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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, January 29, 2013, at 1 p.m.

Senate

MONDAY, JANUARY 28, 2013

The Senate met at 2 p.m. and was called to order by the Honorable TIM KAINE, a Senator from the Commonwealth of Virginia.

PRAYER

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

Let us pray.

Almighty God, Lord of our lives, Your mighty power provides us with strength for today and bright hopes for tomorrow. Bring Your wisdom and order into this legislative Chamber today, sustaining our lawmakers with the knowledge of Your abiding providence.

Lord, release them from the tightly wound springs of pressure and stress through their daily communion with You. Keep Your hand upon our Senators, to uphold and guide them along the pathway of life. Strengthen them to think clearly, serve creatively, and endure consistently.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TIM KAINE 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 28, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TIM KAINE, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. KAINE 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 until 4:30 p.m. During that time Senators will be permitted to speak for up to 10 minutes each. At 4:30 p.m. the Senate will begin consideration of the Hurricane Sandy emergency supplemental, H.R. 152. At 5:30 p.m. there will be at least two rollcall votes. The first vote is expected to be in relation to the Lee amendment to H.R. 152, and the second vote will be on passage of H.R. 152.

MEASURES PLACED ON THE CALENDAR EN BLOC—S. 47, H.R. 152, S. 81, S. 82, S. 83, S. 124, AND H.R. 325

Mr. REID. Mr. President, there are seven 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 legislative clerk read as follows:

A bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

A bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance.

A bill (S. 81) to provide guidance and priorities for Federal Government obligations in the event that the debt limit is reached.

A bill (S. 82) to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes.

A bill (S. 83) to provide for continuing operations of Government in a fiscally responsible manner.

A bill (S. 124) to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

A bill (H.R. 325) to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar.

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

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COMPREHENSIVE IMMIGRATION REFORM

Mr. REID. Mr. President, last week, after the Nation celebrated the second inauguration of President Obama, I expressed a hope that this Congress would be characterized by its commitment to finding common ground.

I am pleased that a bipartisan group of eight Senators—four Democrats and four Republicans—will announce an agreement on a framework for comprehensive immigration reform as early as this afternoon.

No one denies America's immigration system is broken. As I have said, this is one of the most important legislative missions Congress will undertake this year. I applaud these eight Senators for setting aside partisanship to tackle a crucial issue facing our Nation.

This is a positive first step, but the true test of our congressional leadership will be to pass a comprehensive bill.

As a Senator from Nevada who has for years witnessed firsthand the difficulties our broken immigration system presents for immigrants and their families, it is very important to me personally that we finally resolve this issue. So I pledge that I will do everything in my power as the majority leader to get a bill across the finish line. Nothing short of bipartisan success is acceptable to me.

President Obama has already taken commendable executive action to suspend deportation of outstanding young men and women who were brought to this country illegally by their parents. I thank President Obama for his leadership and for making comprehensive immigration reform a top priority of his administration.

I am also pleased President Obama will present to the Nation his own ideas to fix the current broken immigration system during a visit to Las Vegas tomorrow. With bipartisan support building in both Houses of Congress, and a President who is eager to solve this issue, there is no reason we should not pass comprehensive immigration reform immediately. It will be good for our economy and good for immigrant families. But successful immigration reform cannot be piecemeal, and it must include a path to citizenship for an estimated 11 million undocumented individuals in our country.

Legislators must craft a comprehensive solution that, among other things, continues to secure our borders; punishes unscrupulous employers who exploit immigrants and undercut American wages; improves our dysfunctional legal immigration system; and requires the 11 million people who are undocumented to register with the government, pay fines and taxes, and go to the back of the line—not to the front of the line. They have to learn English, work, pay taxes, and stay out of trouble. Only then they, as I have indicated, get to go to the back of the line. But they do obtain legal status, which is so important.

The framework proposed by the bipartisan group of eight Senators meets these criteria. I hope we will soon have a bill to send through the committee process and bring to the floor for a vote.

I have long said when my Republican colleagues were truly ready to craft a commonsense legislative solution that was tough, fair, and practical, we would stand ready to cooperate. We have been doing this alone. It is good to have some friends and partners in this effort.

For years Democrats have been eager to pass comprehensive immigration reform, but the Republicans have been unwilling to work to find common ground. I am glad things have changed. I am so happy to see that my Republican colleagues—at least some of them—finally seem ready to find a bipartisan way to correct the flaws in this Nation's immigration system instead of just complaining that the system is broken.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

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 until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

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

The legislative clerk proceeded to call the roll.

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

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

FEDERAL SPENDING

Mr. GRASSLEY. Mr. President, during the next few weeks and months Congress and the President will again have an opportunity to demonstrate that we are serious about dealing with deficits and debt by reducing spending. We have the debt limit issue coming up, we have the sequestration issue coming up by March 2, and we have the continuing resolution issue coming up on March 27. So those are three very real times—and important times—to deal with deficit and spending.

The reason we need to address the Federal runaway spending is obvious to everybody who has a family budget and wonders why Congress cannot live the same as families live—within our income.

The reason we need to address the Federal spending is obvious—because it is the real driver of our deficits and our debt. Spending is the reason we are up against the $16.4 trillion debt limit. Spending was the reason Congress and President Obama raised the debt ceiling by $2.1 trillion just a year and a half ago.

In 2006 the junior Senator from Illinois, Mr. Obama, came to the floor and made a very passionate and thoughtful statement here on the Senate floor in opposition to raising the debt limit. Many of the reasons he gave then are relevant today. In fact, they are even more appropriate because the debt is much higher and we have a fiscal mess.

It is instructive for my colleagues to hear the words straight from then-Senator Obama. He delivered these remarks on March 16, 2006. At that time, the Senate was debating raising the debt limit by $781 billion to a new limit then that seems very small today—about half of what it is today—raising the limit in 2006 to $8.9 trillion. So I thought it would be worth—for the President's benefit as well as our benefit—going over what then-Senator, now-President Obama had to say, so I am going to quote partially from his speech. This is from the 2006 debt ceiling debate:

> The fact that we are here today to debate raising America's debt limit is a sign of leadership failure. It is a sign that the U.S. Government can't pay its own bills. It is a sign that we now depend on ongoing financial assistance from foreign countries to finance our Government's reckless fiscal policies.

He goes on to say:

> Over the past 5 years, our federal debt has increased by $3.5 trillion to $8.6 trillion. That is ''trillion'' with a T. That is money that we have borrowed from the Social Security trust fund, borrowed from China and Japan, borrowed from American taxpayers. And over the next 5 years, between now and 2011, the President's budget will increase the debt by almost $3.5 trillion.
>
> Numbers that large are sometimes hard to understand. Some people may wonder why they matter. Here is why: This year, the Federal Government will spend $220 billion on interest. That is more money to pay interest on our national debt than we will spend on Medicaid and the State Children's Health Insurance Program. That is more money to pay interest on our debt this year than we will spend on education, homeland security, transportation, veterans benefits combined.

It is more money in one year than we are likely to spend to rebuild the devastated gulf coast in a way that honors the best of America. And the cost of our debt is one of the fastest growing expenses in the Federal budget.

Senator Obama went on to say:

> This rising debt is a hidden domestic enemy, robbing our cities and States of critical investment in infrastructure like bridges, ports, levees; robbing our families and our children of critical investments in education, health care reform; robbing our seniors of the retirement and health security they have counted on.
>
> Every dollar we pay in interest is a dollar that is not going to investment in America's priorities. Instead, interest payments are a significant tax on all Americans—a debt tax

that Washington doesn't want to talk about. If Washington were serious about honest tax relief in this country, we would see an effort to reduce our national debt by returning to responsible fiscal policies.

So what he said in 2006 is still very much true today, only we are in a worse situation. We are in a situation where he is now President of the United States, and through his leadership, something can be done about it.

I wish to continue to quote him by saying—this is what he said in 2006:

Our debt also matters internationally. My friend, the ranking member of the Senate Budget Committee, likes to remind us that it took 42 Presidents 224 years to run up only $1 trillion of foreign-held debt. This administration did more than that in just 5 years.

The administration he refers to was the Bush administration at that time, and he was legitimately finding fault with that.

Now, there is nothing wrong with borrowing from foreign countries. But we must remember that the more we depend on foreign nations to lend us money, the more our economic security is tied to the whims of foreign leaders whose interests might not be aligned with ours.

Increasing America's debt weakens us domestically and internationally. Leadership means that ''the buck stops here''. Instead, Washington is shifting the burden of bad choices today onto the backs of our children and grandchildren.

America has a debt problem and a failure of leadership. Americans deserve better.

That is what Senator Obama said in 2006. That pretty much applies today as well. For these reasons, Senator Obama announced his position to oppose the effort to increase America's debt limit in 2006.

The national debt today is nearly double what it was in 2006 when President Obama called it a sign of leadership failure and a hidden domestic enemy. During President Obama's first 4 years, we added $6 trillion to the national debt—more than was added under President Bush's entire 8 years. Yet, under President Obama's recent budgets, he'd add another $10 trillion to the debt over the next 10 years. That is his plan, to add another $10 trillion. Perhaps that is why, when given a chance, not a single Democrat in the Congress voted in favor of President Obama's budgets.

When President Obama announced his vote against that debt limit increase in 2006, if we had a debt problem then and a failure of leadership in 2006, what do we have today?

Surely President Obama, after 4 years of trillion-dollar deficits each year, believes that now is the time to reduce our debt by returning to responsible fiscal policies, as he stated as a Senator. At more than $16 trillion, President Obama must know that our national and economic security are undermined by our dependence on foreign countries to lend us money.

In the summer of 2008, while on the campaign trail, Senator Obama made this statement when answering a question about deficits and debt. This will be the last quote I give. This is not from the floor of the Senate, this is from the campaign trail. He was asked about deficits and debt.

The problem is, is that the way Bush has done it over the last eight years is to take out a credit card from the Bank of China in the name of our children, driving up our national debt from $5 trillion for the first 42 presidents—number 43 added $4 trillion by his lonesome, so that we now have over $9 trillion of debt that we are going to have to pay back—$30,000 for every man, woman and child. That's irresponsible. It's unpatriotic.

Remember, he made these statements when annual deficits were a couple hundred billion dollars per year rather than the $1 trillion-plus deficits of each of the past 4 years. He made these statements when our national debt was $8 to $9 trillion rather than today's $16 trillion. That is close to $50,000 for every man, woman, and child, not the $30,000 it was when he spoke to us in 2008.

So it is time for the President to acknowledge what he realized in 2006—that we have a spending problem—when he voted against increasing the debt limit.

Earlier this month the President got his campaign wish to raise taxes on the so-called wealthy, even though it will do next to nothing to reduce deficits. But that is done. Now it is time to focus on the real driver of our deficits and debt: runaway Federal spending.

I look forward to working with my colleagues and hopefully with President Obama over the next few months to finally take action to get our fiscal house in order. Leadership means the buck stops with him. It is time to stop shifting the burden of bad choices today onto the backs of our children and grandchildren. It is what Americans deserve, and with Presidential leadership, it can be accomplished.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

SOLVING THE DEBT PROBLEM

Mr. MCCONNELL. Mr. President, there are many complex issues facing Congress at the moment, many of which have vexed us literally for years. But one issue that demands our immediate attention is the national debt because if we do not do something now to rein in our Nation's out-of-control debt, we may never be able to put America back on a sustainable fiscal and economic path. If that happens, then many of the other issues we face will be largely irrelevant.

We need to give this issue everything we have, and we need to start right now. We need to devote the same kind of energy to this issue that we devoted to other great national threats in the past. That means serious bipartisan negotiation, careful committee consideration, and, yes, tough decisions on the kinds of votes that reflect that. This work will take time. That is why I have been urging Senate Democrats to set the legislative gears into motion right away.

Last week the House passed a bill that would give us 3 months to work out an effective solution to the debt crisis we face. On Wednesday we will take it up here in the Senate. If the House bill passes here and is signed into law, the Finance Committee should immediately—immediately—begin laying the foundation for a solution. Negotiations should begin, hearings should be scheduled, and legislation should actually be marked up.

Three months, as you know, is not very much time in Congress, especially considering the fiscal deadlines we have to address in the coming weeks. Let's use this additional time to develop a plan, a serious, effective, bipartisan plan that can put the debt on a downward trajectory. Let's put together a proposal that gives new confidence to the American people in our ability to work together, with an eye toward improving their lives and their prospects rather than our own. That gives new confidence to the markets and to the ratings agencies that have warned us against doing anything that doesn't address our long-term problem, which is, of course, Washington spending.

I know a number of Democrats view this exercise as little more than an opportunity to raise taxes. What I am saying is that they need to put their preoccupation with taxes aside and focus on the root problem. Raising taxes is something you do when you lack the will or the courage to reform a government that has become entirely too expensive.

It is time to make some tough decisions for a change, and we will only do it if we get started right now, in a bipartisan fashion, through the regular order. I know my constituents are tired of seeing us careen from one crisis to another around here. Regular order is how we will avoid that. Let's avoid the eleventh-hour deals, and that means getting started right now on a legislative plan that can actually pass.

Some pundits claim that Washington is simply incapable of ever solving a challenge as big as this one. They say that our democratic institutions are broken, that divided government precludes us from passing things that matter to the future of our country. I say the opposite is true. History shows that divided government offers actually the best opportunity to finally surmount this challenge.

The President came to office in his first term with a promise to unify our country, to work with Democrats and Republicans to take on America's greatest challenges. Unfortunately, his rhetoric was just that. Four years later, polls show we are more divided as a nation than we were when the President first took office.

As I said last week, I believe the beginning of a second term actually presents a real opportunity to change course, to do the work so many have refused to do for the past 4 years. This is our chance. This is our chance to prove the pundits wrong and actually get something accomplished.

Let's be clear about something up front: Solving our debt problem isn't about austerity, it is about opportunity. It is not about austerity, it is about opportunity. It is about creating some space for businesses to grow and for our rising generation of Americans to feel as though they can look to the future with optimism rather than with dread. But that only comes after some hard work on the debt is done. Let's get to work.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. It seems lately that I come to the floor when the Republican leader is making especially reasonable, sensible proposals. I heard him say the same thing last week, and I agree with him.

I saw a number of my Democratic friends this weekend in different places, and I said: Look, the President has been elected. He deserves credit for that, and he now has a chance to define his legacy. He told us what that is in his inaugural address. Isn't this the right time to get out of the way this difficult problem of dealing with entitlements that every single one of us knows we have to do? Hasn't the House of Representatives actually given us an unexpected 3 or 4 months in which we can do it?

If President Obama wants, as I am sure he must, to begin to work on the other issues he talked about in his inaugural address—immigration, for example, and his other important issues—why would we not go to work right now, as the Republican leader says, and deal with the runaway, out-of-control entitlement spending that is going to bankrupt the program the seniors depend upon to pay their medical bills? We know that is going to happen. The Medicare trustees have said it is going to happen in 12 years, and we have all made speeches saying what we should do with it. Let's just do it. As the Republican leader says, this isn't about austerity.

The Australian Foreign Minister came to this country about a month ago, and in his first address—he is a great friend of America's. He said the United States of America is one budget agreement away—one budget agreement away—from reasserting its global preeminence. That is his view from Down Under. Looking at Asia, looking at China, looking at Japan, he wants us to succeed. He thinks that if we succeed, Australia succeeds. He wants us to get this done.

Average families want us to get this done. They don't know why we don't get it done. They understand we can't keep spending money we don't have.

We have had recommendations from the President's debt commission, from the Domenici-Rivlin group, and from the Ryan-Wyden proposal. We have had all of these different ideas. We know exactly what to do, and suddenly we have 3 months to do it. I urge the President to make a proposal, show us what to do. There are 40 or 50—there might be 60 or 70 of us here on both sides of the aisle ready to go the work and to do it now.

I congratulate the Republican leader for his reasonableness and his comments, and I hope he continues to offer this. I might say, without trying to embarrass him, that every time we have had a crisis we need to solve, it has been the Republican leader and the White House that have gotten it done. So why don't they try again? Why don't they try again? That is my wish.

I came here to talk about something else today, but I am glad I was here to hear that, and I congratulate the Republican leader.

Mr. MCCONNELL. Would the Senator yield?

Mr. ALEXANDER. I yield to the Senator.

Mr. MCCONNELL. As we have discussed before, and I think it is worth repeating, divided government is actually the best time to do difficult things. We have had four excellent examples in the last 25 years: Ronald Reagan and Tip O'Neill raised the age of Social Security, which saved that important program for another generation. Ronald Reagan and Tip O'Neill did the last comprehensive tax reform. Bill Clinton and the Republicans did welfare reform and actually balanced the budgets, believe it or not, in the late 1990s.

There is ample evidence that divided government is the best time to do really difficult things. When you join hands and do it, the American people understand that surely it must have been something we needed to do because these guys actually were able to agree on it.

I hope we won't miss another opportunity. Sometimes I think we are a little bit like the early Israeli Foreign Minister, Abba Eban, who said of the Palestinians that they ''never miss an opportunity to miss an opportunity.'' It appears as if we have rarely missed an opportunity to miss an opportunity. Hopefully, we won't miss this one as well.

I thank my friend from Tennessee.

Mr. ALEXANDER. I thank the Senator from Kentucky.

As we spoke on the floor, another example is President Johnson and Everett Dirksen on civil rights. That would not have happened if the government hadn't been divided, and it wouldn't have been as easily accepted by the American people if it had not been divided.

If the Republicans and the Democrats—if this Democratic President and this mixture of Republicans and Democrats in Congress say to the American people: We have a real fiscal cliff for you; all the programs you depend upon to pay your medical bills aren't going to have enough money to pay them, and we are going to have to make some changes to deal with that, people will accept that, especially if it comes from both of us.

As far as who is supposed to propose it, well, Senator CORKER and I have proposed it. We proposed what to do, but we are not President. We are not President. I don't know what the experience of the Governor of Virginia was, but if in Tennessee I had waited around for the legislature to come up with a road program, we would still be driving on dirt roads.

The President has to lay it out there and say: Let's do it this way. Then the legislators, all 535 of us, will say: No, Mr. President, we couldn't possibly do it that way. Let's do it a little bit differently, and we will come to a result. That is the way our system works. We have 3 months to do it, and I hope the Republican leader will continue to make his point.

RECESS APPOINTMENTS

Mr. ALEXANDER. Mr. President, last Friday a three-judge Federal appellate court made an important decision. It said that the President of the United States, President Obama, on January 4, 2012, made some recess appointments when the Senate wasn't in recess. In other words, they were constitutionally invalid.

The President made four appointments on January 4, 2012—three to the National Labor Relations Board and one to the consumer finance agency. He did it under his so-called recess appointment authority, which is defined in article II of the Constitution.

But the Court said: No, Mr. President. The Senate wasn't in recess. The only time you can make those appointments is between the annual sessions of Congress, and the Constitution also says that those vacancies to which you appoint have to happen during that recess.

The Chairman of the National Labor Relations Board made a remarkable response to the order of the Court. The order of the Court, by the way, vacated an important decision the Board made and said the two remaining NLRB members who are still on the Board are unconstitutionally there, so they vacated the order. Instead of recognizing the authority of the Court, the NLRB Chairman said, in effect: I am going to hang up a sign that says ''Open for business. We have important work to do.'' And they are going to keep going despite the fact that the NLRB has made 219 decisions with these two unconstitutionally appointed members since the month of January 2012, all of which, I would say, are invalid because the members who voted on the decisions were unconstitutionally appointed.

I am here today to call for Sharon Block and Richard Griffin—the two

members of the National Labor Relations Board who were unconstitutionally appointed by the President according to the Federal appellate court—calling on them to resign their positions and calling on the President of the United States to nominate a full slate of members to the National Labor Relations Board, and then let's do what the Constitution says we are supposed to do.

The best known authority of this body, the Senate, is likely to be the advice and consent provisions of the Constitution. Article II, section 2: With the advice and consent of the Senate, the President shall appoint Ambassadors and others. There are about 1,100 of those whom the President appoints.

Two years ago and then just last week, we streamlined the confirmation process a little bit to narrow the focus on the most important appointees and make it easier to get them confirmed. Those are the checks and balances the Constitution meant to establish. They did that so we would have liberty from a tyrannical executive branch, which is what the Founders were worried about. The Court has said the President has exceeded that. Therefore, these two remaining members of the NLRB should resign immediately and pack their bags and go home with our thanks for their hard work, despite the fact that the 219 cases they voted on ought to be vacated and probably will be when someone challenges those cases.

A new sign needs to go up at the National Labor Relations Board. Take down the sign that says ''Open for business'' and put up a sign that says ''Help wanted. Nominations accepted.''

The three-judge court of appeals did an interesting thing: They actually read the Constitution in its plain English. Here is what the Constitution says:

> The President shall have power to fill up all Vacancies that may happen during the Recess of the Senate.

Now, what is the recess of the Senate? Well, let's go back to the beginning of our country and for many years thereafter.

Sam Houston, Senator Sam Houston of Texas, had to go from Texas to New Orleans, get on a boat, come up the Mississippi River, and then ride a horse and take a stagecoach to get here. It took him weeks—same to go home.

James K. Polk of Tennessee, Speaker of the House, would take a stagecoach up to Pennsylvania and then follow the road or go on the river up to Pennsylvania and follow the road to the House of Representatives.

At one time, President Polk, after he became the President, had a vacancy in the Attorney General's Office, and he wrote to some person up in New Hampshire and asked him to take the job. It took 2 or 3 weeks to receive the letter, and it took 2 or 3 weeks to get the answer, and the answer was no.

In those days, there were long, extended periods in this country between the annual sessions of the Congress, when the Members of Congress were spread all over the country. The Founders anticipated that, and they wisely put into the Constitution a provision that said that during those times, the President may make a recess appointment while the Senate is in recess. And that person may hold the position until the end of the session.

Well, over the years, that has changed. Various Presidents have tried various ways to fill vacancies during a recess, and that has become something different in the last while. This hasn't been just Democratic Presidents who have done it. Presidents have become frustrated because sometimes Senators don't give their advice and consent. I know about that; I was nominated by President Bush the first to be the Education Secretary, and the Senator from Ohio at the time thought I needed a little examination and held me up for 3 months. Finally, the Senate agreed to my confirmation unanimously.

But that is what we are for. We are supposed to consider the President's nomination of Senator KERRY to be Secretary of State, as we are. We are supposed to consider the nomination of Senator Hagel as Secretary of Defense. And according to the law, we are supposed to consider the President's nominees for the very important National Labor Relations Board. But what the President did was to make three appointments to the Board the day after we went into our annual session. We went into session on January 3, 2012, and he made these appointments on January 4.

The court said the Senate was clearly in session—clearly in session. So if the President disagrees with the Senate, if he is afraid he is about to nominate somebody who the Senate won't like, well, then, he had better get somebody the Senate will approve or else he is not going to get that nominee. But the President said: No, I am going to do it my way, so I will try to change this recess appointment and do it in a way that is more extreme than has ever been done before.

I want to hasten to add there is no excuse here that if the President hadn't acted in this way the Senate might have held up the nomination for too long. Of course, the Senate has that right, if it chooses to do so. But in this case the nominations only arrived 3 weeks before the President made his appointments. So we have a straightout set of facts here, says the court. According to the Constitution, valid appointments may only be made during the recess between annual sessions of Congress, and these were not. Secondly, it may only be made to a vacancy that occurred during the recess, and two of the three vacancies which we are talking about occurred months before the recess.

The Chairman of the National Labor Relations Board effectively says ''open for business.'' In fact, the board should not be open for business, because the board only has one member who has been constitutionally appointed and confirmed, unanimously by the Senate. So the board, without a full quorum of three members, which it does not have—two are unconstitutionally appointed—can't issue regulations and can't decide cases, including appeals of decisions of unfair labor practices.

Let me give an example that might affect the State of Tennessee. We were very concerned last year—I was; Tennesseans were—when a complaint began to make its way through the National Labor Relations Board affecting the Boeing Company and its decision to put a plant in South Carolina. In other words, Boeing, from a State that does not have a right-to-work law, wanted to put a new plant in a State that does have a right-to-work law, and a complaint was filed, which, on the face of it, made it look like as if, in trying to do that, it is prima facie evidence they were violating national labor laws. That is a very expensive delay for the Boeing Company—or any company. Well, that eventually got settled after a lot of expense.

But let's say we have a small supplier in the State of Illinois, which is not a right-to-work State, that might want to work in Tennessee or Virginia, which are, and someone files a complaint. Do we want a board there that is unconstitutionally placed that might rule that is a prima facie violation of Federal law? To have members of the NLRB who are not confirmed by the U.S. Senate raises the prospect that would undermine the right-to-work law in Tennessee and Virginia and all the other States that have chosen to have one.

So this has very practical, everyday application in the State of Tennessee.

But even though the board can't issue regulations or decide cases, the rest of the NLRB can be open for business while the President makes nominations and the Senate considers those nominations under regular order. For example, the NLRB could conduct elections, it could investigate allegations of unfair labor practices, it could issue a complaint, administrative law judges could hold hearings, regional directors can settle cases, the general counsel may seek to enforce orders, and the general counsel could issue enforcement guidance memoranda.

They are all open for business, but the National Labor Relations Board is not open for business. Its ''open for business'' sign needs to come down, and a new one needs to go up that says: Help wanted. Nominations accepted.

Finally, there is a larger issue here. At the beginning of last year, I visited Mount Vernon. I mentioned it in the 2 minutes I had at the President's inaugural last week, because it made such an impression on me. I was reminded that the American Revolution was about tyranny by a king. That was the danger. That was what caused people to sacrifice their lives.

I saw in the National Archives this weekend the oath of allegiance signed

by George Washington and his troops, which swore allegiance to a country that was not even formed yet—an allegiance that would have caused him to be executed if we had lost the American Revolution. So there was a lot at stake when our country was founded, and so much of it was about liberty and about an ability to resist a king or an imperial leader.

George Washington himself imposed his own character upon the American character by his modesty and restraint, by his decision to step down as general of the American army. He could have been general for the rest of his life. He made the decision to step down as President of the United States after two terms. He could have been President for the rest of his life. But at the beginning of our country, liberty, to many people, meant avoiding an executive that was too strong, that didn't have proper checks and balances. And our Founders put into our Constitution checks and balances with the court and with the legislature.

Of course, as we like to point out, article 1 is about the Congress, about the legislature. And as I said earlier, perhaps the best known function the Senate has is the ability to advise and consent. The President may nominate, but those important people—men and women—may not take their offices until they have been confirmed by the Senate.

