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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 13, 2013.

I hereby appoint the Honorable DOUG COLLINS to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

SEQUESTRATION

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

Mr. HOYER. Mr. Speaker, the President spoke to us last night and he talked to us about avoiding the sequester. I was at a political event being interviewed and a gentleman, Mr. POMPEO from Kansas, was with us as well, and he spoke before I did. He talked about the sequester and he said:

> It's going to be a home run. We're doing what the American people ask the United States House of Representatives to do in 2010 when I came here.

He then said, in referring to the sequester:

> I think the American people . . . will have tremendous respect for what its House of Representatives led and what its Federal Government was able to accomplish.

A profound disagreement. I think the gentleman from Kansas is profoundly wrong. The sequester will have an extraordinarily negative effect on this country, on its people, on its economy, and on its national security, and I might say on the confidence that the world at large has in the United States' ability to pursue rational policy.

In the State of the Union address last night, Mr. Speaker, with regard to deficits, the President said this:

> None of us will get 100 percent of what we want. But the alternative will cost us jobs, hurt our economy, and visit hardship on millions of hardworking Americans.

He went on to say:

> The greatest Nation on Earth cannot keep conducting its business by drifting from one manufactured crisis to the next.

Every 30 days, every 60 days, every 90 days, a manufactured crisis, evidence of a dysfunctional and willful Congress.

He went on to say:

> Let's agree right here, right now, to keep the people's Government open, pay our bills on time, and always uphold the full faith and credit of the United States of America.

That seems to be reasonable policy.

We now have two and a half weeks before the sequester takes effect, with devastating consequences for our economy and national security, yet the gentleman from Kansas welcomes that policy. In fact, the Republican leadership of this House has not put a single bill on the floor in this Congress that would have any impact on avoiding the sequester.

We now find ourselves facing yet another manufactured crisis. Instead of preventing it, as I've said, Republicans appear to be willing and enthusiastically welcoming the sequester.

Mr. Speaker, every American ought to take note of that enthusiasm for an irrational policy, referred to as irrational by its own leader, Mr. CANTOR, who said it was not the way we ought to do business. He's right, but he's brought nothing to the floor to avoid it.

The sequester, though, was meant to be so undesirable an outcome that it would force us to agree on a better approach. It married the worst consequences for both parties when it came to spending cuts: indiscriminate cuts to the defense budget alongside cuts to critical domestic programs.

In politics, often the key to compromise is crafting a package that contains something, some provision that everyone can love, although everyone will not love every provision. Here, Congress took the opposite approach and included something everyone could despise.

A faction of the majority, which is not a majority of this House by itself, has become so zealous in its drive to pursue a spending-only approach that it has embraced the sequester's Draconian cuts. Mr. POMPEO's quote this morning affirms that assertion.

They've used their clout within the majority to hold Congress hostage from one manufactured crisis to the next, and they nearly brought us to the edge of default for a second time last year. There have been several reports in a number of news outlets that Speaker BOEHNER promised their faction that the topline for appropriations would not exceed the level it would be after sequestration cuts, already adopting the premise that sequestration has gone into effect.

It was further reported that while the sequester levels would be kept, the cuts would be rearranged in order to protect defense spending at the further detriment to domestic parties, like NIH, cancer research, heart research, prostate cancer research, diabetes research, all the other maladies that—Dr. BERA is sitting here shaking his

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head—afflict us in this country and around the world.

By injecting additional partisanship in this way, Republicans would be taking a further step away from compromise. We need compromise. Each of us in this body understands we represent a certain segment of society, but not everybody agrees with everything we believe. Therefore, if we are to act on behalf of the country in a responsible, effective fashion, it's necessary to compromise.

Mr. Speaker, the sequester is real and is rapidly approaching. It is not a rational approach to deficit reduction. Even Republican Leader CANTOR, as I said, admitted on ''Meet the Press'' on Sunday about the sequester, and I quote the Republican leader:

> I don't want to live with the sequester.

Let me repeat that.

> I do not want to live with the sequester. I want reductions in spending that make sense.

