Readiness, markup on H.R. 1960, the ''National Defense Authorization Act for Fiscal Year 2014'', 10:30 a.m., 2212 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''Examining Drug Compounding'', 10 a.m., 2322 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade, markup on H.R. 2052, the ''Global Investment in American Jobs Act of 2013'', 9 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets and Government Sponsored Enterprises, hearing on discussion drafts of the following legislation: H.R. 1135, the ''Burdensome Data Collection Act''; H.R. 1105, the ''Small Business Capital Access and Job Preservation Act''; and H.R. 1564, the ''Audit Integrity and Job Protection Act''; and legislation regarding Section 913 of the Dodd-Frank Act, 9:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Western Hemisphere, hearing entitled ''U.S.-Mexico Security Cooperation: An Overview of the Merida Initiative 2008–Present'', 10 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on The Constitution and Civil Justice, hearing on H.R. 1797, the ''District of Columbia Pain-Capable Unborn Child Protection Act'', 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Water and Power, hearing on H.R. 255, to amend certain definitions contained in the Provo River Project Transfer Act for purposes of clarifying certain property descriptions, and for other purposes; H.R. 745, to reauthorize the Water Desalination Act of 1996; and H.R. 1963, ''Bureau of Reclamation Conduit Hydropower Development Equity and Jobs Act'', 10 a.m., 1324 Longworth.

Committee on Science, Space, and Technology, Subcommittee on Environment, hearing entitled ''Restoring U.S. Leadership in Weather Forecasting'', 9:30 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Contracting and Workforce, hearing entitled ''Building America: Challenges for Small Construction Contractors'', 10 a.m., 2360 Rayburn.

Committee on Ways and Means, Subcommittee on Social Security, hearing on the President's and Other Bipartisan Entitlements Reform Proposals, 9:30 a.m., B–318 Rayburn.

House Permanent Select Committee on Intelligence, Full Committee, hearing entitled ''Ongoing Intelligence Activities'', 8:30 a.m., HVC–304. This is a closed hearing.

Next Meeting of the SENATE

9:30 a.m., Thursday, May 23

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will vote on the motion to invoke cloture on the nomination of Srikanth Srinivasan, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

Following the vote on the motion to invoke cloture on the nomination of Srikanth Srinivasan, Senate will continue consideration of S. 954, the Farm bill, with a vote on Sanders Amendment No. 965.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Thursday, May 23

House Chamber

Program for Thursday: Complete consideration of H.R. 3—Northern Route Approval Act. Consideration of H.R. 1911—Smarter Solutions for Students Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Crawford, Eric A. ''Rick'', Ark., E719
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