This administration, I am sorry to say, has not respected those checks and balances, as I had hoped it would. I would suggest maybe a retreat to Mount Vernon for President Obama and the White House staff. The Obama administration has appointed more czars than the Romanovs. We have always had some czars, such as the drug czars, but they have three dozen—three dozen who aren't subject to the usual restrictions that we have through the appropriations process.

The most blatant example of the imperial Presidency are the recess appointments at a time when the Senate, according to this court, was not in recess, in order to put into those positions men and women with whom the Senate would not agree. If the President could do what the President did on January 4, 2012, on a regular basis, we might take a recess break for lunch and come back and find we have a new Supreme Court Justice.

I am here to suggest the right thing to do would be to respect the tradition of checks and balances that is built into our Constitution. It is at work here, because the President took an action, we didn't like it, and the third branch of government has made a decision the President was wrong. The way to go forward is for the two remaining members of the National Labor Relations Board who were appointed unconstitutionally to resign their position and for the President to nominate as rapidly as he can men or women to fill the remaining vacancies on the board. And to the extent the committee on which I am the ranking Republican, which oversees labor matters, has anything to do with that, I will pledge speedy consideration of those nominees.

Let's get the National Labor Relations Board back in business. But it cannot be open for business today. It cannot be properly open for business today. Those two members should resign their positions and recognize the court has said we still have in America a Constitution that provides checks and balances. So take down the sign that says: Open for business, and put up the sign that says: Help wanted. Nominations accepted.

Mr. President, I commend my colleagues to read my floor remarks of February 2, 2012, about recess appointments, which I made following the President's so-called recess appointments and following my visit to Mount Vernon.

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

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

The legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—H.R. 152

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that no points of order be in order to the Lee amendment or H.R. 152, prior to a vote on passage of the bill.

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

HEALTH CARE COSTS

Mr. WHITEHOUSE. Mr. President, we are now entering a postfiscal cliff phase of budget negotiations, and a troubling but familiar refrain is already beginning to echo through this Chamber which goes something like this: In order to fix our deficit, we must cut Medicare and Medicaid benefits. This is wrong. This is flatout wrong and it is factually wrong.

A recent Providence Journal editorial touched on the dangers of that misguided approach. The editorial read: We need a better run Medicare and Medicaid, not one that covers fewer people. Quality can be improved and costs contained without throwing people off the rolls and into the streets and back into the free care of emergency rooms mandated for the uninsured and into expensive private insurance. In the end, we all pay in some way, in quality of life and in money, for the gaps we tolerate in our health care system.

Attacking Medicare and Medicaid is consistent with a particular political ideology—it has been part of that political ideology for decades now—but it is not consistent with the facts. It ignores the fact that our health care spending problem is systemwide, not just in Federal programs. It ignores the fact that we operate in this country a wildly inefficient health care system. It is not just Medicare.

For example, Secretary of Defense Robert Gates said, in reference to the defense budgets: We are being eaten alive by health care.

New data from the Centers for Medicare and Medicaid Services shows our national health care spending increased to $2.7 trillion in 2011, which is about 18 percent of America's gross domestic product. This is more than three times what it was in 1992, and it is about 100 times what it was back in 1960. The Presiding Officer, the new Senator from Virginia, and I were probably around in 1960. So in our lifetime it has gone up 100 times.

At this rate, by 2020, $1 out of every $5 in this country will go toward health care. This is a rocketing pace of increase.

In 1979, the year after I graduated from college, $221 billion; 1987, $519 billion; 1992, $857 billion; and now $2.7 trillion. Anybody looking at that graph of our exploding national health care costs who can think that Medicare is the problem simply does not have a grasp of the facts.

Let's compare U.S. spending to other developed countries. This is us, ''pre'' the last report when we were still at 17.6 percent of GDP. The next least efficient developed country is the Netherlands at 12 percent of GDP in 2010. Germany and France were at 11.6 percent of GDP.

This margin right here is the margin by which we are more inefficient than the least efficient of our industrialized competitors—$800 billion a year. We could save $800 billion a year on our national health care system just by becoming as efficient as the least efficient of our national competitors.

For all of this extra spending, the extra $800 billion a year, one might expect that we would have paid for and earned longer and healthier lives, but that is not the case. Our National Institute of Medicine recently compared the United States to 17 peer countries. We were worst for prevalence of diabetes among adults among those 17 countries, worst for obesity across all age groups of those 17 countries, and had the worst infant mortality of all 17 countries. We suffer higher death rates and worse outcomes for conditions such as heart disease and chronic lung disease.

This chart from that National Institute of Medicine report shows all these dots of the other countries grouped around cost—expenditure per capita—and life expectancy. That is the United States of America, the dot with the red circle around it. We are an outlier, below virtually all of these countries

except Poland and Turkey and Hungary, below them all on life expectancy. They are all above 78 and we are just below it, and we are wildly out of the grouping on cost. We are at way higher cost than the grouping of all of our industrialized competitors. We are wild outliers in a very bad direction of high cost and poor outcomes. This is a stark and unsettling disparity of us from virtually all the other nations. It is not to our benefit.

The real issue is the fact that we have to deal with the cost and the performance of our health care system. Another fact that I know the Presiding Officer is well aware of is how hard this is on American families. From 2000 to 2009 the average family premium for health insurance more than doubled from around $6,500 to more than $13,000. I can assure you the average family income did not double during that same period, unless maybe you were an average family on Wall Street.

Health care costs are a leading cause of family bankruptcy in this country. Thankfully, the Affordable Care Act will help millions of uninsured Americans purchase health coverage. But we should add, in addition to the kneejerk reaction to target Medicare and Medicaid being out of step with these facts, it will also hurt these families more without grappling with the real health care system cost problem.

Again, going after Medicare is wrong. It is a misdiagnosis of the problem, and, of course, when you miss the diagnosis you prescribe the wrong cure.

Medicare is actually one of the most efficient parts of our inefficient health care system. From 2007 to 2011, for the same set of health benefits, the annual growth rate in health spending per Medicare enrollee was 2.8 percent; for private plans, 5.6 percent, twice as much, a 100-percent higher cost than for Medicare.

The Congressional Budget Office has found that for every dollar we spend on Medicare, 98 cents of it goes through to people in the form of health care, actual health care. Spend $1, get 98 cents' worth of health care. For Medicare Advantage that the private insurance sector runs that operates under similar rules and treats the same population as Medicare, every $1 delivers only 89 cents in health care, with the rest spent on administrative cost and CEO salaries and marketing. So not only is Medicare not the problem, it is actually one of the best ways we have for delivering health care through this wildly inefficient outlier of a health care system.

I am not alone in saying that a correct diagnosis of the problem will lead us to health care system reform, not Medicare benefit cuts. Gail Wilensky, the former CMS Administrator under President George H.W. Bush, said in 2011:

> If we don't redesign what we are doing, we can't just cut unit reimbursement and think we are somehow getting a better system.

A lot of my colleagues give great credence to the private sector. In the private sector, one of the leaders in health care is George Halvorson, who recently stepped down as chairman and CEO of Kaiser Permanente, one of the biggest and best health care companies in the country. Here is what he said:

> There are people right now who want to cut benefits and ration care and have that be the avenue to cost reduction in this country and that's wrong. It's so wrong, it's almost criminal. It's an inept way of thinking about health care.

So from Republican administrators to private sector leaders, the message is the same: We have to solve this as a system problem.

Let me give a couple of examples of how we might want to go about doing this. As one example of the significant savings to be found in our health care system, a Washington Post columnist recently wrote:

> Few people realize that Medicare spends wildly different amounts per senior depending on where the senior happens to live. . . . Medicare spends 2.5 times more per senior in Miami than in Minneapolis.

I repeat, 2½ times more per senior in Miami than in Minneapolis—

> Yet there is no difference in quality or health outcomes associated with this extra spending. In other words, Medicare redistributes billions from regions where doctors practice cost effectively to regions where the local Medical Industrial Complex pads its income with excess services and procedures.

Our colleague, Senator FRANKEN, often says: If we could just deliver health care the way we do in Minnesota, we could solve our problem. And this column and this information bears it out. If they are not getting better health care in Miami, then why do we tolerate letting Miami absorb 2.5 times the cost per senior than they are able to provide it for in Minneapolis? We should be driving Miami toward Minneapolis, where we know they can do it in Minneapolis. Make that the model and force the change.

This graph uses data from the Dartmouth Atlas Project to illustrate this point. Not only is there significant variation in health care cost and quality—each of these dots is a State, and they are rated on overall quality and spending per beneficiary. As we can see, they spread out from very high cost and very poor quality States, such as Louisiana, to very low cost and very high quality States, such as New Hampshire. But if we draw a statistical line through this array of dots, here is the line we get. It shows the reverse correlation: The more you spend the worse your care.

A second example, and it is consistent with this, is how poorly our health care system performs on basic measures of quality and safety and prevention. For example, according to the news magazine ''The Week,'' avoidable infections passed on due to poor hospital hygiene kill as many people in the United States—about 103,000 people killed every year—as are killed by AIDS, breast cancer, and auto accidents combined. We are killing more people in this country through hospital-acquired infection than through AIDS, breast cancer, and auto accidents combined. These deaths are tragic to those families, but they are tragic in another sense because they are preventable.

As we have shown, in Rhode Island, when hospital staff follow a checklist of basic instructions—washing hands with soap, cleaning the patient's skin with antiseptic, placing sterile drapes widely over the patient—rates of infection plummet and the costs of treating those infections disappear. The costs of treating the 100,000 Americans who die every year from those hospital-acquired infections are huge, and they would disappear if we do not have the infections in the first place and the cost of treating the hundreds of thousands who get those infections and do not die, who are not among the 103,000 who die but nevertheless have to be treated, those costs also disappear. It is a pretty big number. We don't know exactly what it is, but the Center for Disease Prevention reported that from 2001 to 2009, there were State and Federal efforts to improve these efforts to prevent hospital-acquired infections, and that contributed to a 58-percent decrease in the number of central line bloodstream infections among intensive care unit patients. That, in turn, represents up to 27,000 saved and approximately $1.8 billion in cost savings to our health care system. Let's do more of that before we go after Medicare benefits.

A third example is managing and preventing chronic disease. Compare the United States to France on the treatment of lung disease and you will find that although France has more smokers and therefore higher rates of lung disease than the United States, levels of severity and fatality are three times lower in France. France spends eight times less on treatment per person than we do.

Compare the United States to Britain on diabetes. You will find that Britain spent only half of what we spend per person on diabetes, but it is five times more productive in managing diabetes than we are.

Dr. Daniel Vasella, who is the chairman of Novartis, explains that ''in America, no one has incentives to make quality and cost-effective outcomes the goal.''

France and Britain give their health care providers incentives to focus on early detection and cost-effective treatment that make wellness the goal, not treatment. To paraphrase George Washington University Professor Thomas J. Schoenbaum: ''Make virtue profitable and everyone's a saint.''

Saving money by reforming how we deliver health care is not just possible, it is happening. A 2008 report from the Dartmouth Atlas Project predicted that ''using the Mayo Clinic as a benchmark, the nation could reduce health care spending by as much as 30 percent for acute and chronic illnesses.'' A benchmark based on Intermountain Healthcare, which is a great

provider based in Utah, predicts a reduction of more than 40 percent. So we are doing it; it is happening. We just need to spread it more widely. During a 2011 Senate HELP hearing that I chaired, Greg Poulsen of Intermountain Healthcare said:

> Intermountain and other organizations have shown that improving quality is compatible with lowering costs and, indeed, high-quality care is generally less expensive than substandard care.

Take a look at what various experts estimate as the potential annual savings that could be found in our health care system. The President's Council of Economic Advisers says that we could annually save $700 billion a year. The National Institute of Medicine recently reported that we could save $750 billion a year. The New England Healthcare Institute has estimated that a savings of $850 billion a year is possible, and the Lewin Group—a private group that focuses extensively on health care and does research and analysis—together with George Bush's Treasury Secretary Paul O'Neill, have come up with an estimate of $1 trillion a year. We don't know what the exact number is. These are estimates, but for sure there is a huge potential for savings in our health care system.

These savings flow through to our Federal budget. The Federal Government does 40 percent of America's health care spending. If the estimate by the Council of Economic Advisers is correct, the national health care expenditure is $2.7 trillion, Federal health care spending is $1.1 trillion. After we do the math, it is 40 percent.

Of the four estimates, let's take the most conservative one. Let's take the Council of Economic Advisers' estimate of $700 billion—the lowest of the four—and multiply it by 40 percent. The Federal share would be $280 billion per year for the Federal Government. It would be $280 billion per year just by getting those kinds of savings.

Let's say we cannot get the $700 billion, that it is too hard to lift; we tried and cannot get there. Let's say we can only get half of those estimated savings. That is $350 billion times 40 percent. We could set a target of $140 billion of savings in the Federal budget in health care having assumed a 50-percent failure rate in getting there from the lowest of the four major estimates. That is pretty conservative to start from the lowest of the four major estimates, assume a 50-percent failure rate, and there we are, we still get $140 billion a year we could target as savings coming back into the Federal budget and the Federal health care system.

Let's say we set the target at $350 billion, the halfway target, and we failed at meeting even that target. Let's say we failed again by half, which is not close. That is a huge miss. Let's say the best we could do is to get $175 billion of the $700 billion in savings, which was the most conservative of those four estimates. If we multiply that by 40 percent, guess what. That is $70 billion a year.

What do we do when we get into budget discussions? We multiply by 10 because it is a 10-year budget estimate. If we are going to take that $70 billion and move into a budget discussion, it becomes $700 billion. So this is real money.

Let me add that most recently the Commonwealth Fund released a report that outlines a set of distinct policies that would accelerate health care delivery system reform and slow health spending by $2 trillion over 10 years. So that is not just $700 billion but $2 trillion over 10 years, from 2014 to 2023.

How do we get there? Well, many of the tools necessary to drive down costs and improve the quality of patient care are already in the law. The Affordable Care Act, the famous ObamaCare, included 45 provisions which have virtually never been discussed on this Senate floor—because they were not controversial—that were dedicated to redesigning how health care is delivered. These delivery system reforms cover five priority areas: payment reform, making sure that people are paid to keep us well and not wait until we get sick and have to treat us more; primary and preventive care, making sure we are taking care of chronic patients, less specialists, more care upfront; measuring and reporting quality so we are not dealing with the hospital-acquired infections so much; administrative simplification because for doctors it is a bear to try to keep up with the insurance companies that try to continue to deny them payment; and health information technology so we have an electronic health record that loads with data and is sensible and state of the art.

These Affordable Care Act delivery system reforms span our health care system and engage all stakeholders in the effort—for example, patients, physicians, hospitals, State governments, and the Federal Government—which is good because working together is the right way to achieve these reforms.

There is even evidence that the Affordable Care Act is already working to slow the growth of health care spending. In a Washington Post op-ed this summer, Secretary of Health and Human Services Kathleen Sebelius wrote:

> In the decade before the law passed, national health expenditures increased about 7 percent a year. But in the past two years, those increases have dropped to less than 4 percent per year.

At the top of this graph, it is actually starting to tip down a little bit, thanks to that. Dropping it to less than 4 percent per year has saved Americans more than $220 billion.

Peter Orszag, the former Director of the Office of Management and Budget, said the same thing in a recent Providence Journal editorial. He said——

The ACTING PRESIDENT pro tempore. The Senator needs to begin to wrap up.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent for an additional 2 minutes.

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

Mr. WHITEHOUSE. Mr. President, I know the distinguished Senator from Alabama is waiting and I will wrap up.

Peter Orszag wrote in the Providence Journal:

> In January 2009, [CMS] projected that expenditures would reach 19.8 percent of gross domestic product in 2017. This year, the projection for 2017 is down to 18.4 percent of GDP. That difference amounts to a whopping $280 billion. In other words, relative to the projections issued three years earlier, today's forecasts suggest health savings of $3,500 per family of four by 2017.

I did this report for the Senate HELP Committee last year on the Affordable Care Act delivery system reform provisions. Anybody who is watching and wants a copy, contact my office; we will mail or e-mail it to you.

In the report we found that the administration has made fairly considerable progress on the 45 delivery system reform provisions in the law, but much more can and must be done. Specifically, the report calls upon the Obama administration to set a cost savings target for health care delivery system reform. A cost savings target will focus and guide and spur the administration's efforts in a manner that vague intentions to bend the health care cost curve will not. It would also provide a measurable goal by which we can evaluate the progress of the Affordable Care Act.

In a report I mentioned earlier, the Commonwealth Fund has reported that ''the establishment of targets . . . can serve both as a metric to guide policy development and as an incentive for all involved parties to act to make them effective.''

One of the best examples of a clear target was President Kennedy declaring that within 10 years the U.S. Government would put a man safely on the Moon and bring him home. That message and the mission that was outlined were clear. The result was a mobilization of private and public resources to achieve that purpose because the goal was clear and specific.

This administration has a similar opportunity, particularly now at the height of the implementation of the Affordable Care Act: Set a serious cost savings target for our Nation's health care system—none of this spongy bending the health care cost curve stuff—and put the full force of American innovation and ingenuity into achieving that target. That approach has a triple benefit: protecting Medicare and Medicaid benefits that don't need to be cut if we are doing this right; second, improving patient outcomes, making people healthier; and third, dialing back health care spending by potentially hundreds and hundreds of billions of dollars. The alternatives to that will harm seniors and those least able to afford adequate health care.

I conclude by urging the administration to set a real cost savings target with a number and a date, and then let's get to work to give the American families the health care system they deserve. Instead of waste and inefficiency and being a disgraceful outlier from all the rest of the world on quality and cost, let's make for America the health care system that is the envy of the world. That should be our goal and that could be our destiny.

I thank the Presiding Officer, and I yield the floor.

I express my appreciation to the distinguished Senator from Alabama for his patience during my remarks.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, I know there is a group of Senators who announced today that they have ideas, a plan, an outline, and a framework for a new comprehensive immigration bill. Indeed, the fact that our current immigration system is not working effectively and is failing on a daily basis cannot be denied. It certainly needs to be fixed. It is a challenge for us to do so and it will not be easy. I want to warn my colleagues that a framework is not a bill.

In 2006 and 2007, with the full support of the Republican President of the United States, a bipartisan group announced with great confidence that they had a plan that was going to fix our immigration system and we were all going to just line up and vote for it. The masters of the universe had decided, met in secret, had all the special interest groups gathered and worked out a plan that was going to change our immigration system for the better, and we should all be most grateful.

It came up in 2006, and it did not pass. It came back again in 2007 with even more emphasis, and it failed colossally. It failed because it did not do what they said it would do. It did not end the illegality, it did not set forth a proper principle of immigration for America, and it did not sufficiently alter the nature of our immigration system to advance the national interest of the United States. It did not, and that is why it didn't pass. They had all the powerful forces, including the TV and newspaper guys, the Wall Street guys, the agriculture guys, the civil rights group, La Raza, and the politicians. But the American people said no. It was a challenge, and there was a long debate, but it didn't pass. I thought the lesson learned from that was there needs to be a demonstration that the law is being enforced, end the illegality, and then we can wrestle with how to compassionately treat people who have been in America a long time. I thought that was kind of what we had decided.

Now my colleagues say: Don't worry, this is going to be a better piece of legislation that can work for us. I hope that is true. We do need to fix the immigration system. There are things we can do on a bipartisan, nonpartisan basis which would make our country's immigration policy better and more effective, and I hope that is what will result from this.

But no one should expect that Members of the Senate are just going to rubberstamp what a group of Members have decided. We are not going to just rubberstamp what the President of the United States has just decided because we need to analyze it. Each one of us, every Member of this Senate has a responsibility, a firm duty to evaluate this proposal to ensure that it enhances our ability as a nation to do the right thing.

We are a nation of immigrants, and we are going to continue to be a nation of immigrants. We admit over 1 million people into our country every single year legally. But now we are told that after 1986, when they had that immigration bill, that amnesty bill, that we have allowed 11 million more people, give or take a few million, into the country illegally. They have entered the country illegally. In 1986 Congress promised the American people that if they would give amnesty to the people who were here and who entered illegally, they would stop illegal immigration in the future and we wouldn't face this challenge again. In fact, our colleagues basically said that in their piece they put out promoting the bill: We are never going to have to worry about immigration again if Members pass our legislation. That was the promise made in 1986 when the bill did pass, but it did not fulfill its promise.

So once again I think we are in a situation where the promise will be made that people will be given immediate regularized status and they won't be given full rights of citizenship until certain laws are enforced, and don't worry about it—it is all going to work out sometime off in the distant future. But questions do need to be asked, and we will ask those questions, and it will be important for us to do the right thing.

I know there are people who like low wages. I know there are people who believe that it is hard to get Americans to do certain jobs and that we can use immigrants and they will do those jobs at less pay and ask fewer questions and demand fewer benefits. I know that is out there. We have talked about that in the past. I am hoping this legislation is not designed for the special interests but designed to advance American interests.

What are some of the principles I think need to be in this system? I like Canada's system of immigration. It seems to work very well. They ask a number of questions. They give points when one applies to come into Canada, and a person gets more points for meeting the goals they have. One of the goals they have is that the potential immigrant speak the language. In Canada, they have two—French and English. If a person speaks French or English, they get more points or maybe they don't even get in if they don't have some grasp of the language before they come in on a permanent basis. Then they give more points, more preference to people with education, skills they need in Canada.

This proposal suggests it does that. It should do that. It should be a major part of any immigration reform that focuses on trying to get people who will be most successful in America, the ones we know are going to be able to do better here.

The plan should not admit a person who is likely to be a public charge. However, that is already the current law. A person is not supposed to be admitted to America if they are likely to be a public charge; that is, they will need government aid to take care of themselves. Some people will be turned down because of this. We should take the ones who are not going to be a public charge.

We discovered in looking at the numbers recently that less than one-tenth of 1 percent of applicants that come to the United States are turned down on the basis that they might be a public charge. So, in effect, that is not being enforced. Basically, it is just not being enforced.

So how can we be sure of that? My friend Stephen Moore was on the TV today. He is at the Wall Street Journal. He said: You don't have to worry about people coming in and being a public charge. There is a law against that.

Well, Mr. Moore, there may be a law against it, but it is not being enforced. We need to know it is going to be enforced in the future.

Younger people in Canada get a priority. Pretty soon, people will be on Social Security and Medicare when they reach those ages. Shouldn't we as a rational nation look to give priority to younger people who will work a little longer and pay more into the system before they draw these benefits?

They give preferences to investors, those who create jobs and bring factories and manufacturing to their country. Those are the kinds of things I think we ought to be talking about.

This proposal makes reference to guest workers. It is a very delicate issue. Let me tell my colleagues what was in the bill in 2007 and the reason. In my mind, it was one of the greater errors in the legislation. People would come into the country for 3 years. They could bring their families. If they were still working at the place at which they came in to work, they could extend for another 3 years and then another 3 years and then another 3 years. So I would ask, somebody who had been in the country 8, 9, 10 years, could we just easily ask them to leave? Not likely. What if they have had two children and the children are automatic citizens?

This is a very impractical system. So we need to examine how a guest worker

plan will actually be carried out. In my view, a guest worker should come without family for less than a year at a time to do seasonal—to do particular work and then return to their country. Otherwise, we create an entirely new system, and it will be very difficult to enforce.

We need to know pretty much what the Nation can rightly absorb in terms of the number of people who come each year, and as a result of that, we need to make sure any legislation has a limit that would make common sense in the world in which we live.

Finally, I would say that we face a particular hurdle this time. We faced this hurdle last time, but I believe it is even more serious this time. That is, if the chief law enforcement officer of the country—then President Bush, now President Obama—President Obama has particularly acted to undermine the ability of the law enforcement community to actually enforce existing laws——

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. SESSIONS. I ask unanimous consent for an additional 2 minutes.

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

Mr. SESSIONS. The Immigration and Customs Enforcement officers have voted unanimously ''no confidence'' in Mr. John Morton, the Director of ICE, because of his failure to lead and his, in fact, undermining of their ability to do their jobs, and they sued him for interfering with their ability to do their jobs in enforcing the laws of this country. Actually, a federal court just recently upheld the lawsuit and allowed it to proceed. What a terrible thing it is that law enforcement officers have to sue their leadership to be able to do their jobs.

So we need to be sure we have in the President someone who is committed to enforcing the law if it is passed. If that had been so, we would be in a lot better position today.

I see my colleague from Louisiana, and I believe he is to be recognized next. He has been such a good student of this issue. He is a fabulous lawyer, editor of the Tulane Law Review, and he understands this, and I am really glad he could be here today.

There is one more thing I would note. In addition to the fact that we have a President less willing to enforce the law, the labor participation rate in 2007 when the last comprehensive reform bill that included amnesty was defeated was 66 percent. Today, labor participation has dropped to 63.6 percent. Unemployment in 2007, when the last proposal failed, was 4.5 percent. It is now 7.9 percent.

So I think we need to ask serious questions about any proposal, and maybe we can move forward with some legislation that would serve the national interests. Maybe we can do it on a bipartisan basis, but it is going to take real attention to details. The details are what make the difference, and that is what I am concerned about.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak for up to 8 minutes, and I ask the Chair to alert me when 6 minutes has elapsed.

Mr. DURBIN. Mr. President, reserving the right to object, and I will not object, but I ask unanimous consent to follow the Senator from Louisiana to speak.

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

Mr. VITTER. Thank you, Mr. President. Through the Chair, I wish to thank Senator DURBIN for his courtesy in light of another engagement I have.

I rise to join my colleague from Alabama and to join many others to express real concern on this topic of illegal immigration and the desperate need to fix this problem, to solve this problem.

I believe we all want to cherish and hold up and continue the proud tradition of this country which is founded on immigration. One of the many things that make America unique is that we are a nation of—all of us—immigrants. None of us somehow has some blood oath or blood tie to this land that goes back from time immemorial. We all came here relatively recently in the grand scheme of things from other lands, all of our families. We are a nation of immigrants and immigration, and we cherish and celebrate that.

But, of course, historically, that has been a system of legal immigration. It is so worrisome to me and so many others that over the last 30 years in particular, it has really evolved into a wide open, relatively little enforcement system of illegal immigration that flourishes and abounds and grows as our traditional legal immigration system gets less and less workable for the folks trying to follow the rules. That is my concern as I look at many of these immigration reform proposals, particularly proposals for so-called comprehensive reform such as the one outlined today.