These indiscriminate reductions don't make sense. That's what Mr. POMPEO was welcoming: indiscriminate cuts that do not make sense. We need serious action in Congress to deal with the sequester, and that action cannot wait. But there's been nothing on the floor in this Congress to deal with that sequester—nothing. Not a single piece of legislation has been brought forth by the majority.

I used to be the majority leader, Mr. Speaker, and I had the power to bring legislation forward, and I would do it. I'm no longer the majority leader. The majority leader, notwithstanding this quote that these indiscriminate reductions don't make sense, has not brought an alternative to this floor.

Democrats are ready to make tough choices, and we're ready to work with Republicans to do what is necessary to solve this problem of our deficits in a balanced way. We must reduce spending, but we also need to raise revenues. Every bipartisan commission, everyone has said the only way you're going to solve the arithmetic is to do so.

Mr. Speaker, I'm going to yield back the balance of my time so that my colleagues have an opportunity to say their piece, but I lament the fact that we're going home next week. We ought to be here working to avoid what the majority leader says are indiscriminate cuts that are not the way to do business. Yet, we rush headlong to do that.

□ 1010

I hope the Senate acts. I hope the Senate passes a bill that will be rational, will get us out of this conundrum of a sequester that nobody should want, and that when it does, Majority Leader CANTOR and Speaker BOEHNER will bring it to the floor and let us vote. And if you don't like it, vote against it. But let the American people know where we stand.

Let us avoid the sequester. Let us get ourselves on a fiscally balanced path, but let us do so responsibly.

NATIONAL CAREER AND TECHNICAL EDUCATION MONTH

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today as cochair of the bipartisan House Career and Technical Education Caucus in order to recognize February as National Career and Technical Education Month. Career and technical education programs continue to evolve in order to ensure that workers are prepared to hold jobs in high-wage, high-skill, and high-demand career fields like engineering, information technology, health care, and advanced manufacturing for the 21st century.

During this time of record-high unemployment, career and technical education programs provide a lifeline for the underemployed who look to begin new careers alongside young adults just starting out of high school in the rapidly evolving job market.

Career and technical education, while historically undervalued, helps tackle critical workforce shortages and provides an opportunity for America to remain globally competitive while also engaging students in practical, real-world applications of academics coupled with hands-on work experience.

Now, as we move toward fiscal year 2014, I join with a bipartisan group of my colleagues in not only recognizing the importance of maintaining these Federal investments for our country's future but also in saying thank you to the countless men and women who make these programs possible—the faculty, the teachers and the instructors within our career and technical education schools throughout this great Nation.

Mr. Speaker, as we celebrate Career and Technical Education Month, I encourage my colleagues from both sides of the aisle to join me and my good friend, Representative LANGEVIN from Rhode Island, the cochair of the House Career and Technical Education Caucus, as we continue our work together of the bipartisan Career and Technical Education Caucus.

The goals of this caucus are to provide promising futures for individuals who are seeking opportunities for work within this great Nation, and for employers, many of whom are in situations, despite record high unemployment for the longest sustained time since the Great Depression, of having great-paying jobs that are sitting open and available where they can't find a qualified, trained workforce and, quite frankly, for America, whose competitiveness into the future will depend on how well we make these investments.

THE SEQUESTER AND AN OLIVE BRANCH

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

Ms. JACKSON LEE. We had a historic occasion last evening, but I rise to comment on a number of issues. I first want to acknowledge and pay tribute to a Texan who was buried yesterday in a tragic incident, Chris Kyle, a Navy SEAL who had served this country, loved this country, and came back to his family and children and took as his cause to help serve troubled veterans. As he was doing so, along with his friend, Chad, one of those troubled veterans shot both him and his friend.

What a tragedy. I think it is important to note the thousands who mourned him and the procession that took him to his burial ground yesterday and to say thank you for not only serving this Nation, but coming home to care about those suffering from post-traumatic stress disorder.