I think the test is pretty simple: How do we uphold our tradition of immigration and fix the problem, solve the problem, and not allow it to continue or, worse yet, grow and mushroom? To me, that is the bottom line. Will any proposal we make be debated—will the proposal outlined by some of my colleagues today fix the problem or will it perpetuate the problem or, God forbid, even grow the problem dramatically?

What heightens my concern is that we have history as a guide, and history suggests that brand of so-called comprehensive immigration reform—this promise of enforcement as long as we have an amnesty—all of those things put together are a recipe for failure. Of course, the most notable case of this was in 1986 under President Reagan. There was a so-called comprehensive immigration reform proposal passed into law. The promise, the model was very simple: We are going to get serious about enforcement—we really, really are—and we are going to have a one-time leniency or amnesty. It will fix the problem once and for all. We will never have to look back, and that will be done.

As we know from bitter experience since then, it didn't quite turn out that way. The promised enforcement never fully materialized. In fact, in my opinion, it never materialized to any significant extent. However, the leniency, the amnesty happened immediately. It happened the second that bill was signed into law.

So did it fix the problem estimated at about 3 million illegal aliens then? No. It not only perpetuated the problem, it grew the problem to 12 million-plus—some people think as high as 15 million to 20 million illegal aliens now. So it grew the problem enormously because we had promised enforcement which never adequately materialized but an amnesty which happened immediately. That is the fundamental concern. That is the deadly scenario I am concerned about with regard to virtually all of these so-called ''comprehensive'' solutions.

There is one thing—at least one thing—that has changed since 1986. It is this: Compared to 1986, we have a President and an administration in power which has proved time and time again that they have no will, no focus on real enforcement. Why do I say that?

Well, this is the administration that sued States attempting to enforce immigration laws and get control of the border. It did mot support those States, did not try to find a Federal fix. It did one thing: sued States such as Arizona trying to deal with a flow across the border and all of the violence and crime that is an aspect of that.

This is the administration that ended the 32 287(g) local law enforcement programs that were fairly effective, at least in focused limited ways, with regard to enforcement. They scuttled that program, completely threw it out the window. This is the administration, of course, that propagated the Fast and Furious gun-walking scandal and still has not answered questions about that adequately, in my opinion.

The ACTING PRESIDENT pro tempore. The Senator has consumed 6 minutes.

Mr. VITTER. Thank you, Mr. President.

This is the administration that unconstitutionally put into effect the DREAM Act by administrative fiat. Congress would not pass that. A Democratic House and a Democratic Senate failed to pass it. President Obama at the time said he did not have adequate powers to put it into law administratively, and yet when it came time to

run for election, he did it by administrative fiat, in my opinion—in many people's opinion—well beyond his legal authority.

So that is the main thing that is different from 1986. We have a President and an administration that has proved to be completely opposed to aggressive and real enforcement. So I hope, as we continue this debate with my distinguished colleague from Illinois and many others, we focus on that central question: Will this solve the problem?

In my opinion, we have seen this movie before. We have tried this so-called comprehensive approach before—this marriage of promises of enforcement with leniency or amnesty. History suggests that does not work. The enforcement never adequately shows up. The amnesty immediately does. In this proposal, although it might not be immediate citizenship, it is immediate legal protection and many benefits that flow from that.

Mr. President, I look forward to continuing this discussion.

The ACTING PRESIDENT pro tempore. The assistant majority leader.

Mr. DURBIN. Mr. President, it was July of 1911. A boat arrived in Baltimore. It came over from Germany. And among the passengers getting off that boat were a small number of people from Lithuania. They included my grandmother, my aunt, my uncle, and my mom. My mother was 2 years old in 1911, and she was brought to America along with her family as an immigrant.

I wish I had asked the questions before everyone passed on about how much anyone remembered from that experience because I have always wondered about it. I always wondered how this family who spoke no English got off that boat and got to East St. Louis, IL, which is where I grew up, and where a lot of Lithuanian immigrants went to work in the packinghouses, in the steel mills, and coal mines nearby. But that is the story of the Durbin family, at least my mother's side of it. It is not a unique story. It is a story of America.

My mother came to this country 2 years of age, with a mother who did not speak English, and today her son serves in the U.S. Senate. It is a great story about this great country. It also tells the story of how many millions such as her came to these shores looking for something that was important in their lives—first and foremost, to feed their children, to get a job. That is always the No. 1 reason.

But up in my office here, just a few steps away from the Senate floor, in a desk drawer I have one thing that was carried in the luggage by my grandmother when she came over from Lithuania. It is a prayer book. It is a Catholic prayer book. We are Roman Catholics. They were leaving Lithuania where the Russian czar had come in and said to the Roman Catholics: If you are not Russian Orthodox, you are going to have to play by different rules. And one of the rules is, you can't have any of your prayer books written in Lithuanian. They must be written in Russian.

Well, my grandmother, whom I never knew, must have been a defiant and risk-taking woman because she had one of these contraband prayer books and brought it with her to America because she knew she could use it here without a problem because of the freedoms in this country.

That again is a little family story from my life experience, my family experience, but one that could be replicated in many different ways.

We just had a press conference upstairs, and you may see some coverage a little later on. There were five of us representing six Senators who had been sitting together and working on this immigration issue—three Democrats and three Republicans. On the Democratic side, I have been honored to join CHUCK SCHUMER of New York and BOB MENENDEZ of New Jersey. On the Republican side is JOHN MCCAIN of Arizona, LINDSEY GRAHAM of South Carolina, and MARCO RUBIO of Florida. It is a pretty interesting group, right? It is a pretty interesting political spectrum represented by these six Senators.

For the last few months, we have been sitting down and working out a statement of principles about immigration reform. And today we unveiled those principles. We have a lot of work to do. We still have to write the law, and we still have to bring it to the Senate to be debated and to be passed.

I do not assume for a minute that we are going to have the support of every Senator on both sides of the aisle. That would be too much to consider or to ask. But I know from listening to the speeches that were given by Senator SESSIONS of Alabama and Senator VITTER of Louisiana, they have many questions they want to ask about how we approach immigration reform. So let me try, if I can, to speak to some of the basics that are included in our effort.

First, when I listened to the Senator from Louisiana, he said that President Obama had done little to enforce immigration laws. I think you will find, for the record, that this President has deported more people in his tenure than predecessors, particularly those who have been associated with criminal activity. In fact, he has received some criticism saying he is going too far. So to argue that he is not enforcing the law is not supported by the facts and the statistics.

The Senator from Louisiana also said that President Obama was the author of the Fast and Furious program, which was a border effort to try to stop the flow of guns that blew up in the face of those who engineered it, and ended up in the tragic death of one of our own. I would say for the record that program began under President Bush, not under President Obama. So there are some facts that we need to put on the record. But I wish to also speak to a couple elements here that have been raised about this effort on immigration reform.

Let's get down to basics. Immigration is part of who we are in America. It is the reason we are such a diverse Nation. My family story, as I said, could be repeated over and over. Every generation has faced a new wave of immigration coming into this country.

I think it is healthy. I think there is something in the DNA of those people who get up and come here who are determined to improve their lives. These people turn out to be the entrepreneurs and the teachers and the leaders of our Nation because they were not content staying in someplace where they did not achieve their goals. They wanted to come to America.

So immigration is part of who we are, and the debate over immigration is part of who we are. It has been going on forever. I think as soon as the first boat to America landed with immigrants, they started questioning whether we needed another boatload of immigrants. That debate has gone on throughout our history. There have been some terrible things done in the name of immigration reform and some good things as well.

Secondly, immigration and the demand for immigration says a great deal about America. People want to come here. It says a lot about it, doesn't it? Here we are in a democracy with the freedoms we enjoy and an economy that offers such wonderful opportunities, and people from all over the world, given a choice, would come here for their future. That is a positive.

But the third thing is, our immigration system is broken. I got elected about 16 years ago to the Senate. One of the first phone calls came from Senator Ted Kennedy, chair of the Immigration Subcommittee in the Judiciary. He said: Welcome to the Judiciary Committee. Please come on my Immigration Subcommittee. I said: Well, thank you. I am honored you would ask. He said: We are about to rewrite the immigration laws. We have not done it for 10 years. The last time was under President Reagan. Now we are going to do it again, and we need you to be part of it.

Oh, I signed up in a hurry. It did not happen and 16 years have passed.

So for 25 years-plus, we have not looked at this immigration law. It is broken. It is broken badly. It is broken when we have 11 or 12 million people living here who are undocumented. Many of them came here on a legal visa and overstayed their visa. Some did sneak across the border to come into the United States. There are a variety of explanations, but they are here. I have come to know them. For many people who are not in this business, maybe you do not know them. But I will tell who they are.

They happen to be the person who just took the plates off your table at the restaurant. They are the ones who are unloading the food at the dock behind the restaurant. They will be making the beds in the hotel rooms across America tonight. A lot of them are in

the day-care centers every day with our children and grandchildren, whom we dearly love. Some are tending to our parents and grandparents who are in nursing homes. And some of them have sat down next to you in church on a regular basis. They are undocumented. They do not talk about it. They do not wear it on their sleeves. Many of them are afraid to say anything. And they do not live in a house full of undocumented people. By and large, you are going to find families split up. You may find dad, who has been here the longest, who qualified under the Reagan amnesty in 1986. He is a legal citizen. Mom is not. All three children born here are. There is a family that is literally split by our immigration system.

That is the reality of what we see in America today. The question is, how did we reach this point? What can we do about it? We now are sitting down on a bipartisan basis to address it.

First, we need to make sure we are doing everything we reasonably can do at the border to keep illegal immigration down, to reduce it as low as possible. I know, as I said earlier, there are people from all over the world who want to come here.

But for those who suggest we are not doing enough at the border, I wish to call their attention to a recent press release from the Migration Policy Institute. This press release is from January 7 of this year. It says: ''The U.S. government spends more on federal immigration enforcement than on all other principal federal criminal law enforcement agencies combined, with the nearly $18 billion spent in fiscal 2012 approximately 24 percent higher than collective spending for the FBI, Drug Enforcement Administration, Secret Service, U.S. Marshals Service and Bureau of Alcohol, Tobacco, Firearms and Explosives. . . . ''

So to argue that this President is not enforcing the law, when we have so many deportations, and to argue that he is not taking it seriously, when we are spending record-breaking amounts on the borders is not backed up by the facts. But still we need to make sure we are doing everything we can to keep the borders safe and to reduce illegal immigration. That is the first thing.

The second thing is to say that those who are here, if they want to be legal, have to earn their way to legal status. How do they earn it? First they go through a criminal background check. We do not want anyone here who is a threat to our Nation or to the people who live here. They will be asked to leave. In fact, they will be forced to leave.

But for those who pass the criminal background check, they will need to pay a fine, they have to pay their taxes, and then they can stay and work in a probationary legal status while we make the borders safe. Ultimately, they have to be able to speak English, learn our history and civics, and then go through a lengthy process before they are granted—even possibly granted—citizenship.

We also say at the same time that we are going to build into this system enforcement for the workplace. What brings most people to America? Jobs. It is all about a job. If in the workplace we have real enforcement, where we have an identification card from those who are seeking a job, and an obligation on the part of the employer to make sure they are registered in this country, then we can start to have a system of enforceability.

We also need—and Senator RUBIO of Florida has been pushing this—we also need to make sure that when it comes to visas in the United States, when we allow people to travel here to be tourists or students or for business purposes, and they have an expiring visa, they leave when they are supposed to. Our system now is not as good as it should be. We want to strengthen that system. That is part of what we need to do.

I think immigration reform is long overdue. This immigration system we have is badly broken and needs to be fixed.

We need to take the leadership in Washington. This bipartisan group of Senators has started an effort in that direction. We have a long way to go. We have to write the bill. We hope to have it done by March. We hope to bring it through the committee process for regular hearings, for the amendment process and everything that entails. That, to me, will make sense in the long run. In the meantime, I want to say a word about the DREAM Act.

I introduced that bill 12 years ago. It was referred to on the Senate floor. It is worth a minute or two to recount why I introduced the bill.

We received a phone call in our office from a program in Chicago known as the Merit Music Program. It is a wonderful program. A lady left some money for it and said to use the money to buy musical instruments for kids in poor schools and to give them music lessons.

What an amazing transformation it has created in their lives. One hundred percent of the graduates of the Merit Music Program go to college, all of them. It is an amazing thing what a musical experience will do for a young person.

Well, there was a young Korean girl named Tereza Lee who came from an extremely poor family. She became part of the Merit Music Program and turned out to be an accomplished pianist. She was encouraged to apply to go to Julliard School of Music and Manhattan Conservatory of Music she was so good.

As she started to fill out the application, she stopped and turned to the person at the program and said: I don't know why I am doing this. I am undocumented. I have never told anybody that. But I do not know why I am wasting my time with this—at which point they called our office and said: What can we do for Tereza?

Well, it turned out the law was very clear. She had to leave the United States for 10 years, go back to Brazil, which was the last country she was in, and then apply to come to the United States. That seemed unfair. She was brought here when she was 2 years old. She did not vote on that. Her parents picked her up and brought her here.

I started thinking: I bet there are others just like her. It turns out there are—hundreds of thousands. So I introduced the DREAM Act.

Here is what it said: If you were brought to the United States before the age of 16, you finish high school, you have no serious criminal issues, and you are prepared to either enlist in our military or finish at least 2 years of college, we will give you a chance to become a citizen. I introduced it 12 years ago.

I have called it up on the Senate floor over and over. The Senator from Louisiana is correct; the Senate did not pass it. We could not get 60 votes to break the Republican filibuster on the DREAM Act. We had a majority, we just did not have 60. That was several years ago.

So President Barrack Obama, who was my colleague in the Senate before he was elected President and was a cosponsor of the DREAM Act, said: I am going to suspend the deportation of those young people who would be eligible under the DREAM Act. He did. It went into effect last August.

Congressman LUIS GUTIERREZ of Chicago is a great leader on immigration reform. He and I held a workshop in August at Navy Pier, which is a big gathering place in Chicago, for those who would be eligible for this deferral of deportation under the DREAM Act. We never dreamed they would start lining up at midnight the night before. They would stay out there all night long with their families waiting for a chance to sign up. It was such a heartwarming experience to know how much this meant not only to the young persons but many times to their undocumented parents who thought: At least my child will get this chance.

So some criticized the President for making this decision. But two-thirds of the American people, Democrats and Republicans alike, think it was the right decision. I do too. I have met those Dreamers. I have talked about them on the floor of the Senate over and over. I will continue. But these young people will make this a better country. They deserve a chance to do just that.

So those who are critical of the DREAM Act are basically saying these young people are not needed in this country. I think they are. They have spent their whole life being educated here. They have gotten up every morning and in school put their hands on their hearts and pledged allegiance to that great flag, believing this is their country too. They deserve a chance to make it such.

MARCO RUBIO of Florida and I have worked on this DREAM Act issue. He

said something I remember and would like to recount. He said: This is not an immigration issue; this is an issue of compassion, humanitarianism. These people were kids when they were brought here. They deserve this chance. So I know this will be included in any immigration reform. I certainly hope we will pass it and pass it soon.

We spoke to the President last night. Senator SCHUMER and I had a conversation with him. Tomorrow he will be making a statement in Nevada about immigration. He is committed to immigration reform. He is committed to fixing this system. He told us what we are setting out to do is generally consistent with what he wants to see done. But he did tell us: Get it done. Do not let this drag out again. Seize the moment and move forward with it.

Well, we have that chance. We have to do it. We have to do it because this Nation of immigrants, this Nation that will still attract immigrants, needs a legal system that works for those who are here and for those who want to come here. We have to make sure we are sensitive to the fact that Americans should receive the first preference for jobs, and that will be included in our bill, but also beyond that jobs that some Americans do not want. In agriculture, for example, and in other areas, we need some people coming in to help. They can be part of this immigration reform as well.

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

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

The bill clerk proceeded to call the roll:

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

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

Mr. NELSON. Madam President, I want to speak on one of the topics of the day. A group of bipartisan Senators has had a press conference today announcing their support for a comprehensive immigration reform piece of legislation. This is a significant step. Perhaps the biggest step was—on the way to immigration reform—the result of the November 6 election. As a matter of fact, it has been chronicled in all of the newspapers that the Hispanic community in every State voted overwhelmingly for the candidate that was perceived to be fair on the immigration issue.

I think that has propelled political motivation to address this issue and to address it fairly. I want to commend that bipartisan group of Senators for doing this. There are a number of key elements that as we get into the specifics of the legislation are going to be important. Notice they want to lay everything on the predicate that there is going to be the essence of a real border security effort done.

It is hard to patrol a border of thousands and thousands of miles like we have, particularly where there is no geographical barrier and people can merely walk across the border. But it has to be done in the context of overall immigration reform. Another interesting part that has been very thorny in the business community is the fact of verification by employers.

When this Senator was a young congressman and voting on immigration back in the 1980s, as a matter of fact there was supposed to be verification by employers of those they were hiring that they were here in a documented status. Well, that never happened. As a result, you see all of these head fakes in implementing the law about whether somebody was here in a documented status. Then when they were found not to be, everybody was pointing like this: Well, it is the other guy's fault.

There has to be a verification system put in place. Some have suggested electronic verification. That needs to be explored. They are going to have to be a lot of new things being explored in order to make sure, if we are going to have comprehensive immigration reform, those who are being employed here, in fact, are in a documented status. But the big question in the past politically has been, What about the 11 million who are estimated to be in this country working and in an undocumented status?

I think the principles laid out by the group earlier today are very good: They must play by the rules; they must not have a criminal record; they must pay back taxes; They must pay a fine; and then go to the end of the line. Even though they would be allowed a legal status to stay here and to continue working—and that is another one of the elements—they must have a job and demonstrate they have had a job in the past. It would not be fair for all of them to suddenly get at the head of the line when others have been waiting patiently in the legal process to get a green card. Thus, we would not have this economic upheaval as some here have approached this issue in the past year.

We have not heard a lot about this since the election, but previous to that we heard a lot about, for example, sending them all home, self-deportation, deporting all of the illegals. Well, first of all, there would be an economic collapse of part of the economy of this country if we suddenly eliminated all of those workers upon whom the economy certainly is dependent. It, also, in many cases would not be fair.

There is another part of this that needs to be added. This is the fairness question for the children who came here through no fault of their own. They have grown up thinking they are only an American, and then the current law is they have to be deported. Well, this Senator has intervened in a number of cases for children who wanted to go into the military after high school, wanted to go on to college. They were at the point of being deported.

As a matter of fact, we had a Bahamian child who came when he was 6 months old. He only knew he was American. He served two tours in Iraq in the U.S. Army, came back, went into the Navy Reserve, had a top secret clearance and was a photographer for the Navy at Guantanamo prison. When he came back, the authorities put him in jail—a veteran, someone who was still Active-Duty U.S. Navy Reserve.

A U.S. Federal judge of Cuban-American descent made a very harsh statement in Miami toward the prosecutors for them putting a child, now an adult, now a veteran, having served both the Army and the Navy, with a top secret clearance, putting that Bahamian, now adult, in jail.

This is how ridiculous the system has gotten. This Senator had to intervene in this case, and once we raised enough Cain, finally people came to their senses and said: What is the commonsense thing to do?

The commonsense thing now for us to do is all to pass a comprehensive immigration reform law and, hopefully, that is going to occur.

The question is, though, what is going to happen at the other end of the hall, down there in the House of Representatives? Because there are a lot of people in the other party down there who haven't changed their attitude since the election. They still are expressing that they don't want anything but deportation. I think we are just going to have to use common sense and moderation and try to explain why this is the fair thing to do.

As a young Congressman, I favored this comprehensive approach decades ago. I voted for it as a Senator. I will gladly, once they knit together the legislation, be one of the cosponsors of this legislation.

I wish to thank the bipartisan group of Senators who got together, which includes my colleague from Florida, Mr. RUBIO, for their willingness to take the initiative and to start plowing new ground of legislation that ought to be able to be passed this year.

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.

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

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

MAKING SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 152, which the clerk will report by title.

The legislative clerk read as follows:

A bill (H.R. 152) making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance.

Ms. MIKULSKI. Madam President, I rise to urge my colleagues to immediately pass this urgent supplemental bill without further delay. I remind my colleagues and those who are watching us on global C–SPAN, this is the bill that will pay for disaster relief to help our citizens, both as individuals, businesses, and communities, rebuild their lives after the devastating, horrific impact of Hurricane Sandy. Particularly, it will impact the residents of New York and New Jersey.

My own State was affected also. In my own State, we had two things happen: a hurricane in the old-fashioned definition of that word, where it hit the Eastern Shore; and up in western Maryland, right up in our Appalachian part; we had a blizzard, and it took the National Guard to be able to go into the streets. We had people being rescued on Swift Boats and on snowmobiles. It was something.

At the same time, I think all America watched what was going on up the coast but particularly in New Jersey and New York.

Many other States were also impacted by this storm. Homes and businesses were damaged and destroyed, and they have been waiting for 90 days for help from their government to help them rebuild their lives and rebuild their livelihoods.

I, therefore, tonight ask immediate, urgent action to move this bill. It is not perfect, but it is a very sound bill. The bill that was passed by the Senate in December was a superior bill. The House bill, which is before us, eliminates many important provisions that the Senate passed.

I will go into that, but I urge my colleagues, let's not make the perfect the enemy of the good. We have to get started. We have to help our communities. They have been waiting, waiting, waiting. Governor Cuomo, Governor Christie, Governor O'Malley have all said move it. We need help to move it. We need to.

I say there are things that came back from the House on the Senate-passed bill that I am not too excited about. They reduced the cost-share requirements for Army Corps projects. In other words, the government, the local government, will have to pay more. They reduced funding for fisheries, for flexibility to help our State Department. In a perfect world, I would seek to amend this bill and ask for a conference with the House so we could work out these differences. But even though this House bill is not perfect, it does give critical relief to the people who need it; therefore, passing this bill is my top priority.

This bill totals $50.5 billion for Hurricane Sandy recovery efforts. When combined with the $9.7 billion of flood insurance we passed earlier this month, along with assistance for Hurricane Sandy related to recovery, this bill meets the current needs of the recovery efforts and should be approved without delay.

Let me take a few minutes to discuss some of the important issues. There is $16 billion in there for community development block grant funding to restore infrastructure and housing to help people rebuild their lives. There is $11.5 billion in the FEMA disaster fund for ongoing disaster response. There is $10 billion for public transportation—particularly crucial in the New York and New Jersey area—and $5.3 billion for the Army Corps of Engineers to help protect communities along our shorelines, as well as $500 million for the social services block grants to help meet compelling human needs such as childcare, mental health services, and also for programs that will help with very damaged facilities that meet a compelling need.

As I said, Governors Cuomo and Christie have identified needs totaling billions of dollars more than this legislation provides, and that doesn't even include other States such as my own State of Maryland. The funding in this bill is urgently needed. Every dollar has been examined.

Hurricane Sandy was one of the most destructive storms to have hit the United States. Hundreds of thousands of families have seen their lives turned upside down. They have waited far too long for this legislation to reach the President. I strongly urge the support of this legislation.

This is the very first bill that, as the full chair of the Appropriations Committee, I am moving. I would like to acknowledge the role of the subcommittee chairmen because in that committee, the subcommittees really carry the bulk of the work. Senator LANDRIEU of the Subcommittee on Homeland Security has FEMA in her jurisdiction, and she has done an outstanding job of making sure we meet compelling human need at the same time we get value for our dollar. Senator PATTY MURRAY chairs the subcommittee that funds housing and transportation, again making sure we are rebuilding homes and livelihoods. Senator FEINSTEIN, whose subcommittee oversees the Army Corps of Engineers, which has been doing a heroic job keeping the Mississippi River open, wants to make sure the shorelines of New York and New Jersey and Maryland are open for business as well. I could name all of them, but those three have done an outstanding job.

I particularly wish to acknowledge the help of my colleagues from New York and New Jersey. Senator SCHUMER led the way, particularly when there was this difficult time with Senator Inouye's illness, to move this bill, but Senators GILLIBRAND, MENENDEZ, and LAUTENBERG have really been outstanding.

This is about colleagues, and I thank my colleagues on the other side of the aisle who helped us.

I would now like to yield the floor to Senator LANDRIEU, who has done such a great job through her subcommittee, and ask her to elaborate particularly on the aspects of the disaster response and recovery.

Ms. LANDRIEU. I thank my colleague for her extraordinary, robust, and enthusiastic leadership on this important piece of legislation that will send hope and help to the Northeast, to the dozens of counties throughout New York, New Jersey, and even the State of Maryland and other States that are waiting on pins and needles for our action.

It has been too long. We have sent too many different signals out from this Capitol. The people following this debate—the mayors, the county commissioners, the school board members, the citizens, the pastors of churches, the principals of schools—need to hear today a big yes from Congress and a yes from the President that help is on the way.

Believe me, as a Senator from Louisiana, I have unfortunately become an expert on disasters and disaster recovery, and I can tell you from personal experience and testimony the importance of every action we take regarding this recovery so that the private sector—and I want my colleagues on the other side of the aisle to hear this—not taxpayer money but the private sector will have the confidence that the government will be there, and they themselves will begin to invest.

This is a big effort, and we have already delayed this far longer than it should have been because we have been arguing over offsets.

I want to put in the RECORD this statement:

When our troops in Iraq and Afghanistan needed ammunition, equipment, and better protection against roadside bombs, we sent them what they needed as quickly as we could get it there. We didn't make them wait, sitting around bandaging their wounds, while we debated about offsets and how we were going to deal with those explosives. We should respond with the same sense of urgency to our fellow citizens and address emergency needs on U.S. soil.

It has already been 3 months since Hurricane Sandy. If this Lee amendment is adopted, it will be delayed further. I strongly oppose the Lee amendment, and I wish to talk a minute more about why, and then I will turn it over to Senator SCHUMER and others on the floor.

We should not use disasters as an excuse to push ideology, and that is, I am afraid, what the other side is doing. They want to look for any excuse to cut the budget. I want to say again that we have already cut this budget by $1.5 trillion. And I want to say for the 11th, 12th, 13th time that we are never going to cut our way to a balanced budget. I want my colleagues on the other side of the aisle to hear it. We are not going to cut our way to a balanced budget. It is going to be a combination of revenue increases and cuts, which I am all for. And the last negotiation we did was exactly that. Vice President BIDEN and President

Obama negotiated a combination of revenues and reductions.

All the Lee amendment does is reduce again. He does not offer one new penny to pay for this. He wants to cut it from veterans, he wants to cut it from firefighters, he wants to cut it from police officers. I am not going to join him. It is a wrongheaded approach. If we want to find a way to pay for disasters, I will show up and negotiate with anybody, but it is not going to be just by cutting the defense budget or discretionary budgets. If it is going to be about raising additional revenues and cutting, you will have me. Until then, put me down as a no.

I suggest to all my colleagues today that they vote no on the Lee amendment, if we get to these votes, and yes on the underlying bill.

One more word about the underlying bill because the Senators from the region know it much better than I do. I agree with our chairman, the Senator from Maryland. The Senate bill was far better in some ways. Not only did it have a little more money in it, but it had some important tools for reform. Unfortunately, the House stripped some of those out, and some of them will affect the gulf coast in a negative way.

There were commonsense things, such as a loan modification provision that would have forced FEMA to actually calculate the repayment in a rational way instead of an irrational way, which would have helped some of the parishes in Louisiana. Senator VITTER and I fought very hard for that. We think it is fiscally responsible. We think it is the right thing to do. But the House stripped it. We are still going to vote—I hope he will, and I know I will—for this bill because, again, we can't make perfect the enemy of the good. This is a good bill which the people need. We are not going to get every reform we had sought, but we are going to get the bulk of them.

I thank Republicans and Democrats on the House side—PETER KING, NITA LOWEY—who came together to preserve some of the reforms because it would have been like sending money with dull tools. That is a waste of taxpayer money. We want to send the money and the toolbox with sharp tools that people can use, and that is what we put in this bill. So I am proud to have worked on that part.

There are many other parts. No leader was better than Senator SCHUMER, Senator GILLIBRAND, Senator MENENDEZ, and Senator LAUTENBERG, but I am proud of the part we worked on, preserving the reforms we learned we needed. Now I am happy to be able to give some of that help to the people of the Northeast even though some of our provisions were stripped out.

So again, Madam President, I oppose the Lee amendment that is made in order in the consent agreement. I want to re-state my position that we should not insist on budget offsets as a prerequisite for helping disaster victims in this country.

Since 2011, Congress has already approved $1.5 trillion of spending cuts on discretionary programs over 10 years. We approved cuts in the fiscal year 2011 Continuing Resolution and in the fiscal year 2012 Omnibus spending bill. We established long-term caps on discretionary spending in the Budget Control Act of 2011 and we further reduced those caps in the American Taxpayer Relief Act of 2012.

For fiscal year 2013 alone, we have cut discretionary spending by over $109 billion, or over 9 percent.

The Lee amendment would lay on another $6.3 billion cut in fiscal year 2013, including cuts in defense, veterans programs, homeland security programs, critical infrastructure programs that will generate job growth, cuts in small business programs, and even $250 million of cuts in the Hurricane Sandy response and rebuilding funding that is now before us. On top of those cuts, the Lee amendment would require cutting another $44.9 billion by fiscal year 2021.

I urge a ''no'' vote on the Lee amendment.

I support H.R. 152 and urge Members to oppose the Lee amendment. The bill includes $50.5 billion of critical and timely assistance following Hurricane Sandy. If approved, Congress will have provided $60.2 billion to help the victims of Hurricane Sandy rebuild their homes and businesses and to make their communities more resilient from future disasters.

This is no status quo bill. The victims of Hurricane Katrina and Rita learned the hard way that some of our Nation's disaster rebuilding laws are needlessly bureaucratic. Having learned these lessons, the Stafford Act reforms contained in this bill will help ensure that the victims of Hurricane Sandy will not have to repeat this history. The key reforms included in the bill will dramatically improve our Nation's ability to cope with catastrophic events like Hurricane Sandy. In addition to these reforms, this bill contains significant funding to mitigate future losses of life and property.

It has now been more than 3 months since Hurricane Sandy claimed the lives of more than 130 Americans, severely impacting over 340,000 homes and 200,000 businesses, and leaving more than 8.5 million families without power, heat, or running water. The scale of this disaster has created significant housing and transportation challenges, and successful recovery will require a sustained effort at the Federal, State, and local level, from government, private businesses, and voluntary organizations.

By and large, the Federal Government's response to Hurricane Sandy has been robust. Over 525,000 people have registered for temporary housing and other individual assistance, FEMA has provided 14 million meals, over 16 million liters of water, over 1.6 million blankets, and over 100,000 tarps. DOD delivered over 9.3 million gallons of gasoline to 300 gas stations. Over 470 million gallons of salt water were pumped out of transit and highway tunnels and other structures. At the peak of the response, 17,000 Federal personnel and over 11,000 National Guardsmen were involved: I commend the thousands of first responders, volunteers, and neighbors who have worked tirelessly to help those in need.

Twelve States and the District of Columbia have been declared major disaster areas as a result of Hurricane Sandy, and their citizens will require significant resources to recover.

While FEMA has sufficient funds in the Disaster Relief Fund to make it to March—the current balance is $3.4 billion—the victims of Hurricane Sandy should not have to wait any longer to know that Congress is committed to rebuilding their communities and helping small businesses come back to life. FEMA has already spent over $3.3 billion responding to Hurricane Sandy and as we move from the response and recovery phases to the rebuilding phase, there will be significant costs for housing, highways, transit, hospitals, beach restoration and other public infrastructure, and for mitigation efforts to reduce loss of life and damage to property from future disasters, by backing up power supplies, strengthening flood protection infrastructure, retrofitting facilities, and other measures. The bill that is before us contains $11.5 billion for the Disaster Relief Fund to continue these efforts.

SBA has approved more than $1.2 billion in loans to more than 16,000 homeowners and small businesses. Funding provided in the supplemental will enable SBA to continue processing and approving loan applications at the pace of over 1,000 new loan closings per week. H.R. 152 contains over $800 million to continue this assistance.

The Federal funding contained in this bill is necessary, appropriate, and important to helping the victims of Hurricane Sandy recover. But money isn't the only thing our government must provide. Effective tools and smartly designed programs will be equally vital to the northeast region's recovery.

I co-authored these reforms to facilitate a faster, smarter, more strategic, and more cost-effective recovery process. FEMA has estimated they will save hundreds of millions of taxpayer dollars and reduce construction delays, protracted funding disputes, and bureaucratic waste.

They are the product of dozens of hearings I held over the course of 6 years as chair of the Subcommittee on Disaster Recovery and the Subcommittee on Homeland Security Appropriations, as well as extensive consultation with State and local officials across the country, private and nonprofit organizations, engaged in disaster relief, numerous Federal agencies

including FEMA and HUD, and stakeholders throughout the emergency management community.

Many were drawn from legislation I introduced in 2011 with my friend and colleague from the State of Mississippi, Senator COCHRAN, who has endured the same disasters as my own State of Louisiana, and whose contributions to the gulf coast's recovery and the development of this legislation have been tremendous. I am grateful for his partnership in this endeavor.

I would also like to note the considerable contributions of the House of Representatives, which passed FEMA reform legislation last year that included several of these provisions. Following Senate passage of these reforms on December 28 by a vote of 62–32, the House adopted the package by a vote of 403–0 and agreed to include it in the comprehensive Supplemental legislation that is now before us.

I am particularly grateful to Senator COCHRAN, Senator Lieberman, Senator COLLINS, and Congressmen SHUSTER, RAHALL, DENHAM, Congresswoman HOLMES NORTON, Congressman MICA, Congresswomen SLAUGHTER, LOWEY, and Congressmen ALEXANDER, and RICHMOND for their considerable efforts to advance these critical reforms.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act authorizes the majority of FEMA's disaster assistance programs. It was enacted in 1988, amended in 2000 to incorporate several mitigation programs, and revised again in 2006 to address response failures after Hurricane Katrina.

These were important changes, but the law has never been re-visited to address recovery, and our emergency management system remains woefully inadequate in that respect.

Senator COCHRAN and I succeeded in enacting several key reforms in the months and years that followed Hurricanes Katrina and Rita to facilitate a smarter approach to recovery, but those reforms only applied to the 2005 hurricanes.

The State I represent has been battered by disasters during my time in the Senate. We endured Hurricane Katrina and Rita in 2005, Hurricane Gustav and Ike in 2008, the Deepwater Horizon Oil Spill in 2010, historic Mississippi River flooding and Tropical Storm Lee in 2011, and Hurricane Isaac last August. Through the course of these harrowing events, I have witnessed numerous systemic failures, misguided policies, bottlenecks, management gaps, and squandered opportunities in the way we go about facilitating community recovery after a disaster.

As a result of those experiences, I have dedicated a significant amount of my time and energy in the Senate to fixing these problems so the people of the gulf coast and Americans everywhere can rely on Federal programs that are sensibly designed and effectively managed to help families and communities in their time of need.

That time has come for millions in the northeastern United States still reeling from the devastating impacts of Hurricane Sandy. For their sake, we cannot afford to wait any longer for these critical reforms.

Let me highlight these reforms:

Reauthorization of two expired pilot programs from the Post-Katrina Emergency Management Reform Act that allow FEMA to repair rental units as a cost-effective temporary housing alternative to trailers and mobile homes and to utilize expedited debris removal procedures. Both programs were determined by FEMA to speed recovery and save taxpayers millions of dollars; allowing a State to draw down a portion of its hazard mitigation funding from FEMA, in order to leverage mitigation opportunities earlier in the reconstruction process. Under the current program, it typically takes 18 to 36 months for funding to become available. By then, most reconstruction is already complete or underway, and numerous mitigation opportunities have been lost; providing grants on the basis of reliable fixed estimates for expedited removal of storm-related debris and reconstruction of damaged facilities and infrastructure. This approach will be faster, cheaper, and more effective for everyone involved. The Public Assistance program as currently designed may be the most dysfunctional program in the entire Federal Government, and it simply will not work for this disaster. Under the current approach, initial damage estimates are often incomplete, projects must be reversioned multiple times, decisions are often not made in writing, frequent staff turnover leads to decision reversals, hundreds of meetings result in incalculable administrative waste, and it takes years for a project to be completed. Individual paper tickets are filled out for each tree limb collected off a roadway, which are measured and photographed by debris contractors, who are in turn followed around by monitoring contractors. A $1.2 million Youth Study Center in New Orleans that was damaged by Katrina has been the subject of 182 meetings over the course of 8 years. The process is severely broken. FEMA and communities across the gulf coast, who have suffered through this bureaucratic quagmire, are in agreement that there is a better way to clean-up and rebuild. It's up to the Congress to provide that smarter approach; codifying temporary legislative measures that were enacted to facilitate a smarter recovery after Hurricanes Katrina and Rita, including third-party arbitration of disputes over project eligibility and cost, eliminating the penalty on alternate projects that stifles smarter rebuilding, and authority to consolidate facilities into a single project so school districts, police, fire, and public works departments can strategically plan reconstruction without having to rebuild everything exactly as it was before. After Rita for example, these reforms allowed the Iberia Parish School Board in Louisiana to relocate Peebles Elementary School to a new location outside the floodplain without paying a Federal penalty for rebuilding safer and smarter. It also allowed the Orleans Parish School Board to reduce the number of schools in New Orleans by one-third after determining through its Master Plan that dozens were no longer needed; allowing families to use FEMA Individual Assistance funds for disaster-related child care expenses so parents can get back to work and rebuilt their home or business sooner; reducing bureaucratic waste by eliminating duplicative agency reviews for the same project and the same set of laws governing environmental, historic preservation, and benefit-cost requirements; helping the environment by incentivizing recycling of debris and allowing locals to keep the proceeds; eliminating a perverse incentive in the law to use high-priced contract labor for emergency work instead of local government employees, such as firefighters and police officers, which will save the Federal Government millions of dollars; correcting a gap in current law that prohibits tribal governments from requesting Federal assistance after a disaster in the same way that States are authorized to do.

This legislation does not eliminate State or local cost-share requirements, establish new grant programs, or provide Stafford Act assistance to private sector entities. Instead, it sharpens the tools in the Federal Government's toolbox so that disaster-affected communities can recover more quickly.

The legislation's potential to reduce future property damage, strengthen local capacity, expedite rebuilding, and eliminate duplication and administrative waste, will save taxpayers a tremendous amount of money on Hurricane Sandy as well as future disasters. It will also save communities in the northeast a tremendous amount of time, paperwork, and unnecessary agony.

I urge my colleagues to support these important reforms and the supplemental appropriations measure now before the Senate.

While I commend the House of Representatives for providing robust funding for Sandy recovery efforts and including important reforms to the Stafford Act, I am disappointed that the House leadership decided to strip out provisions to help disaster-affected communities in other parts of the country.

Some people have referred to those provisions as ''pork.'' I think we should be careful what we refer to as ''pork'' around here. The Senate's provisions were all disaster-related, and this was a disaster assistance bill. For communities around the country that have been failed by Federal programs that ignore legitimate disaster-related needs, and failed also by a Congress that continues to underfund or zero out Federal disaster accounts, they expect

their representatives in Congress to stand up and fight for them to deliver relief.

The House of Representatives blocked that relief when it stripped out 97 percent of the fisheries assistance money, struck language authorizing the Corps of Engineers to address critical needs along the Mississippi River, and eliminated a provision to correct FEMA's deeply flawed Federal formula for local governments' disaster-related debt relief. It was wrong of the House leadership to turn their backs on the rest of the country by terminating these provisions, and the record should reflect that fact very clearly.

Finally, Madam President, I thank Senator MIKULSKI for her support of this critical legislation and urge a ''yea'' vote on the bill. I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, I know there is a lot of passion here on the floor regarding this particular legislation. There is probably not a Member on this floor who has not had some semblance of a disaster in the State and for the people they represent. Sandy clearly rises to one of the top categories of something truly catastrophic, but many of us have experienced tornadoes and destruction and floods and a number of other disasters.

One of the essential functions of government is to address those in immediate need and meet some of those emergency needs. With the cooperation of local and State and Federal authorities stepping up, we have been able to assure the American people that help is on the way, and hopefully help is on the way in an expeditious manner so that it gets to those who need that emergency help quickly.

It is regrettable it has taken this long for some of this money to be appropriated. I personally think we could have expedited this had we gained support for an amendment I offered in December which would have immediately met those emergency needs, yet given the Congress time to work through the process of examining other aspects of the bill that, No. 1, were not related to Sandy and, No. 2, that fell on various Members' wish lists of things they wanted done for their States. Of course, that is their responsibility to do so, but we all know that when we see a train moving out of the station—a bill that is going to be passed and going to become law, there has been a temptation through the years to add unrelated matters in these types of bills knowing it is a train leaving the station and ultimately will be supported. We saw what happened during the fiscal cliff debate. At the last minute, all of these egregious examples of spending that had nothing to do with the issue itself were tacked on to the final bill.

So really what we were trying to talk about here is a process that I believe and I think a number of Members believe is necessary to vet every spending appropriation that comes before this body to ensure that it meets the essential function of government, to ensure that it is not loaded with extraneous matters, and to ensure that we are careful with taxpayer dollars.

This is not about ideology. This is about some very basic math that shows us that we have a decreasing capacity to address these types of emergencies and other necessary items like education, medical research, transportation to pave roads and rebuild bridges, and any number of discretionary items whose value we can debate. That is shrinking dramatically. So if we don't apply at least some discipline to how we evaluate and examine our spending, we will continue to plunge into debt and to borrow money, which is ultimately unsustainable. If we continue this type of spending without proper oversight, I think we are shirking our duty to the public.

I am not down here to talk against funding for this disaster. I am down here to discuss how we, together, Republicans and Democrats, need to apply some discipline to how we make decisions. It has been a time-honored practice here to load up necessary bills with extraneous matters, and it has been a time-honored practice not to provide the oversight necessary to go back and look at how effectively we have spent the taxpayers' dollars in the past and what kinds of things we can do to ensure we don't make those mistakes in the future.

I think it is also worthwhile to at least examine the possibility of paying for expenditures, particularly when we are borrowing 40 cents of every dollar, when we are careening deeper into debt that the younger generations are not going to be able to pay off without serious adverse consequences. There is a moral issue here about what kind of country we are leaving for the future and what we are turning over to our children.

I think it is worthwhile to at least acknowledge that those of us who raise these kinds of questions should not be labeled or targeted as trying to throw people on the street or not respond to legitimate needs but are simply trying to say that we need some standards here to apply to a situation where our spending is out of control. Every business in America has to do this and has had to do this these past 4 or 5 years in order to survive.

Families have had to do this in order to make sure they could make their mortgage payments, or Dad has lost his job. There has been enforced discipline on the basis of an economy that has been stagnant for about 4 years. In the meantime, the Federal Government keeps plunging into debt.

So if someone brings forward an alternative to at least give us the opportunity to provide effective oversight and to make sure this money does go to emergency needs and doesn't just fulfill a wish list for what some cities would like to do in the future to prevent against future storms—not that we shouldn't be debating that, but it doesn't qualify as the emergency need of getting money to the people who need it now. These are future decisions, and we haven't had time to assess those. We haven't had time to examine those in detail, and we haven't used a process that is in place in the Senate to go through committees and let the committees work through, Is this essential to meeting the emergency needs or can we set this aside and spend a little more time examining it and looking at it to make sure this is how we want to go forward?

We have a habit here of throwing money at things under an emergency category, and then later finding out that, one, it wasn't an emergency where the money went; and, two, it was misspent and not effective. We just simply can't afford to keep doing this.

Once again, I want to state we are not here trying to undermine funding that is needed for Sandy. So I think some of the things the House did are legitimate in terms of saying let's set aside unrelated matters. It doesn't mean we cast them into the dust bin never to be seen again. It simply means let's let those that are not emergency situations be more carefully examined in terms of whether we need that. If someone does come to the floor—as I understand Senator LEE is going to do—and offers a potential offset, let's at least look at that possibility.

The debt clock is ticking, and ticking ever faster, and it is destroying the hopes and dreams of future generations. I think we have a moral responsibility to at least be as conscious and effective with dealing with the taxpayers' dollars in terms of how they are spent, whether it is an emergency supplemental related to a disaster or whether it is just a normal appropriation that comes along every year through our appropriations process.

We haven't exercised that kind of discipline, and our country is going to pay a very serious series of consequences as a result of that. Most importantly, we are denying young people in this country a future that we have enjoyed but we are not going to be able to pass on to others.

Mr. President, I yield the floor.

Ms. MIKULSKI. Mr. President, I yield 5 minutes to Senator SCHUMER.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from New York.

Mr. SCHUMER. Mr. President, I thank the chair of the Appropriations Committee for the wonderful job she has done. We have worked together as a team, and she has been great. This is her first major bill as chair of the Appropriations Committee, and I think it bodes well for the future, if you will, of the strengthening of that committee on into the year as we do appropriations bills.

I thank my colleague from Alabama, my gym mate, Senator SHELBY, for his help and support. I think he and Senator MIKULSKI will make a great team

as chair and ranking member on the Appropriations Committee.

I thank MARY LANDRIEU and the other subcommittee chairs. They did an amazing job for us, and I thank them. MARY'S assistance and advice, given what she went through several years ago in Louisiana with Katrina, was invaluable to those of us in New York and New Jersey.

Finally, I see Senator GILLIBRAND is here; Senator BLUMENTHAL is in the chair; in addition, Senator MURPHY, Senator MENENDEZ, Senator LAUTENBERG—we have all worked as a team, and I thank them for their efforts.

It has been 91 days since Sandy struck. It has taken far too long, but we are finally one vote away from getting the much needed aid we so desperately depend on in New York and New Jersey. It was 3 months ago that Superstorm Sandy tore up the east coast, obliterating hundreds of thousands of homes in New York. It was 91 days ago that this hurricane, coupled with a cold front, uprooted small businesses that are the lifeblood of middle-class communities on Long Island, Staten Island, Queens, Brooklyn, and Lower Manhattan.

As you may recall, Sandy's wrath was wide, and it was deep. Nearly 300,000 families had their homes damaged or destroyed by Sandy; 131 people were killed, 60 in New York; 2 million individuals lost power; and our Nation's public transportation system witnessed catastrophic flooding. Despite overwhelming damage from wind and water, snow, and in some neighborhoods even fire, New Yorkers are ready to move forward.

Not one day has passed since Sandy made landfall that I haven't heard from my constituents wondering when Washington will remember them. I heard the words of my good friend from Indiana. I know he is a caring person. But for decades, taxpayers from New York have sent their money when disasters occurred, such as fires on the west coast or floods in the Missouri and Mississippi Valleys, hurricanes in Louisiana or Florida, and other disasters. We have sent our tax dollars—billions of them—and now, all of a sudden, some are suggesting we should change the rules when we are hit by the first major disaster to hit the New York City region in a very long time? That is not fair. That is not right. We have argued against it, and I hope my colleagues will defeat the Lee amendment.

I also say to my colleagues that this is not just about dollars and cents. This is about people who care and are waiting—homeowners who are waiting to rebuild their homes so they can move back into them. This is about small business owners who are hanging on by a thread after building a business for 25 years. We know when the hand of God strikes, it is overwhelming.

Take Rita from Emerald Magic Lawn Care. Her company helps local families, schools, and businesses with lawn care in the spring and summer, and around the holidays they help with decorations and lights. But Emerald Magic's business was interrupted for many weeks, and the client base dried up. Rita's business will be in huge trouble. It may not survive if she doesn't get a lifeline—and get one now. So this is very important.

Week after week, month after month, New Yorkers have been told this is ''a waiting game.'' That is not an answer we can live with, and neither can they. We can't wait any longer because nothing about this disaster was a game for the family in Breezy Point or in Rockaway or in Long Island or in Queens or Staten Island. It wasn't a game for them or for the more than 265,000 small businesses whose doors are currently shuttered or the hundreds of thousands of homeowners who have severe damage to their homes. Many don't have their homes anymore. They can't wait either.

And they are not the only ones. Our schools and hospitals are still combating Sandy-related repairs. The damage to our roads and transit systems hasn't gone away in 3 months. Our coastline must be rebuilt so we are not naked if, God forbid, another Sandy occurs. New York has waited, but we can't wait any longer.

We know too well that when a major disaster strikes, it is too much for any one State or any one region to tackle. But that is what we have been left to do so far in New York, and I know the same goes for my colleagues in New Jersey. So Senators LAUTENBERG, MENENDEZ, GILLIBRAND, and I are making a plea to our colleagues: Please, we have waited 91 long days. We can't wait any longer. Simply put, we must pass this bill today. Ninety-one days ago, Sandy struck a body blow against New York. Today, finally, we can strike back and give our people the help they need to get back on their feet and rebuild our communities.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to continue this discussion about Superstorm Sandy.

I start by saying there isn't any doubt whatsoever about the severity of this tragedy or about the human suffering. It is absolutely the case that the needed emergency money should have been there already. There is a real, genuine need, and that need needs to be met. That is part of the reason I voted in favor of spending $24 billion, which could legitimately prescribe the kind of emergency funding that suffering people needed.

But I am concerned about two things: One is the fact that some people have used the occasion of the misery these people are suffering through to add on all kinds of spending that has absolutely nothing to do with Superstorm Sandy, and none of it is offset. So we have a $1.1 trillion budget deficit, and we are just adding another $60 billion right on top of that.

These are the items I would suggest that certainly don't have much to do with Superstorm Sandy: $15 million for NASA repairs at the Kennedy Space Center in Florida; $274 million for the Coast Guard acquisitions in the Bahamas and Great Lakes; $2 million for Smithsonian repairs. Then there is another whole category of items, which is tens of billions of dollars, which is long-term construction projects for the mitigation against future storms and disasters.

Is that an important expenditure by the Federal Government? It probably is. It probably should be a high priority. But is it an emergency? Of course not. It is infrastructure. It is going to be spent over years, maybe decades, as we build seawalls to protect beaches off the coast from future storms which are years away.

Is that an important consideration? I think it is. But when we are running trillion-dollar deficits, I think it has to compete with the other legitimate demands for long-term spending and infrastructure spending and the ways that we are going to protect our country as well. But we have no such process here. And that is part of what is wrong. That is part of what is wrong with this town and why we are in such a mess. It is because this body—and Congress generally—just refuses to make choices.

So I can understand completely all of this money being spent, if that is the determination that every one of these projects that have nothing to do with Sandy still nevertheless need to be funded. But couldn't we offset that by trimming spending elsewhere so that we don't further accelerate this decline? We are heading toward a fiscal crisis. Unfortunately, I guess not—unless we adopt the Lee amendment.

The Lee amendment says let's trim all discretionary spending by one-half of 1 percent over the next 9 years. So can we find half a penny of every dollar that we would otherwise spend so that we would fully fund everything in this bill. Not a dime would get cut from this bill, but we wouldn't add to our deficit and further accelerate this path we are on to a fiscal crisis.

We don't have to wait any longer. We can do this right now. We don't have to cut a dime from this bill; we can fully fund this bill. But at some point we need to start making choices around here. At some point we can't just have everything. That is how you get trillion-dollar deficits. That is how you end up like Greece.

So I would just suggest, let's pass this bill. Let's spend all the money in the Sandy supplemental. But let's offset it with a cut of one-half of 1 percent in discretionary spending over the next 9 years. That is what the Lee amendment does, and I urge my colleagues to support it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I thank Senator MIKULSKI for her leadership, not only leading the charge for aid that our families in New York so desperately need but, as chair of the Appropriations Committee, making sure this bill is as strong as it possibly can be. I agree with her remarks that the bill would have been better if they left in place what the Senate had written, but I thank the chairwoman for her dedication to helping our families and businesses recover. It has made such a difference.

I also thank Senator LANDRIEU for her experience and expertise in meeting the needs of States devastated by natural disasters. She has had to live through these tragedies before. She knows what it is like to talk to constituents whose loved ones have been lost, whose families and businesses have been destroyed and torn apart, and whose lives are just in the beginning of being rebuilt. I thank her for what she has done.

I thank Senator MENENDEZ, who will be following me with remarks, and Senator LAUTENBERG, and Senator CHUCK SCHUMER for the work he has done on behalf of New Yorkers, being a clarion call for common sense and immediate action and for bringing our colleagues together to meet the needs of so many families who are so much in need.

I rise today to urge my colleagues from both sides of the aisle to support our efforts to finally come to the relief of millions of Americans who are suffering in the wake of Superstorm Sandy. New Yorkers in my home State have had to wait far too long for Congress to act.

Superstorm Sandy was a weather event unlike anything we in New York have ever seen before. It claimed the lives of 60 New Yorkers, left hundreds of thousands with significant damage to their homes and their businesses, their neighborhoods and their families. This body came together just before the New Year to provide the desperately needed aid families require to rebuild their homes, their businesses, and their lives; the aid our small businesses so desperately need to get their businesses up and running, the lifeblood of our communities flowing again, and getting our families back on their feet.