That leads me to bring up this whole question of sequester. In my own city of Houston, I was able to, some 4 years ago, establish the first post-traumatic stress disorder center in a hospital that was not a veterans hospital. The Riverside General Hospital for a period of years continued serving our post-traumatic stress disorder veterans in a small, attentive setting where they could sit with others who were troubled as well. I've become a champion of the needs and the purpose of post-traumatic stress disorder medical services and beg and cry to the Department of Veterans Affairs and to the Pentagon from where this grant came. We cannot abandon our soldiers who have served us well. And I would hope that the grant for this hospital will be continued because Texas has been known to have the largest number of returning Iraq and Afghanistan troops.

Mr. Speaker, that speaks loudly to the question of sequester. I'm delighted that the President last evening could not have offered more olive branches on economic reform and tax reform. His idea is that we can do this budget together, not a sequester and not a self-inflicted wound, which is what we did to ourselves, but, more importantly, to talk about innovation and growth. This is something that I've spoken about over and over again as a member formerly of the Science Committee and now Homeland Security.

Where is America's genius? Right outside the beltway. Why are we dividing ourselves along Democrats and Republicans, refusing to put revenue alongside of cuts? Mr. Speaker, we're at the bone, almost, and sequester that is across-the-board cuts will literally destroy us and put us in a recession. All the talking heads that are suggesting that the President was not bipartisan and how there was nothing that they heard, well, Mr. Speaker, may I ask them to take some cotton out of their ears. Because in actuality, the President extended his hand of friendship.

We want to get down to work. We can pass comprehensive immigration reform. We can pass in tribute and recognition of Sandy Hook, Hadiya, and

Aurora and our Congresswoman, our former colleague, Congresswoman Giffords, and Virginia Tech and many places, and Lone Star College in my district and the tragedy at the University of Maryland that just occurred in the last 24 hours. People are mourning. We have to stop gun violence. So I don't want to hear the fact that the President is divisive. The President is leading, and he has led well.

The American people are listening. When are our friends on the other side of the aisle going to listen? And when are the American people going to raise up beyond the maze of television commentary and see that your voices can be heard? If you raise up literally in the houses of worship and civic clubs and say that Congress must do its job for our soldiers who are coming home and for those children who are the future and for the opportunity for growth, you bring down the debt by growing the economy and innovating.

Congratulations, Mr. President, for the research and manufacturing centers—15. Let's do more of them. I hope that we can get summer youth jobs, a program of private and public cooperation. When does a youth take up a gun? They take it up when they don't have a summer job and when they don't have an opportunity. So I want to challenge this body to be the kind of Lincolnesque attitude, as yesterday was the official birthday of President Lincoln, February 12. And although it was a tragic time in our history, I can assure you that it showed the greatest promise of America when people could come together and do something great. I stand here as a freed slave because this Congress came together. Are we going to be able to do it today to free America?

THE DEBT CEILING

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

Mr. QUIGLEY. Mr. Speaker, last month we passed a bill that suspends the debt ceiling until May. I voted for that bill because I didn't want to plunge the credit rating of this country or have the economy plunge into another recession. But that vote was just a short-term fix in what has been a series of short-term fixes. And short-term fixes no longer cut it when it comes to running the world's biggest economy.

Instead of thoughtful, long-term planning, we have contented ourselves with political sideshows. We've budgeted with continuing resolutions and held endless partisan committee hearings aimed at dismantling so-called job-killing legislation like the Clean Air Act. We voted 33 times to repeal all or part of the President's health care plan, and we attempted to balance the Federal Government's budget by zeroing out Planned Parenthood. That's not careful planning. That's tired political dogma.

□ 1020

In a famous speech about the Vietnam war, Dr. Martin Luther King, Jr., said, ''We are confronted by the fierce urgency of now.''

We again find ourselves in a conflict that threatens the political fabric of our Nation, the integrity of our institutions. We face a mountain of debt. We lack a comprehensive approach to climate change, energy, transportation, Medicare, Social Security, defense spending, immigration reform, gun violence, and even our postal system.

We need to find that urgency to get started on creating a sensible energy policy that confronts climate change and reduces our reliance on foreign oil.

We need that urgency to formulate a transportation plan so that States can address their crumbling infrastructure and local businesses can get back to work.

We need that urgency of now to reconfigure our security policy, making sensible cuts and fashioning a force that prepares us for conflicts of the future and not the past.