This bill should be neither controversial nor partisan. We have already debated and passed an almost identical package that was passed by the Republican-led House of Representatives. Once again, the American people are watching us to see if we can come together and stand by families in need, just as we have done for every natural disaster in our Nation's history. They are watching once again to see if this body will do the right thing or turn its back on them and not give them the support they need to rebuild.

This was always an emergency spending bill. It is an emergency, it is urgent, and it needs our action now. We have to seize the opportunity without causing any further delay and we have to show the American people that we can rise on an occasion such as this, when duty calls, to do the right thing. I assure you, there is no one who wants to spend a single cent more than is actually necessary, which is why we took such pains and effort to make sure this bill was transparent, had accountability and the right kind of oversight. We are urging that we fully fund this proposal that was so carefully put together.

Since 1989, Congress has passed 36 emergency appropriations bills for disaster relief without specifically designating any offsets. There is no reason why we should treat this disaster, this emergency, this horror, any differently than we have past disasters.

When disasters do strike, we have always found the good will and the care for one another to do what is right. Protecting people, looking after them, making sure they are safe, allowing businesses to grow is what we should be doing. Our Federal Government's role is to protect the people first. It is our duty as public servants.

I urge my colleagues once again, find that good will, help others, do the right thing.

WORKING TOGETHER

Mr. President, I wish to engage in a colloquy with the Senator from Maryland, the chairwoman of the Appropriations Committee, as well as the Senator from New Jersey, Senator MENENDEZ.

I thank the chairwoman for her leadership in bringing the disaster supplemental appropriations bill to the Senate floor to address the urgent recovery needs of New York, New Jersey, and the rest of the Northeast that was affected by Superstorm Sandy. It is my hope we will pass this bill quickly so that our communities can begin to rebuild.

It is also important that as we rebuild, agencies of the Federal Government work in a collaborative way, across agencies and in concert with our State and local governments. We should not have multiple agencies studying the same problem separately, but rather the Federal Government should be working together to develop the best models for rebuilding our battered coasts as well as planning for the long-term sustainability and resilience of these vulnerable areas.

Mr. MENENDEZ. Mr. President, I agree completely with Senator GILLIBRAND's sense of urgency regarding this vitally needed plan. I also know that my good friend from New York and I agree on the need to recognize and, to the greatest extent possible, to enhance the value of our coastal natural resources to the recovery of our storm-ravaged communities.

It is our understanding—and we request the Chair's clarification—that the language we have before us directs the Army Corps of Engineers to take the integrated, collaborative approach discussed by the Senator from New York. It is our hope and expectation that the Corps will go well beyond the usual level of coordination in order to take maximum advantage of the expertise and commitment its Federal and non-Federal partners bring to this legislation's explicit goals of flood risk reduction and ecological sustainability.

Ms. MIKULSKI. I appreciate the Senators from New York and New Jersey raising this issue. The language in the bill we currently have before us directs the Army Corps to conduct their study in coordination with other Federal agencies, and State, local and Tribal officials. It is the intent of Congress for the Army Corps of Engineers to adopt a multiagency approach and work in close collaboration with other relevant agencies in studying and planning for the reconstruction of the coastal areas destroyed by Superstorm Sandy. In making its supplemental funding request to Congress, the Administration specifically requested funding for an ''inter-agency planning process in conjunction with State, local, and Tribal officials, and to develop plans to address long-standing challenges and ensure the health and prosperity of the areas affected by Sandy . . . for innovative approaches to reduce the future flood risk, in ways that will promote the long-term sustainability of the coastal ecosystem and communities.'' It is our expectation that the administration would adopt that approach with the funding provided in this legislation.

Mrs. GILLIBRAND. I thank the chairwoman for making this clarification. It is my hope that as the Army Corps and other agencies work to assess the region's needs post-Sandy, they will work collaboratively to develop the best techniques to rebuild our coasts to reduce flood risks and provide for long-term sustainability of the coastal ecosystem.

Mr. MENENDEZ. Again, I agree with my friend from New York. I would also note that this collaborative study should take into account the particular needs of disadvantaged communities within our States, many of which face unique challenges as they seek to reverse the damages of this storm and to prevent future catastrophes. These communities were among the most damaged by this storm and the Army Corps, the Department of Housing and Urban Development, and other Federal agencies would be remiss not to carefully consider, and balance, the needs of these underserved residents with the need to rebuild commercial areas and critical infrastructure, including industrial facilities, along our coastline. I would urge all agencies funded in this bill to provide for the special needs of these neighborhoods and the shorelines which they depend on.

GREAT LAKES NAVIGATION

Mr. LEVIN. Mr. President, Hurricane Sandy was one of the costliest storms in our Nation's history, resulting in at least 125 deaths, the destruction of tens

of thousands of homes and businesses, electricity losses for millions of people, disruption of fuel supplies, and devastating damage to public infrastructure. When Hurricane Sandy struck land on October 29, hurricane-force winds covered 900 miles, wreaking havoc across a broad stretch of the Eastern seaboard. While the impact of Hurricane Sandy was most severe in New Jersey and New York, the storm impacted 24 States, including Michigan. Across the Great Lakes, gale force winds caused damage to breakwaters and silted in harbors and channels. On Lake Huron, wave heights reached 23 feet, in Lake Michigan the waves peaked at 22 feet, and the storm caused waves of 14 feet in Lake Erie.

Ms. MIKULSKI. The storm was one of the most devastating in our Nation's history, and the assistance that is so needed to address the widespread damage is long past due.

Mr. LEVIN. The supplemental appropriations bill before us today includes $821 million for necessary expenses related to Hurricane Sandy to dredge Federal navigation channels and repair damage to Corps projects. Great Lakes channels, harbors, breakwaters, and piers were damaged by gale-force winds caused by Hurricane Sandy. The Army Corps of Engineers estimates damage to the Great Lakes System of $17 million, including in my State of Michigan. This system transports over 160 million tons of commodities and hundreds of thousands of jobs are tied to the system. It is vital that repairs be made promptly. Madam Chairwoman, will these Great Lakes navigational projects damaged by Hurricane Sandy be eligible for some of the $821 million in funding?

Ms. MIKULSKI. Yes. The funding is for necessary expenses related to the consequences of Hurricane Sandy, and since Great Lakes Federal navigation projects were damaged as a result of that storm, they would indeed be eligible.

Mr. LEVIN. I thank the Senator for her assurances.

Mr. President, I will vote in support of the disaster assistance bill to aid the victims of Hurricane Sandy, who number in the millions. Hurricane Sandy covered over 900 miles, took over 125 lives, destroyed homes and businesses, demolished breakwaters, piers, boardwalks, and other infrastructure, and left millions without transportation. This superstorm occurred nearly 3 months ago, and assistance is long past due for the victims who remain homeless and communities trying to rebuild.

Hurricane Sandy left such far-reaching devastation that its destruction reached into the Great Lakes. Gale force winds across the Great Lakes caused damage to breakwaters and silted in harbors and channels. The bill before us provides $821 million to dredge Federal navigation channels and repair damage to Corps projects impacted by Hurricane Sandy. I entered into a colloquy with Chairwoman MIKULSKI to ensure that the damage incurred to Great Lakes harbors as a result of Hurricane Sandy would be eligible for that funding. I thank Senator MIKULSKI for clarifying that funding could go to the Great Lakes, and I hope the Corps will prioritize funding for those Great Lakes projects, which are estimated to require about $17 million in repairs.

We have a responsibility to help our fellow Americans who have lost homes and businesses through no fault of their own, and I hope we will pass this bill and immediately send it to the President for his signature. Hurricane Sandy is estimated to be the second or third most costly disaster in U.S. history. We need to provide the assistance promptly to those affected by Hurricane Sandy.

Ms. COLLINS. Mr. President, I rise in support of efforts to restore to the supplemental appropriations bill $150 million in disaster funding for officially declared fisheries disasters. The bill that the Senate passed in December, with overwhelming bipartisan support, included this $150 million in necessary disaster funding to address federally declared fisheries disasters. Unfortunately, the bill before us, passed by the House, did not include this critical funding.

It is important to note that this funding would be used to respond to fishery disasters declared by the Acting Commerce Secretary in 2012 under the authority provided by the Magnuson-Stevens Fisheries Conservation and Management Act and the Interjurisdictional Fisheries Act. This is authorized funding in response to declared disasters.

The funding for declared fisheries disasters is necessary to address the devastating economic consequences of significant projected reductions in the total allowable catch for critical groundfish stocks. In September of last year, the Acting Secretary of Commerce, recognizing the economic difficulty that fishing communities have and will continue to face, declared a Federal fisheries disaster for Maine, Rhode Island, Massachusetts, New Hampshire, New York, and Connecticut for the 2013 fishing year.

Fishing is more than just a profession in New England. Fishing is a way of life and a significant part of Maine's heritage. There are 45 vessels based in Maine that are actively fishing with Federal groundfish permits. Last year, more than 5 million pounds of groundfish, with a dockside value approaching $5.8 million, were landed in Maine. The projected reductions, which may be as high as 73 percent, could devastate these fishing communities and come despite strict adherence to rigorous management practices by fishermen.

The requested funding would be used to provide economic relief to the region's struggling groundfish industry and to make targeted investments that will allow the fleet to survive and become more sustainable in the years ahead. These funds could also be productively used to fully cover the costs of at-sea monitoring and to address long-term overcapacity in the fishing industry. This is critical to rebuilding fish stocks and preserving a thriving fishing industry well into the future.

Slow recovery and declining fish stocks continue to have a negative impact on commercial fishing, harming local communities and economies. This Federal disaster assistance is vital to the long-term success and short-term survival of fishing communities throughout the region.

Mr. REED. Mr. President, after so much time has passed due to the delay in consideration by the other body, it is critical that we move ahead to provide needed assistance to communities in the Northeast that were affected by Superstorm Sandy.

I want to commend Chairwoman MIKULSKI, as well as our late colleague, Chairman Inouye, for their leadership in developing a bipartisan bill that would have provided critical assistance to respond to the hurricane and its aftermath, as well as other disasters. Indeed, the bill that passed the Senate last year was a superior product. It is regrettable that bill is not before us again today.

The Senate bill would have delivered a significant amount of relief to communities in New York and New Jersey, while recognizing the substantial challenges faced by the other ten States that received major disaster declarations due to the storm. For example, the Senate bill included $810 million in water infrastructure grants to address the $2.8 billion in Sandy-related water infrastructure needs identified by the Environmental Protection Agency, allocating a minimum of 2 percent to each affected State.

In addition, the Senate bill would have required the Department of Housing and Urban Development—HUD—to establish minimum allocations of Community Development Block Grant—CDBG—funds so that every State that was hit by Sandy would receive funding to address its impacts. Finally, the bill included $150 million to address a series of fisheries disasters that were declared in 2012.

Regrettably, the House, after failing to bring a bill to the floor before the end of the 112th Congress, went in a different direction on these matters. The House bill cuts funding for water infrastructure by $210 million and limits funding to only two States, setting a dangerous precedent that Congress will provide assistance to some States that are affected by a disaster but not to others. With respect to CDBG funding, the House bill provides no minimum allocation and no assurance that States with significant damages from Sandy will receive the assistance they need. Paradoxically, the bill threatens to dilute assistance for Sandy by making the CDBG funding available for all disasters that occurred in 2011, 2012, and

2013 even though funding had been provided for some of these disasters in earlier appropriations laws. Finally, as fishermen from New York to Maine face dramatic catch reductions, the House bill strips the $150 million in fisheries disaster funding from the bill.

While it is unfortunate that the House bill makes these changes, the people of the Northeast should not be forced to wait any longer for the help this bill does provide. This includes much needed funds for highway, port and harbor repairs, as well as repairs to national parks and wildlife refuges. Equally important is funding to begin the long-term analysis and work to help prevent this kind of damage from occurring again. Even as I continue to believe we should be able to do more, I urge my colleagues to support this bill.

Mr. MCCAIN. Mr. President, when we debated the Hurricane Sandy Supplemental bill in the Senate prior to Christmas, I was unable to support the spending bill because much of the taxpayer funding in the bill had little or nothing to do with meeting the immediate needs of individuals misplaced by Hurricane Sandy. Unfortunately, not much has changed with the House bill that we will soon vote on. At a time when we face ongoing trillion-dollar deficits and a $16.4 trillion debt, we cannot justify this type of spending.

While some of the projects included in this bill may hold merit on their own, many of the projects included should go through the normal budget and appropriations process, where Congress has time to vet the need for such spending requests. To drive home this point, the Congressional Budget Office—CBO—analysis of the bill tells us that only 7 percent of the funding in this bill will be spent this year—FY 2013—and roughly 70 percent of the funding will not be spent until FY 2015 and beyond.

After examining this bill, I have found numerous examples of questionable spending:

Millions to replace automobiles owned by the Federal Government, including:

$1 million for DEA to replace 15 vehicles;

$230,000 for ATF to replace three vehicles;

$300,000 for the Secret Service vehicles; and

$855,000 for ICE vehicles.

The Federal Government currently owns or leases over 660,000 vehicles—surely we can find replacements within our current inventory. Shouldn't we focus on providing relief directly to those still trying to rebuild their lives before replacing a bureaucrat's car?

There is $16 billion for Community Development Block Grant funds for 47 States and Puerto Rico that can be used for events in 2011, 2012 and 2013.

There is $2 million to repair damage to the roofs of museums in Washington, D.C., while many in Hurricane Sandy's path still have no permanent roof over their own heads.

The bill includes $50 million for National Park Service Historic Preservation grants, which was not included in the President's request; $180 million for the Department of Agriculture's Emergency Watershed Protection program, which helps restore watersheds damaged by wildfires and droughts for areas including Colorado; highway funding for the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands; $15 million for NASA facilities, though NASA itself has called its damage from the hurricane ''minimal.'' On the day after the storm hit, NASA's Wallops Island put out a statement stating that ''an initial assessment team surveyed roads and facilities at NASA's Wallops Flight Facility today reporting a number of downed trees but otherwise minimal impact in the wake of Hurricane Sandy.''

The bill includes $111 million for a weather satellite data mitigation gap reserve fund, a controversial program created by President Obama by executive order for ocean zoning planning; $8.5 million for weather forecasting equipment; $23 million for the USDA ''Forest Restoration Program'' for planting trees on private property. This program is actually a Farm Bill subsidy program that's run by a relatively unknown agency called the ''Farm Service Administration'' which is primarily responsible for managing crop insurance. Under this program, private landowners with about 50 acres of land can apply for up to $500,000 in free grants for tree planting activities.

The bill also includes $118 million for taxpayer-supported AMTRAK, $86 million more than the President's request. While some of the funding will go for repairs, money will also go to increasing passenger capacity to New York and future mitigation efforts. In a 2-page letter from AMTRAK that gives a broad description of how the money will be spent, almost all of it falls under funding for future capital projects. This includes funding for the ''Gateway Program.''

According to AMTRAK, the Gateway Program, which was started in 2011 and is projected to cost over $13 billion, is ''a comprehensive program of infrastructure improvements to increase track, tunnel, bridge, and station capacity serving New York City that will improve current assets and allow the eventual doubling of passenger trains into Manhattan.'' I am not here to debate the merits or the need for new tunnels, but this is clearly a capital improvement project—unrelated to Hurricane Sandy.

AMTRAK is up and running so it is not apparent why this funding is deemed ''emergency'' spending and included in this spending package. Keep in mind, AMTRAK receives roughly $1 billion in annual funding. Future mitigation projects should be debated in next year's budget process.

The bill includes $100 million for Head Start; $1 million for Legal Services Corporation; $3.5 billion for the Army Corps of Engineers—with little clarity on how the money will be spent. More projects are not something the Army Corps can handle. They are currently experiencing a backlog of construction and maintenance projects of approximately $70 billion. Furthermore, a 2010 report released by the Government Accountability Office noted that carryover funds have increased ''due to the large amount of supplemental funding the Corps has received in recent years.'' Clearly, supplemental spending on the Army Corps has not paid off.

As a nation, we are $16.4 trillion in debt and dealing with trillion-dollar deficits. We do need to come to the aid of those who lost everything in Hurricane Sandy and are struggling to get their lives back together. Congress, however, cannot continue down this road of irresponsible spending. We must pass a true disaster spending bill that only spends money on disaster recovery and response, not pet projects.

Mr. PRYOR. Mr. President, Hurricane Sandy was the most devastating storm to hit the northeast United States in recorded history. Rebuilding after the storm will be a formidable challenge and this aid bill will go a long way towards meeting that challenge.

When Hurricane Sandy struck the East Coast, it flooded electrical substations and knocked down trees onto power lines, shutting off power for 8.2 million customers, and causing billions of dollars in damage. Over 300,000 homes in New York City and 72,000 homes and businesses in New Jersey were damaged or destroyed. Four New York City hospitals had to shut their doors.

The storm sent floodwater gushing into New York's five boroughs, flooding tunnels and the subway system and making the equipment inoperable. In many hard-hit areas wireless networks suffered widespread outages primarily due to lack of power.

When smart technologies are in place, power outages can be avoided and lives, homes and businesses are protected. As the massive rebuilding effort gets under way, decision makers should rebuild the smart way by ensuring that reconstruction funds maximize the deployment of technologies to improve the resilience of the electric grid, mitigate future power outages and ensure continued operation of facilities critical to public health, safety and welfare. Resilient and reliable power is critical for first responders, communications, health care, transportation, financial systems, homeland security, water and waste-water treatment, emergency food and shelter, and other vital services.

Examples of relevant technologies include smart grid technologies to isolate problems and repair them remotely, such as smart meters, high-tech sensors, grid monitoring and control systems, and remote reconfiguration and redundancy systems;

microgrids, energy storage, distributed and backup generation to power critical facilities and operations; wiring, cabling, submersible and other distribution components and enclosures to prevent outages; and electronic controlled re-closers and similar technologies for power restoration.

The funding provided by the Hurricane Sandy disaster relief appropriations bill should enable these States to wisely make cost-effective investments in these technologies for their long-term infrastructure resiliency. Rebuilding these essential infrastructure systems with technology that is equipped to deal with extreme weather should make recovery from any future storm faster, cheaper, and better.

Mr. DURBIN. Mr. President, several weeks ago, before the end of the 112th Congress, the Senate voted to help the victims of Hurricane Sandy with a supplemental appropriations bill. The $60.4 billion supplemental emergency bill passed in the Senate by a vote of 62–32. Unfortunately, the House did not pass the bill before the end of the 112th Congress, and we must pass this bill again.

This aid is desperately needed. Hurricane Sandy ranks second only to Hurricane Katrina in terms of damage. Insurers estimate that the damage will make the storm the sixth costliest in the world for their industry.

In New York and New Jersey, more than 651,000 homes were damaged or destroyed, 463,000 businesses were hurt and need assistance. Hundreds of miles of roads and rail were damaged and will need to be repaired. We have a responsibility to help our fellow Americans recover from this disaster. Congress has always stepped up and helped States and communities deal with natural disasters.

Hurricane Sandy is also a time for us to be honest, face facts, and state the obvious: the climate is changing. The weather is getting worse extreme weather events are happening with increased frequency and intensity. It's time for Congress to get serious about addressing the causes and effects of climate change we can no longer afford to ignore this issue.

The vast majority of Americans view the recent extreme weather events as evidence that the problem of global warming is no longer some vague or distant threat. In a recent poll, nearly 4 out of 5 Americans stated that they now think temperatures are rising and that global warming will be a serious problem if nothing is done about it. The existence of manmade climate change is not a debatable issue for the overwhelming majority of scientists more than 98 percent of all working climate scientists believe that human activities have led to climate change.

Over the previous decades, scientists have measured a consistent increase in global temperatures, which has led to rising sea levels, warmer air and, as a result, more extreme weather. The National Climatic Data Center just announced 2012 was the hottest year on record in the continental United States. Our changing climate means that the storms and heat waves we are seeing will become stronger and more extreme in the future causing greater amounts of damage.

The insurance and defense sectors have looked at this scientific data and are making some changes. They are adjusting their operations to prepare for worse weather and bigger losses. Nationwide, the financial consequences of weather-related disasters and climate change hit a historic new high last year U.S. disasters caused over $55 billion in damages.

The federal government needs to rethink how we protect federal assets and provide disaster assistance to communities on a more regular basis. And right now, passing this bill for supplemental appropriations for Sandy victims is a great first step. Because in addition to providing aid to help rebuild houses, schools, and business, the bill also includes billions for mitigation programs. Mitigation programs help us rebuild in a way that's smarter than the first time, adding defenses against storms and protecting property by moving it out of flood zones or rebuilding with flood protection features.

These policies make sense. They better prepare us for the next big storm, and they will save a lot of taxpayer money by reducing the damage of the next disaster.

After that, we in the Senate need to face the reality of greenhouse gas emissions and create energy and environmental policies that reduce their destructive impact, including investments in renewable energy and pollution control technologies.

The President challenged all of us in his inaugural address to respond to the threat of climate change, ''knowing that the failure to do so would betray our children and future generations.'' We need to answer the President's challenge by passing this bill now and passing climate change legislation soon that will help us leave a sustainable planet to our children and grandchildren.

AMENDMENT NO. 4

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I have an amendment at the desk. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Utah (Mr. LEE) proposes an amendment numbered 4.

Mr. LEE. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To offset the cost of the bill with rescissions and discretionary cap reductions)

At the appropriate place, insert the following:

SEC. _____. (a)(1) There is hereby rescinded an amount equal to .49 percent of—

(A) the budget authority provided (or obligation limitation imposed) for fiscal year 2013 for any discretionary account in any fiscal year 2013 appropriation Act;

(B) the budget authority provided in any advance appropriation for fiscal year 2013 for any discretionary account in any prior fiscal year appropriation Act; and

(C) the contract authority provided in fiscal year 2013 for any program that is subject to a limitation contained in any fiscal year 2013 appropriation Act for any discretionary account.

(2) Any rescission made by paragraph (1) shall be applied proportionately—

(A) to each discretionary account and each item of budget authority described in such paragraph; and

(B) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(3) In the case of any fiscal year 2013 appropriation Act enacted after the date of enactment of this section, any rescission required by paragraph (1) shall take effect immediately after the enactment of such Act.

(4) Within 30 days after the date of enactment of this subsection (or, if later, 30 days after the enactment of any fiscal year 2013 appropriation Act), the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to paragraph (1).

(b) The discretionary caps provided in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as modified by section 251A of such Act, are reduced as follows for the respective fiscal year and the respective category:

(1) for fiscal year 2014—
(A) $2,704,800,000 in security; and
(B) $2,497,400,000 in non-security;
(2) for fiscal year 2015—
(A) $2,773,400,000 in security; and
(B) $2,548,000,000 in non-security;
(3) for fiscal year 2016—
(A) $2,827,300,000 in security; and
(B) $2,597,000,000 in non-security;
(4) fiscal year 2017—
(A) $2,891,000,000 in security; and
(B) $2,650,900,000 in non-security;
(5) for fiscal year 2018—
(A) $2,954,700,000 in security; and
(B) $2,709,700,000 in non-security;
(6) for fiscal year 2019—
(A) $3,018,400,000 in security; and
(B) $2,773,400,000 in non-security;
(7) for fiscal year 2020—
(A) $3,087,000,000 in security; and
(B) $2,832,200,000 in non-security; and
(8) for fiscal year 2021—
(A) $3,155,600,000 in security; and
(B) $2,891,000,000 in non-security;

Mr. LEE. Mr. President, I stand today and urge my colleagues' support for my amendment to this bill. I appreciate the eloquent arguments made by my friend and colleague, the Senator from New York, a moment ago. She is correct to point out that people have suffered as a result of this storm. My heart goes out to them. Anytime my fellow Americans find themselves in a position of need, we want to address that situation very carefully and make sure we do the right thing, make sure people are not overlooked.

As we do that, and especially as we do something such as that in the way we are being asked to do it here, we must also consider how our actions here might have other implications down the road. We have to stop and consider that we are more than $16 trillion in debt and we are adding to that debt at a rate of more than $1 trillion every single year. The amount of money we spend in interest on our national debt now stands at a little over $200 billion a year and is expected to grow significantly in the next few years, such that by the end of this decade—perhaps much sooner—we are likely to be paying close to $1 trillion a year just to pay the interest on our national debt.

It is because of considerations such as these that we put in place certain spending caps, in connection with the Budget Control Act, in the summer of 2011. It is for this same reason I am asking that we consider capping this, subjecting this same amount, this money we are being asked to spend here, to the same caps. In other words, what I am suggesting is that we find a way to offset our spending for this bill by stretching it out over the next 9 years, capping what we spend. All we have to do to offset what we are being asked to spend here is to cut our discretionary spending by one-half of 1 percent over the next 9 years.

As we look at our economic realities, as we look at the fact it is going to be very difficult in coming years to fund everything we need to do through the Federal Government, this is the approach we have to take with regard to new spending. If we are being asked to spend money, no matter how important the cause, to the tune of more than $50 billion in one fell swoop, I think we owe it to the good people of the United States of America, the good people who depend on so many things the Federal Government does—things as wide ranging as defense at one end of the spectrum and entitlements at the other end of the spectrum and everything in between—we owe it to them to consider how our actions today might forestall, might complicate, might impair our ability to fund those programs down the road. It is for this reason I think we need to offset this spending. We can do it by cutting only one-half of 1 percent of our discretionary spending over the next 9 years. For that reason I urge each of my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, first of all, I thank the distinguished chair of the Appropriations Committee for all of her incredible work and help here, as well as that of the staff, in bringing us to this moment. We would not be here without her tremendous work, especially in light of Chairman Inouye's passing. I appreciate the ranking member, someone who understands the challenges, having come from a Gulf State that saw the consequences of disasters.

There are a couple of important dates here. The first one is 91 days, 91 days since Superstorm Sandy hit the Northeast; 91 days we have been languishing, waiting for our Government to respond to the critical issues, life-and-death situations, of fellow Americans. It is 91 days in which people who largely lost their home, or at least the ability to be back in their home, have been waiting for their government to say: Here is how we are going to help you. It is 91 days in which we now have the biting cold of the winter and the defenselessness of a coastline that cannot be subject to a northeaster that will ultimately have real-life consequences to people's lives, to people's properties, to repetitive loss.

It is 91 days compared to what happened during Hurricane Katrina, where $60 billion was moved in 11; 91 days in which people have not been able to get their lives back on track, looking to their government—people who are good citizens, pay their taxes, obey the rules, follow the law, and ultimately say: We have been left behind. It is enough.

Another 118 days. That is all we have left to Memorial Day and the beginning of a critically important season for New Jersey's economy, a $37 billion tourism industry that cannot get back on its feet unless the Federal Government says here is how we are going to help businesses reopen, here is how we are going to help people get back into their homes, here is how we are going to help you rebuild the infrastructure that is not only important to the economy of the State but to the national economy, for which New Jersey and of course New York are such big drivers—well over 10 to 11 percent. We only have 118 days and we have been languishing.

I personally am tired of listening to the voices for patience and delay, suggesting that somehow we as citizens of the United States are second-class citizens waiting for this government to respond to the needs of fellow Americans. That is not what I envision when I think about the United States of America.

Another number: 36 times; 36 times in which we in fact have looked at an emergency in this Nation squarely in the face and said it is an emergency. An emergency is an emergency is an emergency. For over two decades the Congress has looked at this set of disasters and said it is an emergency. But when it comes to the Northeast, somehow it is not an emergency, 91 days later.

Offsets? We didn't have offsets for those over two decades. And when we talk about these offsets we use the words discretionary spending. I think America should know what it means. It means education, it means health care, it means the National Institutes of Health, it means law enforcement, it means a whole host of things we care about in our lives every day, across-the-board cuts, indiscriminate, without anything about what the consequences are—only when it comes to the Northeast.

I want my colleagues to understand that personally this Senator will judge the future by how we are ultimately responded to. We already feel chagrined but it is what it is. We need to act today. Adoption of this amendment would not only create an across-the-board cut that has consequences to critical things Americans broadly depend on and does it indiscriminately, but also sets us farther back because we would have to go back to the House again, delays and more delays. I cannot look in the face of any American, whether in my State or any State in the country, and say, no, your government has abandoned you, you will have to wait. I cannot look at business owners who are making a life decision about whether what little they have they can reinvest and whether they will get any help from the government to open, hire people, and contribute to our economy. I cannot look in the face of a fellow New Jerseyan and say I still can't tell you what the Government will do to get you back in your home. I suggest to any of my colleagues that you would not want to look in the face of your citizens and have to be in the same position.

The time has come to pass this bill without amendment in an up-or-down vote in what I hope will be the same bipartisan vote that we had when we originally passed the Senate bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, we are just moments from voting on both the Lee amendment and on final passage. I rise to oppose the Lee amendment, the amendment of the junior Senator from Utah. His amendment would cut $6.3 billion from fiscal year 2013. That is $6 billion that is in addition to the $3.4 billion we already have as an offset in the bill that is charged against the Corps of Engineers, plus he wants to reduce spending by another $44 billion over an 8-year period by lowering the discretionary budget caps that were agreed to in the to 2011 Budget Control Act.

Overall, he pays for $50.5 billion in emergency aid with $51.2 billion in cuts. That is $700 million more in cuts than the disaster rate in this bill. I think that is going too far. I think when we cut more than we are going to spend, that is going too far. The $6.3 billion is an unspecified cut in discretionary programs in the middle of fiscal year 2013. It will cut national defense, it will cut law enforcement, housing assistance, agricultural assistance, and, guess what. The way it is written, it will even cut veterans' benefits, which are ordinarily viewed as mandatory spending.

This $44.9 billion is a reduction to the caps set by the Budget Control Act of 2011. For my colleagues who don't seem

to remember, we actually did pass a Budget Control Act. It says we in the Appropriations Committee will cut $1 trillion over the next 9 years. So the cap is already on us on what we could spend, and that is $100 billion a year. The Lee amendment would add even more to that.

They cannot tell us to pass a budget the way they did in the House bill on the debt limit and then say: Pass the budget. We did pass the Budget Control Act, and now the Lee amendment will shred that agreement. It will just shred it. Every time something comes up—while we are working to pass a budget—are they going to shred it?

I would like to follow what Senator COATS has talked about: Let's get back to regular order. Let's not be kind of doing cuts de jour, cuts on the fly, and who can outcut whom. Senator COATS has many good ideas in his presentation. As an appropriator and a gentleman on my committee, I look forward to working with him.

Ms. LANDRIEU. Will the Senator yield?

Ms. MIKULSKI. If I could just finish my remarks, and I will turn to the gentlelady from Louisiana.

Also, this amendment is terrible in terms of process. If we pass the Lee amendment, not only will it shred the Budget Control Act of 2011—just shred it—it will then send this bill, which meets compelling human need, back to the House. The House has already shrunk this bill. It will further embroil this process, and very likely this bill may die due to some of the extreme elements in the House.

To me, the answer is obvious: Let's defeat the Lee amendment and pass this bill. There are people who are suffering in New York, New Jersey, Maryland, and Connecticut. Let's acknowledge the validity of the arguments that have been raised by many Members on the other side about how we look at disaster assistance, and I am more than open to it on our committee.

I hope we can defeat the Lee amendment and pass the urgent supplemental that is pending before us even though it already has an additional $3.4 billion offset, which is essentially a cut of fiscal year 2013—cutting the Army Corps of Engineers—which, by the way, has only $5 billion. If they are going to cut, learn math and learn how to read the bills and the chart. Math is good. I like math. We are going to follow math.

With that, I ask that we pass the bill. Let's not cut more than is in the bill. Let's do the math and know we are already cutting. Let's do the job the American people want.

This concludes my remarks. But before I yield the floor to the gentlelady from Louisiana, there are two sunshine issues I am going to mention.

First, I see the return of Senator MARK KIRK. I cannot share with my colleagues the pleasure I have in seeing him. He is a member of the Appropriations Committee. We have worked together on many issues. We have disagreed, we have duked it out, and we have had some good times. It is just a pleasure to see him back on the Senate floor and ready to vote.

Also, I note that now joining us as the ranking member of the Appropriations Committee is Senator SHELBY of Alabama. I have worked with the Senator from Alabama over the years. I think we can pledge—though we will differ on policy or matters—there will be more on which we can agree in this Appropriations Committee. There will be an effort for bipartisanship, civility, intellectual rigger, robust debate, and transparency. We look forward to working together and with our colleagues.

With that, I yield for the gentlelady from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank the chairlady. Is it not the opinion of the Senator from Maryland that if the Lee amendment gets on this bill, it will, in fact, kill the Sandy supplemental? Isn't that the Senator's understanding of what will happen if the Lee amendment is adopted?

Ms. MIKULSKI. Mr. President, the Senator from Louisiana was asking me a question while I was getting a copy of my speech. What was the question?

Ms. LANDRIEU. Is it not the understanding of the Senator from Maryland that if the Lee amendment gets adopted—which I don't believe it will—the bill will be either killed or in serious danger of passing?

Ms. MIKULSKI. I think it will be in very serious danger of passing because the impact of the cuts is significant, severe, even Armageddon, and it would send it back to the House for further negotiation. The House is out this week, and then they kind of come back. I think this bill very likely will die in a conference, and that cannot happen as it will affect the economy and lives of the people in our States.

I know the gentlelady has had a history of looking at how to have a more frugal and sensible government. We funded two wars on a credit card, and that is part of the reason we are in this mess. We have plenty of money to rebuild Iraq, and now we are debating and nickel-and-diming over rebuilding New York, New Jersey, parts of Connecticut, and little, poor rural parts of Maryland.

So, yes, I think it will have a terrible effect.

Ms. LANDRIEU. Mr. President, how much time is remaining?

The PRESIDING OFFICER. No time is remaining on the Democratic side. The Republicans have 5 minutes remaining.

Ms. LANDRIEU. Mr. President, I ask unanimous consent for 1 of those 5 minutes?

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

Ms. LANDRIEU. I thank my colleagues.

Let me say that it is my clear view and opinion that if the Lee amendment is passed, the Sandy supplemental will die. There is strong feeling—led by this Senator from Louisiana, to the Senators who are arguing for that position—that if we want to debate about how to pay for a disaster, I will do that. We will do 50 percent cuts and 50 percent revenue, but they never will offer one penny of new revenues to pay for anything. I am not budging on this point. This amendment, if adopted, will kill this bill.

I will go 50 percent revenue. We will raise $25 billion, and $25 billion we will cut, but I am not going to keep cutting the discretionary budget—which, by the way, is not out of control despite what we hear on Fox News. It is mandatory spending that is rising rapidly because the ''greatest generation,'' which gave us the greatest Nation the world has ever heard of, is aging, and they need hospice care, Social Security, and hospitals. If they want to cut them, go right ahead. I am going to be a little more gentle.

No. 2, we can do this together if we want. So just know this argument is not a small argument for the chair of the Homeland Security Subcommittee of the Appropriations Committee nor for our colleagues.

I yield the floor.

Mr. LEE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the amendment offered by the Senator from Utah, Mr. LEE. The yeas and nays have been requested.

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 Maine (Mr. KING), the Senator from Washington (Mrs. MURRAY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 35, nays 62, as follows:

[Rollcall Vote No. 3 Leg.]

YEAS—35

Alexander	Enzi	Moran
Barrasso	Fischer	Paul
Blunt	Flake	Portman
Boozman	Grassley	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Isakson	Scott
Coburn	Johanns	Sessions
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McConnell	

NAYS—62

Ayotte	Cochran	Heinrich
Baldwin	Collins	Heitkamp
Baucus	Coons	Hirono
Begich	Donnelly	Inhofe
Bennet	Durbin	Johnson (SD)
Blumenthal	Feinstein	Kaine
Boxer	Franken	Kerry
Brown	Gillibrand	Klobuchar
Cantwell	Graham	Landrieu
Cardin	Hagan	Lautenberg
Carper	Harkin	Leahy
Casey	Hatch	Levin

Manchin	Pryor	Tester
McCain	Reed	Udall (CO)
McCaskill	Reid	Udall (NM)
Menendez	Rockefeller	Warner
Merkley	Schatz	Warren
Mikulski	Schumer	Whitehouse
Murkowski	Shaheen	Wicker
Murphy	Shelby	Wyden
Nelson	Stabenow	

NOT VOTING—3

King	Murray	Sanders

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

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall the bill pass?

Ms. MIKULSKI. 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 assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

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

The result was announced—yeas 62, nays 36, as follows:

[Rollcall Vote No. 4 Leg.]

YEAS—62

Alexander	Harkin	Nelson
Baldwin	Heinrich	Pryor
Baucus	Heitkamp	Reed
Begich	Heller	Reid
Bennet	Hirono	Rockefeller
Blumenthal	Hoeven	Sanders
Boxer	Johnson (SD)	Schatz
Brown	Kaine	Schumer
Cantwell	Kerry	Shaheen
Cardin	Klobuchar	Shelby
Carper	Landrieu	Stabenow
Casey	Lautenberg	Tester
Cochran	Leahy	Udall (CO)
Collins	Levin	Udall (NM)
Coons	Manchin	Vitter
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wicker
Gillibrand	Murkowski	Wyden
Hagan	Murphy	

NAYS—36

Ayotte	Enzi	McCain
Barrasso	Fischer	McConnell
Blunt	Flake	Moran
Boozman	Graham	Paul
Burr	Grassley	Portman
Chambliss	Hatch	Risch
Coats	Inhofe	Roberts
Coburn	Isakson	Rubio
Corker	Johanns	Scott
Cornyn	Johnson (WS)	Sessions
Crapo	Kirk	Thune
Cruz	Lee	Toomey

NOT VOTING—2

King	Murray

The PRESIDING OFFICER. The 60-vote threshold having been achieved, the bill (H.R. 152) is passed.

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from New York.

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

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

Mr. SCHUMER. 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. MURKOWSKI. I ask unanimous consent that the quorum call be rescinded.

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

FISHERIES DISASTER FUNDING

Ms. MURKOWSKI. Mr. President, the bill we just passed out of the Senate, a bill to aid the victims of Superstorm Sandy, is important. It is important when we are faced with a disaster—whether it is a hurricane, whether it is an earthquake, whether it is a drought, whether it is a flood—that we step forward and find those ways that we can help citizens who have faced immeasurable loss. The effort that has gone back and forth between two bodies now, and will, hopefully, move forward, is one which will certainly help to address the needs of those families who lost so much in Superstorm Sandy.

I think we all recognize this was not the only disaster this country faced last year. In my State of Alaska we faced a fish disaster. For those of you who are from States that do not rely on your fisheries as a source of income, a source of jobs or a source of daily sustenance, you might think: Fish disasters; well, that is not really much to talk about. That is not a true disaster.

In my State, when fisheries have declined to the extent we have seen—the loss of the Chinook salmon on the Yukon River, the Kuskokwim River, the Upper Cook Inlet—this has a dramatic impact on our State's economy, a dramatic impact on the livelihoods of so many Alaskans. Whether they be commercial fishermen, sport fishermen, our subsistence-based fisheries, our fisheries communities, those businesses that are dependent on our salmon fisheries, these were all impacted this past year.

As I had gone around the State, basically from about midsummer through the end of the year, everywhere I went, whether I was in an urban center such as Anchorage, Homer, or down in Seward, up in the Matanuska Valley, or out in the rural parts of the State up along the Yukon, out along the Kuskokwim out in the southwest, people were talking about two things: People were talking about our cost of energy because our energy costs remained the highest in the Nation, but they were also talking about fish. Pretty basic stuff: fuel, fish, and food. When we had a disaster this summer, it was an imperative around our State.

We, in September of this past year, had an official declaration from the Secretary of Commerce—actually the Acting Secretary of Commerce, Rebecca Blank—that recognized this fish disaster, and this is a disaster that is statutorily authorized by section 308 of the Interjurisdictional Fisheries Act and section 31 of the Magnuson-Stevens Fishery Conservation and Management Act.

These are designations that are statutorily authorized. These are not earmarks. They are not to be labeled as pork or something special for an area. These are disasters subject to a statutory authorization, a process that has been clearly laid out. They are authorized in law for fish failures that require affirmative action from the Secretary of Commerce. The Secretary has taken that action. Congress then needs to do its part by funding for these disasters.

I mentioned at the outset that some of my colleagues might not appreciate the importance of these fish disasters. But, again, these disasters are no less important than disasters for which we provide for other industries, such as drought disaster or drought assistance for our farmers. I think the Acting Secretary, when she signed these fisheries designations, recognized them for essentially what they are: fish droughts, fish droughts in our rivers and our oceans. She responded to the fisheries disasters not only in my State of Alaska, but she also moved forward with disaster determinations for Rhode Island, for New York, for Maine, Massachusetts, New Hampshire, Connecticut, and Mississippi. The disaster declaration the Acting Secretary advanced opens the door, then, for the financial assistance from the Federal Government.

You might notice those funds were not included in this disaster relief bill. That does not mean I will back down from attempting to do my best to make sure the disaster that Alaska faced with its fisheries, and that so many of our other States faced with their fisheries, that these needs will not be addressed.

We didn't advance it in this package. It is important that the Sandy provision move forward, and that is why I eventually cast my vote in support of it. I know many of my colleagues—the Senator from Rhode Island is with me tonight. I know the Senator from New Hampshire is very concerned about it. The Senator from Maine is very concerned about it. I think it is fair to say we will continue our efforts to ensure the disasters that our fishermen have faced will be addressed as is statutorily provided in law. We will work to find that funding to make sure that disasters, however they present themselves in this country—whether it is storm, flood, drought, hurricane, or earthquake—are addressed.

I commit to working with my colleagues to continue to find those sources of funding so we address these revenues.

I note that my colleague from Rhode Island is here, and I know he too wishes to address this important issue.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I very much appreciate the remarks of my friend, the Senator from Alaska. This is truly a bipartisan concern. There are Senators on both sides who feel very aggrieved by what took place, Senators from Alaska and Maine, on the two sides of the country, and a great number of us.

The sheet that rests on the front table during the votes to make sure people coming in know what the current measure is describes the last vote as passage of H.R. 152, the Disaster Relief Appropriations Act of 2013—not the Hurricane Sandy Relief Appropriations Act of 2013 but the Disaster Relief Appropriations Act.

We have had a disaster. We didn't make this up. This wasn't something that was snuck into the bill or we tried to do an earmark on.

The Governors of Rhode Island, Massachusetts, Maine, New Hampshire, New York, Connecticut—six Governors petitioned the government for a fisheries disaster declaration, and they received one. The Secretary of Commerce declared the New England Multispecies Groundfish Fishery disaster. The Senator from Alaska described it as a drought.

It is like a drought. What has happened in our waters is that they have warmed. They have had some chemical changes. Fisheries have moved northward, and some of them have moved clean out of the U.S. continental waters. The result is that Georges Bank cod, Yellowtail flounder, Gulf of Maine cod and haddock have all had to face Draconian catch reductions to try to keep those species alive.

We have a fishing tradition that goes back even longer than Alaska's, I will guess. Certainly, we started fishing back in the 17th century, the 1600s, in Rhode Island. It is a long tradition. But the changes we are wreaking on this planet are moving the fish around. They are creating these localized disasters for our fishermen who have worked hard all their lives, who have invested their life savings into expensive boats they have to take care of, the maintenance and the repair, and they risk their health and their lives and their limbs out at sea in all kinds of weather in order to bring in the catch to us. When the catch isn't there, it is a disaster.

This is what the Governors have asked for, all six of them. That is what the U.S. Government, through the Secretary of Commerce, declared. Why on Earth the fisheries disaster that affects our fishermen doesn't matter—$150 million; it was not a big piece in a $60 billion bill. Yet we were left out. We were completely left out.

I will continue to fight to get this done. I think there has been a wrong committed in this body, and I intend to make sure it gets righted. I will work hard with the Senator from Alaska. I see the Senator from New Hampshire, who is equally affected by this, on the Senate floor. It makes no sense to let people in the House of Representatives pick and choose among disasters in a bill and strip out disasters that have been declared by the U.S. Government and the Governors of six States.

Do they know better? I don't think so. But they took it out. For whatever reason, we weren't able to get it in back here. I have had strong conversations with some of the lead supporters of the Sandy bill and the States that most benefit, with the chairman of the committee and the floor manager of the bill and with colleagues from nearby States. This is not over, but I am extremely upset that we would pass something called a Disaster Relief Appropriations Act and leave out of it the disaster that has befallen fisheries up and down the east coast, from Maine down through New Hampshire, through Massachusetts, through Rhode Island, through Connecticut and New York. That is a pretty wide-scale disaster.

For the men and the women who go out and put their boats and themselves at risk for this catch when it is not there, you bet it is a disaster. It is just as much of a disaster as a farmer who looks out at parched fields and can't grow what he needs to grow. We are not there for them, not when it is fishermen, for some reason. We are not there for them. We have done it over and over. Since 1994 Federal fishery failures have been declared on 29 different occasions, and nearly $827 million has been appropriated for relief. But not now. For some reason, not now.

I yield now for the Senator from New Hampshire, who I know feels strongly about this issue. The Senator from Massachusetts was speaking with me earlier. She feels very strongly about this, and we need to get this set right. This is a day for celebration in some quarters but not in all.

For those of us who have a responsibility to the men and women who have fished the waters off of our States, this is not an acceptable result.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am here to join my colleagues, Senator MURKOWSKI from Alaska and Senator WHITEHOUSE from Rhode Island, to express my disappointment and frustration along with them that the disaster relief funding for our Nation's fishermen has been stripped from this emergency relief bill. I agree with all of those who want to make sure the victims of Hurricane Sandy along the east coast get the help they need. I think that is something to which we all are committed. But the fact is that fishermen in New England and Alaska and other parts of this country are also facing hard times. They are grappling with onerous regulations that are designed to end overfishing, and in spite of these restrictions, the amount of codfish in the Gulf of Maine has declined drastically. It has a huge impact on New Hampshire, and the problem for fishermen in my State is now one of survival.

Our fishermen have already seen their incomes decrease significantly in recent years. They depend on cod more than fishermen from any other State in New England. Cod accounts for more than 90 percent of the revenues of the fishing industry in New Hampshire. This is because our fishermen use small day boats, they fish close to shore, and most don't have the boats or equipment to catch other deep-sea species to compensate for the lack of cod. Our fishing businesses are small, and they are mostly owned by families who have been fishing for generations.

For 400 years, we have been fishing in New Hampshire. Generations of fishermen in New Hampshire have continued this proud tradition. Yet, under what is happening with the fishing regulations, we are going to lose this industry. Our coastline is short in New Hampshire—it is only 18 miles—but the fishing industry is still a crucial driver of the economy. It generates $106 million in economic activity, it supports 5,000 full-time and part-time jobs in the State, and it provides our stores and our restaurants with a local and fresh supply of fish, just as it does in Alaska and Rhode Island. This historic way of life is going to become extinct if we don't help the fishing industry.

I welcomed the decision of the Secretary of Commerce back in September to declare a Federal disaster for the Northeast fishing industry for the upcoming fishing year, but this declaration, as well as those already provided for Alaska, Mississippi, New Jersey, New York, Rhode Island, and other States, is meaningless if Congress does not provide relief funding to these fishing communities.

As my colleagues have said so eloquently, the Senate voted last month to appropriate $150 million in funding for these disasters, and as Senator WHITEHOUSE said, it was not a large percentage of the emergency relief bill. I am disappointed and, like the fisher men and women in New Hampshire who depend on this industry, frustrated that this funding has been taken out of the bill we voted on today.

It is critical that we provide relief to the fishermen and to the coastal economies in New England—and in New Hampshire as a part of the New England economy—and Mississippi and New Jersey and New York and Alaska and the other States that are affected. We have to work to ensure the long-term sustainability of these vital resources and of this historic way of life. I intend to continue to work with my colleagues from those States that are affected to make sure the fishing industry gets the help it needs to survive.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. As I heard the compilation from the distinguished Senator from New Hampshire, it was a pretty small percentage of the bill, and I was going through the math in my head. If it was a $60 billion bill, with a $150 million appropriation that would have supported the disaster for the fishermen, I think that is 0.25 percent of the total of the bill—one-quarter of 1 percent. Yet somebody over on the House side had to target that and take it out and leave the fishermen high and dry while the rest all went through?

I think it is really important that we as a group stand for the fishermen and try to force some recognition in this body that the disaster they are facing is a real one.

Mrs. SHAHEEN. Will the Senator yield?

Mr. WHITEHOUSE. Yes.

Mrs. SHAHEEN. It is not just the people who are fishing directly who are affected by this, it is also all of the other jobs that depend on that fishing industry that are going to be lost.

Mr. WHITEHOUSE. The engine repair people, the net repair people, the folks who process the fish that are caught, the folks who sell fuel to the fishermen, the people who do maintenance on the boats—there is an entire economic ecosystem that is knocked down when the fishermen can't bring the catch home. Yes, the Senator is absolutely correct.

Mrs. SHAHEEN. And in my small State of New Hampshire, where we only have 18 miles of coastline, we have 5,000 jobs dependent on this industry. So in Rhode Island and Alaska, I am sure my colleagues have a significant number of jobs dependent on the fishing industry. What happens to those jobs if the industry doesn't survive? They are gone.

Mr. WHITEHOUSE. I think Alaska may actually have more coastline than Rhode Island.

Ms. MURKOWSKI. I think we have 33,000 miles of coastline, not to be bragging on a coastline. But what is so important as part of this discussion—and my colleague Senator SHAHEEN has stated this—our fishermen often are not included when we think about areas of disaster. Yet, in terms of those industries, those parts of our economy that are making things happen as folks are kind of chugging along, it is our fisheries that for decades—and for centuries, as Senator WHITEHOUSE noted—have been producing good jobs and providing a source of sustenance for our families.

Alaska is in somewhat of a unique situation in that we still have so many families who rely on their fisheries for subsistence. This is not just an income source for many. For so many in rural Alaska, this means whether or not you are going to be able to eat this winter. The situation on the Yukon and on the Kuskokwim—when those rivers were shut down to fishing, we had actions of civil disobedience, where individuals just came to the river and said: We have to put our nets in because we have to be able to feed our families. Down in the Cook Inlet region, it is not so much a subsistence lifestyle there but a commercial fishery as well as sport fishing. So sport guides who are required to be off the river cannot take that tourist who has come to Alaska for their dream fishing trip. They have to cancel that and lose their revenue, and so guides can no longer stay in place.

So Senator SHAHEEN is correct about the ripple effect to the economy. It affects all of our fishing communities and those who support them. So when we talk about disasters in areas and $150 million that was to be split between all of these different regions and States, it is a recognition that it is quite slight in comparison to the true loss to our economies, the true loss to our families who have suffered.

Again, I appreciate the commitment we have from so many who have been impacted that we don't give up on this. We have gone through the process, we have jumped the hurdles to get the designation that is required by our government through the Secretary of Commerce. We have done that. Now the step is for Congress to provide that funding that makes the difference. It is one thing to get a disaster declaration on paper; it is another to be able to provide the relief. And I certainly intend to push until that relief is provided not only for the families in Alaska but for those who have been impacted by fisheries disasters throughout the country.

Mrs. SHAHEEN. And I will certainly join my colleague in that effort.

Ms. MURKOWSKI. I thank my colleague.

With that, Mr. President, I yield the floor.

DATA PRIVACY DAY

Mr. LEAHY. Mr. President, today, I join privacy advocates, industry leaders and National, State and local government officials from across our Nation in celebrating Data Privacy Day—a day to recognize the need to better secure our privacy and security in cyberspace. I am also pleased to join Senators on both sides of the aisle in cosponsoring a Senate resolution to commemorate Data Privacy Day.

In the Digital Age, Americans face new threats to their digital privacy and security as consumers and businesses alike collect, share and store more and more information in cyberspace. Data Privacy Day is an important reminder about the need to improve data privacy as we reap the many benefits of new technologies.

Last year the Judiciary Committee approved digital privacy legislation that I authored to update the Electronic Communications Privacy Act, ECPA, to improve the privacy protections for Americans' email and other electronic communications. That bill would, among other things, require that the Government obtain a search warrant, based upon probable cause, before obtaining email and other electronic communications from a third-party service provider. When I and others in Congress authored ECPA in 1986, email was a novelty and most Americans had never heard of the Internet. Today, communication by email is commonplace and many of us store email and other electronic communications with service providers or ''in the cloud'' for extended periods of time.

After 3 decades, it is essential that Congress update ECPA to ensure that this critical law keeps pace with new technologies and the way Americans use and store email today. Digital privacy is important to all Americans, regardless of party affiliation or ideology. That is why when Congress first enacted ECPA, we did so with strong bipartisan support. I appreciate the willingness of House Judiciary Committee Chairman GOODLATTE to work in partnership with me to examine and update this critical privacy law. I look forward to working closely with Chairman GOODLATTE and others in Congress to update this law so that it keeps pace with the many new threats to our privacy.

I again thank and commend the many stakeholders and leaders from across the Nation who are holding events to commemorate Data Privacy Day. I look forward to working with them and with Members of Congress on both sides of the aisle, in both Chambers, to enact reforms to the Electronic Communications Privacy Act.

TRIBUTE TO JUDGE CHARLES ROMANI, JR.

Mr. DURBIN. Mr. President, I would like to acknowledge recently retired Illinois Judge Charles Romani, Jr., who served on the bench for 30 years in Illinois' third circuit. Among many achievements over those years of service, Judge Romani's work setting up a veterans' court stands out.

Veterans' issues have always been close to Judge Romani's heart. Having served in the U.S. Army himself, as a sergeant during the Vietnam War, Judge Romani knows firsthand the difficulties that veterans face when returning home from war.

Judge Romani was born and raised in Greenville, IL. He attended Western Illinois University, before continuing on to law school at St. Louis University. Upon graduation, Romani accepted a position as Assistant State's Attorney for Madison County. Two years later, in 1974, he ran for State's Attorney in Bond County. He was elected and served with great distinction for 7 years.

Romani first became an associate judge of the Third Judicial Circuit in 1983. Five years later, he became a circuit court judge. And, in 1989, Judge Romani became Chief Judge of the Third Judicial Circuit in Illinois.

In 2009, a growing number of veterans of the wars in Iraq and Afghanistan began appearing on court dockets around the country. Many of these veterans have special needs, including mental health needs, and many of them greatly benefit from specialized services. It was then that Judge Romani began modeling an innovative, new veteran's court based on a successful model in Buffalo.

Since 2009, the court that Judge Romani created has helped innumerable veterans turn their lives around. The Court consistently sees between 30 and 40 veterans go through its program at a time. There are now approximately 104 veteran's courts, like Judge Romani's, around the country helping those who served the United States in its time of need.

Judge Romani identifies this court as his ''most rewarding achievement as a judge.''

Judge Romani's last day on the court was November 5, when he completed an impressive career that spanned 39 years. He has been married to his lovely wife Karen for 38 years. They have three children, two of whom were recently married.

I add my voice to many others when I say thank you, Judge Romani, for your years of distinguished public service and the indelible mark you have left on Madison County.

VOTE EXPLANATION

Ms. LANDRIEU. Mr. President, I regret having missed the January 24, 2013, vote on S. Res. 15, a resolution to improve procedures for the consideration of legislation and nominations in the Senate. Had I been present, I would have voted in favor of S. Res. 15.

TRIBUTE TO LARRY J. GOLDBERG

Mr. BAUCUS. Mr. President, Senator HATCH and I would like to recognize the outstanding career of Mr. Larry J. Goldberg, Principal Deputy Inspector General for the Department of Health and Human Services, HHS. Mr. Goldberg retired on January 3, after more than 35 years of distinguished government service.

Mr. Goldberg began his career of government service in 1976 as Associate Legal Director for the National Center for Law and Deafness at Gallaudet College. He continued his work defending civil rights for persons with disabilities as a trial attorney in the Justice Department and later as an Assistant Attorney General for the State of Maryland's Department of Health and Mental Hygiene. In 1989, Mr. Goldberg joined HHS in the Inspector General Division of the Office of General Counsel. He transferred to the HHS Office of Inspector General, OIG, at the inception of its independent Office of Counsel in 1996, and has risen through the ranks to Principal Deputy Inspector General, managing a staff of more than 1,700 auditors, criminal investigators, analysts, and attorneys, and a budget of more than $300 million.

Throughout his career, Mr. Goldberg has demonstrated the essence of what it means to serve and protect the public. Most notably, he has accomplished systemic and institutional reforms that have enhanced HHS programs by strengthening protections against fraud, waste, and abuse and promoting efficient and effective program operations. His visionary leadership and perseverance in driving change has resulted in billions of dollars of erroneously paid and misused funds being returned to the critical programs that serve our most needy. Mr. Goldberg's career achievements also include establishing landmark legal rights for people with disabilities in employment, education, health care, and social services. His many contributions have had a far-reaching and lasting impact.

During his 23 years with OIG, Mr. Goldberg's efforts and skill in fostering collaboration within OIG and with government partners have positioned OIG to meet vastly expanded responsibilities and to achieve results in priority areas. The depth and range of his professional knowledge and expertise are appreciated and respected throughout HHS, by the larger OIG community, by Congress, and by the health care industry. His dynamic leadership has had a direct and measurable effect on OIG's ability to align its resources, work plans and products, compliance initiatives, and investigative and enforcement activities to carry out its mission.

Mr. HATCH. Mr. President, I join with Senator BAUCUS in commending Mr. Goldberg for his service. As Principal Deputy Inspector General, and throughout his career with OIG, Mr. Goldberg's efforts have directly benefited the American people by protecting Federal health care, public health, and social programs from waste, fraud, and abuse, and recommending to HHS actions to improve program effectiveness. Mr. Goldberg has led OIG to achieve unprecedented results in combating health care fraud and abuse. He has marshaled OIG's resources to counter this epidemic through a sophisticated, multifaceted, and innovative strategy.

For example, Mr. Goldberg has spearheaded OIG's efforts to join with the Justice Department to establish Medicare Fraud ''Strike Force'' operations—elite teams of investigators and prosecutors, supported by advanced data analysis—in 9 key locations. These Strike Forces have charged more than 1,400 defendants, who collectively have billed Medicare for more than $4 billion. Simultaneously, OIG has pursued more traditional civil, administrative, and criminal cases. Under Mr. Goldberg's leadership, OIG has generated record-breaking returns for the Medicare Trust Fund and taxpayers—including court-ordered recoveries, fines, restitution, and settlements totaling more than $6 billion in 2012.

But not all of his results can be measured in dollars. During Mr. Goldberg's tenure, OIG produced a landmark measurement of adverse events from hospital stays; reported and testified on overutilization of antipsychotic drugs for nursing home patients; and recommended actions to protect the safety of the Nation's food supply. Mr. Goldberg has also championed fraud prevention by taking the message directly to the health care industry. He has built coalitions with industry to promote a culture of compliance and transparent practices to safeguard Federal health care programs, and he pioneered a series of guidances that set the standards for how to meet Federal health care program requirements.

We wish Mr. Goldberg the very best in his retirement and thank him for his exemplary record of service to the government and the American people in protecting Federal programs from fraud, waste, and abuse and in promoting the health, well-being, and civil rights of all Americans.

REMEMBERING CAROL WALTER

Mr. BLUMENTHAL. Mr. President, today I wish to remember Carol Walter. Carol was known throughout Connecticut and the Nation as a force for good and a supporter of the homeless. I worked with her for many years to address the homeless population in Connecticut, and no one advocated more relentlessly and tirelessly for this cause.

An ambassador for social justice, she took positions at various nonprofits, including homeless shelters throughout the State as well as at the Connecticut AIDS Resource Coalition. In 2006, she was named executive director of the Connecticut Coalition to End Homelessness.

At the Connecticut Coalition to End Homelessness, Carol introduced a new way of approaching homelessness. Carol regarded this unacceptable human condition as something that could be prevented and addressed it on a national scale through community organizing, advocacy, research, leadership, and education. She empowered the greater community, building grassroots leadership, advocating for new research and policies, and leading these efforts with grace and resolve. According to her colleagues at the Coalition, Carol truly listened to the voices of people who experience homelessness.

She did not stop at the prevention and cessation of homelessness, but rather took the next step towards long-term sustainability. Carol dedicated most of her career to efforts to include securing permanent affordable housing and housing subsidies for the afflicted, providing support systems in the community, and offering career services to support independence and self-help. She worked to prevent and eliminate homelessness on local, State, and Federal levels. She partnered with local communities and Statewide organizations, such as Supportive Housing

WORKS and Opening Doors Connecticut, to unify everyone in this collective effort.

Carol was beloved by her family and friends, and will always be remembered as a beacon of light and hope. Her exuberance for her mission will be carried on by her colleagues, and her charity will inspire many others. I invite my colleagues to join me in honoring the tremendous work of Carol Walter and preserving her legacy so that others may see her tremendous importance and continue her efforts. Indeed, it is through the good works of others in the fight against homelessness that she would choose to be remembered.

ADDITIONAL STATEMENTS

AMERICAN RED CROSS MONTH

• Mr. BEGICH. Mr. President, I would like to take the time to recognize and thank those who volunteer, take life saving courses or provide financial donations to support an organization whose mission is to help those in need, and in their honor, recognize March 2013 as American Red Cross Month.

In Alaska the Red Cross works tirelessly statewide through its 18 employees and hundreds of volunteers to help when disaster strikes and when someone needs the comfort of a helping hand. It provides 24-hour support to members of the military, veterans and their families, and provides training in CPR, aquatics safety, and first aid.

Across the country, the American Red Cross responds to nearly 70,000 disasters a year. It provides some 400,000 services to military members, veterans and civilians, collects and distributes about 40 percent of the Nation's blood supply and trains more than seven million people in first aid, water safety and other lifesaving skills every year.

Alaska, and the rest of the country, relies on the American Red Cross and the work of their supporters. I hope that by recognizing March as American Red Cross Month we can highlight their exemplary work and ensure they can continue to help Americans for years to come.•

FEBRUARY HOCKEY IN ALASKA

• Mr. BEGICH. Mr. President, ice hockey is a popular activity in Alaska year round and especially in the winter. Today, I want to highlight hockey in my home State.

You can find someone passing the puck around in nearly any community or military installation with a frozen lake, pond or ice rink, whether it's organized play or a pickup game. There are dozens of leagues and camps for players of all ages from the squirts and midgets to Anchorage's Aces and Seawolves and Fairbanks' Ice Dogs and Nanooks.

At the professional level, the National Hockey League recognizes the importance of hockey in the lower ranks by sponsoring the ''Hockey Is for Everyone'' program in February. This program helps young girls and boys learn essential life skills such as commitment and perseverance.

The NHL, along with USA Hockey, participates in the Presidential Active Lifestyle Award program, to promote activity and good nutrition. Anyone who has ever skated hard for more than a few minutes knows how healthy it can be, whether your goal is to have fun, stay fit or to play in the NHL, on the U.S. Olympic team or at the 2014 Arctic Winter Games in Fairbanks.

Not only does playing hockey teach the ideals of teamwork, fair play and loyalty, when Alaskans get involved in fund raising, coaching, and event chaperoning, they are practicing good civics and citizenship.

And it's exciting to watch live or broadcasted games because the sport is so fast paced, yet graceful and athletic at the same time.

Three cheers for the players, coaches and supporters of hockey in Alaska.•

REMEMBERING CHESTER REITEN

• Mr. HOEVEN. Mr. President, today I wish to honor the life of Chester Reiten who passed away January 22, 2013, in his beloved hometown, Minot, ND.

Chester ''Chet'' Reiten was born in Hastings, ND, in 1923 and served in the U.S. Navy during World War II. He graduated from North Dakota State University in Fargo, ND, with a degree in agriculture and worked as a county agent until entering the radio and television field in 1951. His company, Reiten Broadcasting Co., eventually owned four television and three radio stations in North Dakota.

In 1978, Chester Reiten and some of his Norwegian friends sat down to discuss a way in which they could celebrate their ancestry. Their discussion led to the birth of Norsk Høstfest, with Reiten serving as the founding father. More than 35 years since its founding, Norsk Høstfest has become an international phenomenon due to Reiten's tireless leadership and efforts to steer the course of a Nordic festival that is both an ethnic celebration and a great source of entertainment. Annually, the event draws approximately 60,000 people from throughout North America and abroad. Over the years, royalty, ambassadors, national war and sports heroes, Members of Congress, a former Vice President of the United States, and many of North Dakota's Governors have attended the festival.

As a result of the success of Norsk Høstfest, His Majesty King Olav V of Norway awarded Reiten the St. Olav Medal, one of the highest honors bestowed by the Norwegian Government to individuals living outside of Norway. In 2011, Reiten was also inducted into the Scandinavian-American Hall of Fame in recognition of his efforts to preserve and maintain our Nation's rich Scandinavian heritage.

Reiten also was a dedicated public servant who devoted a considerable amount of his time and energy to serving his community and State. His efforts included lengthy tenures as a State senator and mayor of Minot.

Chester Reiten was a great North Dakotan and a great American. He especially loved the city of Minot. I feel privileged to have known Chet all my life, and I am thankful to have called him a friend. He has left an indelible impact on our State and country, leaving a legacy of service, first serving our Nation during World War II and returning home to become a pioneer North Dakota broadcaster, mayor of Minot, State legislator and the heart and soul of Høstfest, which today remains the largest Scandinavian festival in North America.

These many accomplishments, and more, made Chet an easy choice for the Theodore Roosevelt Rough Rider Award, North Dakota's highest honor, which I was proud to present to him in 2002.

Chet truly was an all-around great guy who will be deeply missed. Mikey and I give thanks to God for the life of Chester Reiten, and we extend our thoughts and prayers to his wife of more than 65 years, Joy, and his family and friends.•

RECOGNIZING LINDSEY HEWARD

• Mr. ROBERTS. Mr. President, I want to thank a young Kansan for sharing her thoughts and opinions regarding the U.S. Department of Agriculture's implementation of new school meal requirements.

Ms. Lindsey Heward wrote to me last fall to express her and fellow Osage City High School students' frustrations with the amount of food they were getting to eat at lunch and their choices for food. She outlined several areas that the USDA could focus on to prevent obesity rather than solely school meal programs. Among her suggestions were to have the USDA encourage families to share meals together, develop budgeting skills for shoppers, and encourage nutritious meal planning. I would like to submit a copy of her letter into the CONGRESSIONAL RECORD.

After hearing from parents, school administrators, and students like Lindsey, I shared the concerns I was receiving with USDA Secretary Tom Vilsack. These comments and concerns were heard by the USDA and the administration ultimately provided additional flexibility in implementing changes to school meals.

I am still concerned USDA doesn't fully understand the estimated costs to schools and plate waste. I will continue to monitor the implementation of this rule, and its impact on schools in Kansas as well as the rest of the country. I look forward to working with Secretary Vilsack to continue to improve school nutrition while ensuring our students are adequately fed.

I ask that Ms. Lindsey Heward's letter be printed in the RECORD.

The letter follows.

LINDSEY HEWARD,
Osage City, Kansas, October 15, 2012.

PAT ROBERTS,
U.S. Senator for Kansas, Frank Carlson Federal Building, Topeka, KS.

DEAR SENATOR ROBERTS: There is a lot of talk going on in our community of Osage City, Kansas about all of the changes in our school food service program due to the Healthy, Hunger-Free Kids Act of 2010. When the changes in the nutrition of the available vending machine items in our school took out pop, any type of sugar drinks, candy bars, cookies, most chips, pastries, etc., I could agree with that. A lot of those items aren't going to help a student in their day; it's not going to be what gives them the fuel they need. I didn't have a problem with that because the lunches that we were having always satisfied me for the day, it would actually get me through after school practice until supper time. But now that the school lunch program has been greatly altered, the majority of the students, especially in the high school, are not receiving enough calories to sustain them through school, after school practices, and events.

What really frustrates me is that the Healthy, Hunger-Free Kids Act of 2010 is not correctly addressing the reduction of our nation's obesity rate. What is not being addressed is education of the parents who are the main consumers of the family's grocery items or parents modeling healthy eating habits. As an employee of Jerry's Thriftway, this is something that I witness daily. I especially see the purchasing of unhealthy food choices by welfare recipients when using their Vision cards. For example, this last Saturday, a customer was at my check-out line with a cart of hot dogs, chips, pizza, pop, and a lot of frozen items loaded with preservatives. These items were purchased with funds provided by our tax payers. It is obvious that this parent does not go home to prepare a healthy meal for her children and she certainly doesn't model healthy eating habits. This is something that occurs regularly throughout my six hour shift. No matter what takes place at school, it is not changing the way these parents are providing (through somebody else's money) for their children's meals. I fear that there isn't even a family meal time in those homes, but rather a time to binge on junk food throughout the evenings or on weekends. This is where nutrition needs to change to reduce the obesity in our nation, not by unrealistically restricting our school breakfast and lunch program.

Instead of focusing on school meal programs, I strongly feel that it's time to focus on the following:

1. Creating a greater work ethic in all citizens
2. Developing budgeting skills for shoppers
3. Nutritious meal planning
4. Food preparation skills
5. Valuing family togetherness at the dinner table
6. Family physical fitness

The family is the basic unit in every community. Let's start with changes in the daily life of families . . . that's the ground level. Once that happens, then we will see true, positive changes in the health of our nation.

I would appreciate hearing your thoughts on my suggestions of how this change needs to start with each family instead of through the restricted school meal service. Do you have any ideas on how my concerns can be put into action to make real, meaningful change happen?

Sincerely yours,

LINDSEY HEWARD,
Osage City High School Senior.●

RECOGNIZING VICTORIA HANZO

● Mr. VITTER. Mr. President, today I recognize Ms. Victoria Michelle Hanzo, a bright and talented young Louisianian.

Each year since 1743, the carnival celebration known as Mardi Gras, French for ''Fat Tuesday,'' has been celebrated by the people of New Orleans. The season officially begins on January 5, the Twelfth Night of Christmas and the Feast of the Epiphany. Also recognized in many countries around the world with large Roman Catholic populations, Mardi Gras is the final party prior to the ritual fasting of the Lenten Season, which begins on Ash Wednesday.

Over the many decades that New Orleanians have celebrated Mardi Gras, ''krewes'' or private Mardi Gras social organizations have also contributed to the merriment and glee surrounding the festive season. In Greek mythology, Endymion was known for his everlasting youth and beauty. In 1966, the Krewe of Endymion was established and has annually paraded through the streets of New Orleans. Today, Endymion is known for being the largest parade in New Orleans, both for the number of members—more than 2,600—and also for the incredible size and spectacle of its floats. This krewe has meant a lot to me since I had one of my first jobs as a high school student painting Endymion's floats—white primer only, as I wasn't trusted with colors.

During the Krewe of Endymion's 47th year, Ms. Victoria Michelle Hanzo will reign as queen. Ms. Hanzo is a senior at Archbishop Chapelle High School and has been on the distinguished honor roll each year while a student at Chapelle. She is also a member of the National Society of High of High School scholars, has been a student ambassador for 4 years, is a student representative for her senior class on the student council, and is an active member in Health Nuts, an organization that promotes fitness and nutrition. Lastly, Victoria is a member of the prolife club and has traveled to Washington, DC, recently with over 600 high school students from the New Orleans area for the March for Life Rally, an occasion and cause for which I will continue to be a strong advocate.

She is the daughter of Mr. and Mrs. James Hanzo and the granddaughter Mr. and Mrs. Edmond J. Muniz, the founder and captain of the Krewe of Endymion. Next year she plans to continue her education at Louisiana State University in Baton Rouge. It is exciting for such an accomplished young person to have this honor and will be something she will cherish for a lifetime. She joins a long line of family members who have also had the honor of serving as queen of Endymion: her mother Michelle in 1986, her Aunt Mary in 1984, her aunt Margie in 1991, and her cousin Erica in 2012.

As we celebrate the 2013 Mardi Gras season, it is my pleasure to honor Ms. Victoria Michelle Hanzo as the 47th queen of the Krewe of Endymion.●

CATHOLIC SCHOOLS WEEK

● Mr. VITTER. Mr. President, today I would like to recognize and honor the valuable contributions of Catholic schools in educating our youth throughout our great Nation. From January 27 to February 2, we will celebrate Catholic Schools Week to bring attention to the exceptional work and contributions to society that Catholic education programs across the country provide.

These schools provide a comprehensive education that emphasizes moral, intellectual, and physical development in our youth and that fosters responsible individuals who positively contribute to our communities while leading lives grounded in the Catholic tradition. This year's theme, ''Catholic Schools Raise the Standards,'' demonstrates the high standard to which the Catholic schools of our Nation hold themselves and their unwavering commitment to promoting academic excellence and Catholic identity.

Catholic schools in Louisiana have continued to support this tradition of academic excellence and physical and spiritual well-bring, while allowing families to be involved and supportive in the educational process. Today, more than 2 million students attend Catholic schools around the country. More than 99 percent of attending students graduate, with more than 85 percent pursuing college degrees at 4-year institutions.

I am in strong agreement with the U.S. Conference of Catholic Bishops, which stated:

> Education remains critically important in the formation of the human person by teaching how to live well now so as to be able to live with God for all eternity . . . Our schools serve both the faith community and society by educating children, young people and adults to contribute to the common good by becoming active and caring members of the communities, cities, and nation in which they live.

As a Catholic school alumnus, I know that Catholic school educators and administrators deserve recognition for their steadfast commitment not only to educating minds, but also to shaping hearts and cultivating the virtues that make our country and local communities stronger. In that respect, I am hopeful that the Senate will again pass my bipartisan resolution recognizing the valuable contributions of Catholic schools in the United States.

This week, we recognize the students, their families, teachers, administrators, all of our parish leaders, and our communities for their efforts to support our Catholic schools and continued achievement toward the education of our young people.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to

the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry privileged nominations which were placed on the Executive Calendar.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 47. A bill to reauthorize the Violence Against Women Act of 1994.

S. 81. A bill to provide guidance and priorities for Federal Government obligations in the event that the debt limit is reached.

S. 82. A bill to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes.

S. 83. A bill to provide for continuing operations of Government in a fiscally responsible manner.

S. 124. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

H.R. 152. An act making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes.

H.R. 325. An act to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 164. A bill to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed.

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 Ms. MURKOWSKI:

S. 155. A bill to designate a mountain in the State of Alaska as Denali; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 156. A bill to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 157. A bill to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. PAUL:

S. 158. A bill for the relief of Dr. Shakil Afridi; to the Committee on the Judiciary.

By Mr. HELLER (for himself and Mr. REID):

S. 159. A bill to designate the Wovoka Wilderness and provide for certain land conveyances in Lyon County, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself, Mr. BLUMENTHAL, Mr. BROWN, Mr. DURBIN, Mr. HARKIN, Mr. MENENDEZ, and Mr. SCHUMER):

S. 160. A bill to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER (for himself and Mr. BAUCUS):

S. 161. A bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; to the Committee on Indian Affairs.

By Mr. FRANKEN (for himself, Mr. JOHANNS, Mr. LEAHY, Mr. GRAHAM, Mr. DURBIN, Ms. AYOTTE, Mr. COONS, Mr. HATCH, Mr. BLUNT, Ms. COLLINS, Mr. PORTMAN, Mrs. SHAHEEN, Mr. WYDEN, Mrs. GILLIBRAND, Mr. BROWN, Ms. WARREN, Mr. REED, Mr. SCHUMER, and Mrs. BOXER):

S. 162. A bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004; to the Committee on the Judiciary.

By Mr. VITTER (for himself and Mr. INHOFE):

S. 163. A bill to prohibit any regulation regarding carbon dioxide or other greenhouse gas emissions reduction in the United States until China, India, and Russia implement similar reductions; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 164. A bill to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed; read the first time.

By Mr. CRAPO (for himself and Mr. RISCH):

S. 165. A bill to provide for Indian trust asset management reform, and for other purposes; to the Committee on Indian Affairs.

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

S. 166. A bill to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri and southwestern Illinois as the ''Stan Musial Memorial Bridge''; to the Committee on Environment and Public Works.

By Mr. BAUCUS (for himself and Mr. TESTER):

S.J. Res. 5. A joint resolution proposing an amendment to the Constitution of the United States relative to authorizing regulation of contributions to candidates for State public office and Federal office by corporations, entities organized and operated for profit, and labor organizations, and expenditures by such entities and labor organizations in support of, or opposition to such candidates; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SHELBY (for himself and Mr. SESSIONS):

S. Res. 19. A resolution congratulating the University of Alabama Crimson Tide for winning the 2012 Bowl Championship Series National Championship; considered and agreed to.

By Mr. VITTER (for himself, Mr. COCHRAN, Mr. BLUNT, Mr. LEE, Mr. MORAN, Mr. MCCONNELL, Mr. JOHNSON of Wisconsin, Mr. BARRASSO, Mr. INHOFE, Mr. COBURN, Mr. CORNYN, Mr. WICKER, Mr. BOOZMAN, Mr. RISCH, Mr. ROBERTS, Mr. HELLER, Mr. ENZI, and Mr. JOHANNS):

S. Con. Res. 4. A concurrent resolution expressing the sense of Congress that a carbon tax is not in the economic interest of the United States; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 28

At the request of Mr. HATCH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 28, a bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes.

S. 29

At the request of Mr. PORTMAN, the names of the Senator from Texas (Mr. CORNYN), the Senator from Arizona (Mr. MCCAIN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 29, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 46

At the request of Mr. TOOMEY, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 46, a bill to protect Social Security benefits and military pay and require that the United States Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached.

S. 47

At the request of Mr. LEAHY, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Oregon (Mr. MERKLEY), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Nevada (Mr. REID), the Senator from Wisconsin (Ms. BALDWIN), the Senator from New York (Mr. SCHUMER), the Senator from Ohio (Mr. BROWN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Iowa (Mr. HARKIN), the Senator from Hawaii (Ms. HIRONO), the Senator from Vermont (Mr. SANDERS), the Senator from New York (Mrs. GILLIBRAND), the Senator from Virginia (Mr. WARNER), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from West Virginia (Mr. MANCHIN), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Michigan (Mr. LEVIN) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 47, a bill to reauthorize the Violence Against Women Act of 1994.

S. 114

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 114, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 128

At the request of Mr. CASEY, the names of the Senator from Michigan

(Ms. STABENOW) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 128, a bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking.

S. 133

At the request of Mr. ROBERTS, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 133, a bill to protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny or delay coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts for advancements in personalized medicine and differences in patient treatment response.

S. 140

At the request of Mr. BAUCUS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 140, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans, to improve the coordination of veteran job training services between the Department of Labor, the Department of Veterans Affairs, and the Department of Defense, to require transparency for Executive departments in meeting the Government-wide goals for contracting with small business concerns owned and controlled by service-disabled veterans, and for other purposes.

S. 141

At the request of Mr. BAUCUS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 141, a bill to make supplemental agricultural disaster assistance available for fiscal years 2012 and 2013, and for other purposes.

S. RES. 9

At the request of Ms. LANDRIEU, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Res. 9, a resolution designating January 2013 as ''National Mentoring Month''.

S. RES. 12

At the request of Mr. NELSON, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Res. 12, a resolution recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

AMENDMENT NO. 4

At the request of Mr. LEE, the names of the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Indiana (Mr. COATS) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of amendment No. 4 proposed to H.R. 152, a bill making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes.

At the request of Mr. CRUZ, his name was added as a cosponsor of amendment No. 4 proposed to H.R. 152, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI:

S. 155. A bill to designate a mountain in the State of Alaska as Denali; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation that would officially rename Mount McKinley in Alaska, simply, Denali.

Mount McKinley is one of the most iconic geographical features in the country, and certainly Alaska. It is the tallest mountain in the United States, and we Alaskans are not all that shy about reminding folks the mountain is ours.

Here is the problem: In Alaska, Mount McKinley is referred to as something else. We just call it ''Denali.'' That is what we have always called it. Denali is an Alaska Native word, an Athabaskan word, and its meaning is fairly straightforward. The High One. All my bill does is make the name official. I know the name Mount McKinley has a special meaning of its own to some folks, specifically the good people of Ohio, the home State of our 25th President, William McKinley. My response to those people is this: You are more than welcome to go right on referring to the mountain as Mount McKinley, just as Alaskans have long called it Denali. All that is changing is that the Alaskan name is becoming, technically, correct for an Alaskan landmark.

In the big picture, this is a little bill. I understand that. But I also understand, as I know my colleagues do, that it is the little things that sometimes matter a great deal to communities. Making Denali, the name all Alaskans use anyway, the official name of America's tallest mountain means something to Alaska. Officially being able to call an Alaskan landmark by its Alaskan name means something to Alaskans.

By Ms. MURKOWSKI:

S. 156. A bill to allow for the harvest of gull eggs by the Huna Tlingit people within Glacier Bay National Park in the State of Alaska; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to introduce legislation, the Huna Tlingit Traditional Gull Egg Use Act which represents an important step forward in allowing the Huna Tlingit people access to enjoy their traditional subsistence activity of gull egg collection.

The collection and consumption of gull eggs is an integral part of the culture of the Tlingit people of Southeast Alaska, and eggs were gathered at rookeries long before Glacier Bay National Park and Preserve's establishment in 1925. A Legislative Environmental Impact Statement was completed in 2010 regarding this proposal to allow limited harvests of gull eggs in Glacier Bay National Park and Preserve, and the preferred alternative authorized the implementation of a cooperative management program for gull egg collection and emphasized a traditional harvest strategy for the collections.

My bill will authorize this harvest of gull eggs at five nesting areas on two separate days each calendar year within the Park. This would allow a large number of tribal members to interact with their traditional homeland and provide an opportunity for as many as 12 young people to participate annually and spend time with elders learning about traditional egg harvest practices in addition to other aspects Tlingit culture.

This bill is widely supported throughout the environmental and conservation communities, as well as the Alaska Native community. The harvesting of gull eggs would only have minor effects on the gulls, but the cultural benefits that would be realized by the Native community would be great.

It is my hope that this bill will receive quick but careful consideration as the local tribe members have been eagerly awaiting passage of this measure for quite a long time.

By Ms. MURKOWSKI:

S. 157. A bill to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to reintroduce legislation that represents an important step in the conversion to renewable energy sources in rural Alaska and towards honoring the first individual to reach the summit of our Nation's tallest peak, Denali.

Today I introduce the Denali National Park Improvement Act of 2013, comprised of three important provisions relating to Denali National Park and Preserve.

The first provision is the Kantishna Hills Renewable Energy Act.

The Kantishna Roadhouse, owned by Doyon Tourism, Inc., is located 100 miles inside Denali National Park and Preserve. The settlement of Kantishna was founded in 1905 as a mining camp near the juncture of Eureka and Moose Creeks. Gold in the region brought a flurry of prospectors in the early days, but as the gold began to run out, so did interest in mining the Kantishna Hills. The original roadhouse at Kantishna was built in the early 1900s, serving as a private residence, a community center, post office, and informal hotel accommodations for those who visited Kantishna in Denali Park.

The Roadhouse, like many structures within Denali National Park, is entirely off the grid and generates all of

its electricity needs with a diesel generator. As a result, all guests and supplies, including diesel, are trucked through the park to the Roadhouse over National Park roads. The construction of the micro hydro project would allow the Roadhouse to cut down their diesel usage by approximately 50 percent, which would result in a decrease in diesel truck traffic on the Park Road, improved local air quality, and less sound pollution in this remote area, as well as reduce disturbance and vehicle impacts on park wildlife, allowing for an enhanced visitor experience for tourists within the National Park.

My bill will authorize the National Park Service to exchange roughly 10 acres of National Park land for an equivalent amount of land currently owned by Doyon Tourism, and would allow the National Park Service to obtain the highly desired Galena tract of land, located just off the Park Road in the Kantishna region. Doyon Tourism would obtain land over which the hydro project would be implemented. In the interim period, prior to completion of the land exchange, the National Park Service will issue a permit to allow Doyon Tourism, Inc., to construct the micro hydro unit.

I want to emphasize how important I believe that this bill is. The benefit to the citizens of Alaska, especially rural Alaska, of reducing their dependence on expensive diesel generation through access to renewable and clean sources of energy is enormous. This type of Micro-Hydro project within Denali provides an excellent blueprint for others around the State to follow suit.

The next portion of my bill will allow a natural gas pipeline to be placed inside Denali National Park. I am reintroducing legislation that I first offered in 2009 and that passed the Senate, but not the House of Representatives in the 112 Congress, which will authorize a right-of-way for construction of an Alaska instate natural gas pipeline to run along the State's main highway from Fairbanks to Anchorage. This bill will provide a right-of-way for a natural gas pipeline near the shoulder of the Parks Highway for the roughly 7 miles that the highway runs through Denali National Park and Preserve.

I wish to explain why I am introducing the bill now, and why, rather than being an infringement on Alaska's most famous national park, the measure is actually the favored route by many in the environmental community to bring natural gas from the foothills of Alaska's North Slope to Southcentral and coastal Alaska.

While many in this body have heard about plans for a large-volume natural gas pipeline to run from the Prudhoe Bay oil fields to the Lower 48 States, the project for which many in this body voted to approve a loan guarantee, tax credits and permitting improvements in 2004, there is concern that the big pipeline will not be finished in time to get gas to Southcentral Alaska, gas that is vital for electric generation in Fairbanks, Anchorage, the Mat-Su Borough and Kenai Peninsula. Currently electricity in Alaska's southern Railbelt, as it is called, is largely generated by burning natural gas that has been produced since the 1960s from the gas fields in Cook Inlet, south of Anchorage. But production from Cook Inlet, while the province theoretically holds far more gas, has been falling for years, currently by about 10 percent annually. A major fertilizer plant near Kenai, for example, had to close in 2007 because there was not enough natural gas being produced to allow it to obtain the raw product it needed for urea production at a reasonable price.

While there are contract issues and storage concerns involving getting sufficient gas quantities for Railbelt utilities starting as early as next year, there are serious concerns about the ability of the region to produce sufficient gas for electric generation and home heating for Alaska's most populated area as early as the winter of 2014–15, and especially by the winter of 2015–2016.

To provide a new, reliable natural gas supply, one proposal, is the so-called ''bullet'' gas pipeline that involves constructing a relatively small diameter-natural gas line, probably 24–inches in size, to run from Alaska's North Slope region, past Fairbanks along the Parks Highway, and terminate near Wasilla, Alaska. This pipeline would tie into existing transmission systems and would bring about 500 million cubic feet of gas a day to Southcentral Alaska. This project could be completed well in advance of when a larger-diameter pipeline might be in service to deliver 4 to 4.5 billion cubic feet a day to Lower 48 markets or a different project could bring between 3 and 4.5 billion cubic feet a day to tidewater in Alaska before the gas could be liquefied for water-borne deliveries. Given the pace of planning for construction of a larger line project, it is unlikely that a larger Alaska natural gas pipeline will be able to deliver gas until 2022 or later 6 or more years too late to aid Southcentral Alaska's growing need for natural gas.

There are several potentially competing proposals for a small-diameter, in-state gas pipeline. I have just described the ''bullet'' line proposal along the Parks Highway. A second proposal would run a similarly sized pipeline along the Richardson and Glenn Highways to the east, also tying into existing transmission systems near Palmer, Alaska. There are advantages to both routes, the Parks route delivering gas to communities along the Parks Highway while perhaps providing clean natural gas to Denali National Park, while the Richardson/Glenn project would help provide economic activity to differing towns, such as Delta and Glennallen to the east. Now there is a third proposal by Fairbanks Pipeline Co. based on the assumption that routes for either of the two larger ''bullet'' lines won't be available in time to meet gas demand. That project would build a ''mini'' 12–inch line from the North Slope to Fairbanks to supply the Interior with natural gas and not attempt to provide any gas for use in southern areas of the state.

It is not my desire to prejudge the outcome of which project or route should be selected, since that decision will be made by Alaska state regulators and financial markets. It is my desire, however, to reintroduce legislation that would clear the lone legal impediment to planning for the Parks Highway route, that being how to get the gas economically through the mountainous central region of the State past Denali National Park and Preserve.

According to a 2008 analysis of routing options through this area, there are three feasible routes for a pipeline through or around the roughly 10-mile bottleneck of the Nenana River Canyon and Denali National Park and Preserve. The shortest and most logical route follows the existing highway through this entire area, 7-miles of which passes through Denali National Park. This route causes the least environmental and visual impact due to its location in an existing corridor, and provides a route that is easily accessible for routine pipeline maintenance. A second feasible pipeline route diverts from the highway to stay outside of the national park boundaries on the east, but in so doing skirts along a steep hillside that dominates a park visitor's view. A third route proposed in 2009 would travel far to the west around the national park, increasing costs, and potentially moving natural gas closer to proposed mineral ventures in southwest Alaska. Either of the latter two proposals will create a new disturbed corridor in remote locations, and will cause pipeline operation issues and reliability challenges due to the remoteness and the ruggedness of the routes. The route that avoids the park to the east is estimated to cost twice as much as the route along the highway and through the park. The western route's cost has been harder to quantify.

Besides being less expensive to construct and operate, the pipeline along the existing, previously disturbed Parks Highway right-of-way, could well allow electricity generation for the park facilities at Denali to come from natural gas. And for the first time reasonably priced compressed natural gas, CNG, could become available to power park vehicles, another environmental benefit of the Parks Highway route. Currently National Park Service permitted diesel tour buses travel 1 million road miles annually taking visitors into the park. Converting the buses to operate on CNG can significantly reduce air emissions in the park. A third benefit is that for the pipe to cross the Nenana River, not far from the park's entrance, will require a

new bridge to be built that could carry not just the pipe, but provide a new pedestrian access/bicycle path for visitors that today need to walk along the heavily traveled highway rather than on separated, pedestrian path toward visitors attractions and nearby hotels. In all probability the installation work will be conducted in the shoulder seasons to make sure there are no visitor dislocations for tourists visiting the park.

For those reasons and others, a group of eight environmental groups: The National Parks and Conservation Association, the Alaska Conservation Alliance, the Denali Citizens Council, The Wilderness Society, Cook Inlet Keeper, the Alaska Center for the Environment, the Wrangell Mountain Center and the Alaska Wildlife Alliance in 2009 generally supported the granting of a gas line right-of-way through Denali Park, along the existing highway right-of-way.

The granting of a permanent 20-foot easement, and probably a 100–foot construction easement, is not precedent setting. The National Park Service already has granted a permit for an installed fiber-optic cable along the same basic alignment for an Alaska communications company. Obviously the exact right-of-way will have to be delineated to avoid the existing cable and to accommodate park goals, such as routing around a vernal pond viewing area located along the general right-of-way. Just earlier this year the 112 Congress gave approval for a similar bill that allows a gas line to pass through Glacier National Park in Montana.

I am proposing this bill simply to authorize the right-of-way for a Parks Highway route soon so that the decision on which route is best for the state and its citizens—if the ''bullet line option is chosen—can be made based on greater certainty in the cost estimates and the timing for a project. Removing the uncertainty of permitting and regulatory delays will at least permit the Parks Highway route to be on a level playing field with the Richardson and Glenn Highway or other potential projects. The State of Alaska in 2010 finished a preliminary study of the project and continues to consider whether to permit and finance a ''bullet'' line project, compared to other options, including importing liquefied natural gas or building other renewable energy project to attempt to meet Southcentral power needs in the future. But approval of the right-of-way would remove a key unknown and allow the decision on which project makes the most sense for all Alaskans to be made without fear that right-of-way acquisition delays could inflate costs unreasonably.

If the Parks route is chosen and the project proceeds, then the national park may well benefit from the environmental benefits of natural gas and compressed natural gas being more readily available for park activities, cutting air quality concerns, and improving pedestrian access—depending upon final economic considerations involving the cost and location for a gas conditioning plant.

In 2009 when this bill was first introduced, it was modified after initial introduction to meet all concerns voiced by the environmental community and congressional staff and the National Parks Service. The version being reintroduced in this joint bill was approved unanimously by the Senate Energy and Natural Resources Committee and added to the American Clean Energy Leadership Act that passed from the Committee on June 17, 2009, and again on Dec. 17, 2011. The provision, according to the Congressional Budget Office, had nominal—less than $5,000 in cost impacts—when scored.

I truly believe there are no environmental issues with this legislation. I think anyone who has ever traveled on the Parks Highway in Alaska through Denali National Park would agree, and I hope it can be approved by Congress early in the 113 session given the increasing severity of the need for power generation in the Alaska Railroad in coming years.

The third and final section of my bill is the Walter Harper Talkeetna Ranger Station Renaming Act.

The Talkeetna Ranger Station, which is the home of Denali National Park's mountaineering rangers, sits just about 100 miles south of the entrance to the park. Of course, the landmark that's most commonly linked to both the park and the ranger station itself happens to be the mountain that features a summit which represents the highest point in North America: Denali. In fact, anybody who intends to attempt a climb of Mt. McKinley is required to first stop at the Talkeetna Ranger Station for their permit and mountain orientation.

It is only fitting, then, that we honor the memory of Alaska Native Walter Harper by forever linking his name with this specific ranger station. It was Mr. Harper that 100 years ago next year became the first person to reach the summit of Mt. McKinley.

My bill is a simple one, and it is not likely to gain much notice outside of Alaska. Within my home state, however, this small gesture means a great deal. Alaskans, like the people who call any other state home, are proud of the historical accomplishments of their fellow Alaskans. Walter Harper was one such Alaskan, and his feat is one that will always be remembered.

Certainly, officially designating the Talkeetna Ranger Station—the very building where any hiker today planning to climb Mt. McKinley is required to first stop—the Walter Harper Talkeetna Ranger Station is a fitting tribute to the man himself, as well as his spot in our state's history books.

June 7 of next year, 2013, will mark the 100 year anniversary of Mr. Harper's historic climb. It would truly be special for Alaska and Alaskans to have this designation in place by that date.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 19—CONGRATULATING THE UNIVERSITY OF ALABAMA CRIMSON TIDE FOR WINNING THE 2012 BOWL CHAMPIONSHIP SERIES NATIONAL CHAMPIONSHIP

Mr. SHELBY (for himself and Mr. SESSIONS) submitted the following resolution; which was considered and agreed to:

S. RES. 19

Whereas the University of Alabama Crimson Tide won the 2013 Discover Bowl Championship Series (referred to in this preamble as ''BCS'') National Championship Game, defeating the University of Notre Dame Fighting Irish by a score of 42-14 at the Sun Life Stadium in Miami Gardens, Florida, on January 7, 2013;

Whereas this victory marks the second consecutive BCS championship, the third BCS championship in the last 4 years, and the 15th national championship overall in college football for the University of Alabama;

Whereas the 2013 BCS National Championship Game was the 60th postseason bowl appearance and the 34th bowl victory for the University of Alabama, both of which extend existing NCAA records held by the University of Alabama;

Whereas the victory by the University of Alabama marks the fourth consecutive BCS championship for the State of Alabama and the seventh consecutive BCS championship for the Southeastern Conference;

Whereas the University of Alabama exhibited an almost perfectly balanced offensive performance, with 265 rushing yards and 264 passing yards;

Whereas running back Eddie Lacy rushed for 140 yards on 20 carries and scored 2 touchdowns, earning the award for most valuable player on offense;

Whereas linebacker C.J. Mosley led the Crimson Tide defense with 8 tackles, earning the award for most valuable player on defense;

Whereas quarterback A.J. McCarron completed 20 of 28 passes for a total of 264 yards and threw 4 touchdowns without an interception;

Whereas the Crimson Tide held the Fighting Irish to 32 rushing yards and, in 2012, led the entire nation in total defense for the second consecutive year;

Whereas Chance Warmack, Dee Milliner, C.J. Mosley, and Barrett Jones were recognized as first-team All-Americans by the Associated Press in 2012;

Whereas Barrett Jones, a senior at the University of Alabama, was awarded the 2012 Rimington Trophy as the best center in the nation and the 2012 William V. Campbell Trophy as the best scholar-athlete in the nation;

Whereas the 2012 Crimson Tide senior class won an unprecedented 3 BCS national championships and 49 total games, tying an NCAA record for class victories;

Whereas the leadership and vision of head coach Nick Saban has propelled the University of Alabama back to the pinnacle of college football;

Whereas Chancellor Robert Witt, President Judy Bonner, and Athletic Director Mal Moore have emphasized the importance of academic success to the Crimson Tide football team and to all student-athletes at the University of Alabama; and

Whereas the Crimson Tide football team has brought great pride and honor to the University of Alabama, its loyal fans, and

the entire state of Alabama: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Alabama Crimson Tide for winning the 2012 Bowl Championship Series National Championship;

(2) recognizes the achievements of all the players, coaches, and staff who contributed to the 2012 championship season; and

(3) requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the President of the University of Alabama, Dr. Judy Bonner;

(B) the Athletic Director of the University of Alabama, Mal Moore; and

(C) the Head Coach of the University of Alabama Crimson Tide football team, Nick Saban.

SENATE CONCURRENT RESOLUTION 4—EXPRESSING THE SENSE OF CONGRESS THAT A CARBON TAX IS NOT IN THE ECONOMIC INTEREST OF THE UNITED STATES

Mr. VITTER (for himself, Mr. COCHRAN, Mr. BLUNT, Mr. LEE, Mr. MORAN, Mr. MCCONNELL, Mr. JOHNSON of Wisconsin, Mr. BARRASSO, Mr. INHOFE, Mr. COBURN, Mr. CORNYN, Mr. WICKER, Mr. BOOZMAN, Mr. RISCH, Mr. ROBERTS, Mr. HELLER, Mr. ENZI, and Mr. JOHANNS) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 4

Whereas a carbon tax is regressive in nature and would unfairly burden those vulnerable individuals and families in the United States that are already struggling under a stagnating economy;

Whereas a carbon tax would increase the cost of every good manufactured in the United States;

Whereas a carbon tax would harm the entire United States manufacturing sector;

Whereas the increase in production of domestic energy resources on private and State-owned land has created significant job growth and private capital investment; and

Whereas affordable and reliable energy sources are critical to maintaining the United States' global competitiveness: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that a carbon tax would be detrimental to American families and businesses, and is not in the interest of the United States.

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that a fellow in my office, Mr. Derek Griffing, be granted floor privileges for the remainder of this Congress.

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

NATIONAL MENTORING MONTH

Mrs. SHAHEEN. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 9, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 9) designating January 2013 as ''National Mentoring Month.''

There being no objection, the Senate proceeded to consideration of the resolution.

Mrs. SHAHEEN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 9) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of January 3, 2013 under ''Submitted Resolutions.'')

CONGRATULATING THE UNIVERSITY OF ALABAMA CRIMSON TIDE

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 19, which was submitted earlier today.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 19) congratulating the University of Alabama Crimson Tide for winning the 2012 Bowl Championship Series National Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 19) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S. 164

Mrs. SHAHEEN. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 164) to prohibit the United States from providing financial assistance to Pakistan until Dr. Shakil Afridi is freed.

Mrs. SHAHEEN. I now ask for a second reading, but in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR TUESDAY, JANUARY 29, 2013

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, January 29, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that the Senate proceed to a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

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

PROGRAM

Mrs. SHAHEEN. We anticipate the Foreign Relations Committee will report out Senator KERRY's nomination and look forward to full Senate consideration tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mrs. SHAHEEN. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 7:02 p.m., adjourned until Tuesday, January 29, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

GERALD LYN EARLY, OF MISSOURI, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE JOSIAH BUNTING, III, TERM EXPIRED.

PATRICIA NELSON LIMERICK, OF COLORADO, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE ROBERT S. MARTIN, TERM EXPIRED.

SHELLY COLLEEN LOWE, OF ARIZONA, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE JANE M. DOGGETT, TERM EXPIRED.

DANIEL IWAO OKIMOTO, OF CALIFORNIA, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE MARY HABECK, TERM EXPIRED.

KATHERINE H. TACHAU, OF IOWA, TO BE A MEMBER OF NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2018, VICE JAY WINIK, TERM EXPIRED.

EXTENSIONS OF REMARKS

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 Tuesday, January 29, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 30

10 a.m.

Committee on Foreign Relations

Business meeting to consider pending calendar business. S–116

Committee on the Judiciary

To hold hearings to examine gun violence in America. SH–216

JANUARY 31

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense; with the possibility of a closed session in SVC–217 following the open session. SD–G50

10 a.m.

Committee on Environment and Public Works

To hold hearings to examine the Harbor Maintenance Trust Fund and the need to invest in the nation's ports. SD–406

Committee on Foreign Relations

Business meeting to consider pending calendar business. S–116

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine pension savings, focusing on if workers are saving enough for retirement. SD–430

Committee on the Judiciary

Organizational business meeting to consider the nominations of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit, Richard Gary Taranto, to be United States Circuit Judge for the Federal Circuit, and an original resolution authorizing expenditures by the Committee and rules of procedure for the 113th Congress. SD–226

2:30 p.m.

Select Committee on Intelligence

To hold closed hearings to examine certain intelligence matters. SH–219

CORRECTION

Daily Digest

HIGHLIGHTS

Senate passed H.R. 152, Disaster Relief Appropriations Act.

Senate

Chamber Action

Routine Proceedings, pages S299–S333

Measures Introduced: Twelve bills and three resolutions were introduced, as follows: S. 155–166, S.J. Res. 5, S. Res. 19, and S. Con. Res. 4. **Page S329**

Measures Passed:

Disaster Relief Appropriations Act: By 62 yeas to 36 nays (Vote No. 4), Senate passed H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, to improve and streamline disaster assistance for Hurricane Sandy, pursuant to the order of Thursday, January 24, 2013, the bill having achieved 60 affirmative votes, was passed, and after taking action on the following amendment proposed thereto: **Pages S311–23**

Rejected:

By 35 yeas to 62 nays (Vote No. 3), Lee Amendment No. 4, to offset the cost of the bill with rescissions and discretionary cap reductions. (Pursuant to the order of Thursday, January 24, 2013, the amendment having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S320–23**

National Mentoring Month: Committee on the Judiciary was discharged from further consideration of S. Res. 9, designating January 2013 as ''National Mentoring Month'', and the resolution was then agreed to. **Page S333**

Congratulating the University of Alabama Crimson Tide: Senate agreed to S. Res. 19, congratulating the University of Alabama Crimson Tide for winning the 2012 Bowl Championship Series National Championship. **Page S333**

Nominations Received: Senate received the following nominations:

Gerald Lyn Early, of Missouri, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018.

Patricia Nelson Limerick, of Colorado, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018.

Shelly Colleen Lowe, of Arizona, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018.

Daniel Iwao Okimoto, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018.

Katherine H. Tachau, of Iowa, to be a Member of the National Council on the Humanities for a term expiring January 26, 2018. **Page S333**

Measures Placed on the Calendar: **Pages S299, S329**

Measures Read the First Time: **Pages S329, S333**

Additional Cosponsors: **Pages S329–30**

Statements on Introduced Bills/Resolutions: **Pages S330–33**

Additional Statements: **Pages S327–28**

Privileges of the Floor: **Page S333**

Record Votes: Two record votes were taken today. (Total—4) **Pages S322–23**

Adjournment: Senate convened at 2 p.m. and adjourned at 7:02 p.m., until 10 a.m. on Tuesday, January 29, 2013. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S333.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 1 p.m. on Tuesday, January 29, 2013 in pro forma session.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, JANUARY 29, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Foreign Relations: business meeting to consider the nomination of John Forbes Kerry, of Massachusetts, to be Secretary of State, 10 a.m., S–116, Capitol.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Aging, to hold hearings to examine primary care, 10 a.m., SD–430.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 3 p.m., SH–219.

House

No hearings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of January 29 through February 1, 2013

Senate Chamber

Senate expects to consider the nomination of John Forbes Kerry, of Massachusetts, to be Secretary of State.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Armed Services: January 31, to hold hearings to examine the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense; with the possibility of a closed session in SVC–217 following the open session, 9:30 a.m., SD–G50.

Committee on Environment and Public Works: January 31, to hold hearings to examine the Harbor Maintenance Trust Fund and the need to invest in the nation's ports, 10 a.m., SD–406.

Committee on Foreign Relations: January 29, business meeting to consider the nomination of John Forbes Kerry, of Massachusetts, to be Secretary of State, 10 a.m., S–116, Capitol.

January 30, Full Committee, business meeting to consider pending calendar business, 10 a.m., S–116, Capitol.

January 31, Full Committee, business meeting to consider pending calendar business, 10 a.m., S–116, Capitol.

Committee on Health, Education, Labor, and Pensions: January 29, Subcommittee on Primary Health and Aging, to hold hearings to examine primary care, 10 a.m., SD–430.

January 31, Full Committee, to hold hearings to examine pension savings, focusing on if workers are saving enough for retirement, 10 a.m., SD–430.

Committee on the Judiciary: January 30, to hold hearings to examine gun violence in America, 10 a.m., SH–216.

January 31, Full Committee, organizational business meeting to consider the nominations of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit, Richard Gary Taranto, to be United States Circuit Judge for the Federal Circuit, and an original resolution authorizing expenditures by the Committee and rules of procedure for the 113th Congress, 10 a.m., SD–226.

Select Committee on Intelligence: January 29, to hold closed hearings to examine certain intelligence matters, 3 p.m., SH–219.

January 31, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Next Meeting of the SENATE

10 a.m., Tuesday, January 29

Senate Chamber

Program for Tuesday: Senate will be in a period of morning business until 12:30 p.m.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

1 p.m., Tuesday, January 29

House Chamber

Program for Tuesday: The House will meet in pro forma session at 1 p.m.

Congressional Record

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