We need the urgency of now to make sensible changes to Social Security and Medicare to ensure the vitality of these programs for generations to come.

That urgency of now will reward us with more than a sensible energy policy, good roads, a smarter defense department, and sustainable social welfare system. We will be rewarded with a stable economy and reduced market volatility.

We cannot wait to act. We are borrowing 42 cents for every dollar we spend. We have to take sensible steps to begin reducing our debt without stepping on a fragile economic recovery. We have to take steps that are big, bold, and bipartisan. That's why I signed onto the Cooper-LaTourette bipartisan budget agreement that would have saved $4 trillion over 10 years, and that's why my office authored a comprehensive plan to reinvent government and save taxpayers $2 trillion over the next 10 years.

No, government is not perfect. But I believe we need to reinvent government, not eliminate it. Or, as Grover Norquist says, make ''it small enough to drown in the bathtub.''

Government is important. The heroes of 9/11 were government workers. Government teaches our kids; it protects us, keeps us safe, helps keep our air clean, and protects the less fortunate.

The Tea Party has this wrong. The objective should not be to destroy government through reactive draconian cuts; rather, we should collectively rethink and renew this institution that touches all of our lives.

I recognize that not everyone I serve with would agree on how to cut defense and adjust social programs to make them sustainable over time. That's the whole point. You have to compromise. Sadly, that's not in vogue these days. My colleague from Chicago, Congressman BOBBY RUSH, said it best when he observed, ''In Congress, the view of compromise is that the other guy gives in.''

It simply can't be that way. Until we end the bickering, political preening, and brinksmanship, the deadlock that has paralyzed our political process will continue.

As Lincoln said, ''It is not can any of us imagine better, but can we do better?''

And those words are true today. We have to abandon the dogmas of yesterday to fulfill the promise of tomorrow.

''We cannot escape history,'' he said. ''We of this Congress and this administration will be remembered in spite of ourselves.''

Despite this immense challenge that confronts us, I believe we will prevail. If we can summon that urgency of now, if we can end the bitter partisanship and poor planning; we can solve our Nation's problems and make a brighter day for ourselves and generations to come.

FUTURE OF THE FMLA

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

Mr. GEORGE MILLER of California. Mr. Speaker, I read with interest Majority Leader CANTOR's speech last week on the majority's latest relaunch of the House GOP's attempt to identify with the middle class.

Leader CANTOR said that the House will pursue an agenda of health, happiness, and prosperity for more Americans and their families. He went on to identify a very important problem for millions of Americans: how to balance work and family.

Unfortunately, that was the end of the relaunch. Because to address this problem, the majority leader proposed an old scheme that actually takes away workers' rights to overtime pay in exchange for employer-controlled comp time. This scheme has been bouncing around the Big Business wish list for decades. It's a twofer for Big Business: workers get less predictable schedules, and they earn less pay.

Leader CANTOR's prescription for what ails working families is to administer more poison. It's to give a working parent less control over her life and less money in her pocket. This plan does not give workers flexibility. This plan is about giving corporations another way to pay workers less.

That's how you help working families? I don't think so.

If the Republican majority party wants to seriously talk about healthy, prosperous, and happy American families, then they should help to create real opportunities to help families to be healthy, prosperous, and happy.

Here's one serious way to help working families: give workers real flexibility on the job and the ability to take advantage of paid time off.

Last week was the 20th anniversary of the Family and Medical Leave Act.

Back in 1993, this law was a big step forward for America. It guarantees workers job-protected leave when they need time off for family or health reasons, for a newborn child, to take care of a sick child or spouse. It's been used more than 100 million times over the last 20 years. Workers got to take off time to care for a newborn or sick spouse or to get an operation without fear of losing their job.

With the Family and Medical Leave Act, our country made it a priority to give workers the ability to balance the demands of work and family. It made the healthy development of babies, healthy families, and healthy workplaces a priority. It was a remarkable accomplishment at the time, but it was intended to be a first step, not the last.

Today, only half of all workers can take advantage of the Family and Medical Leave Act. The rest are ineligible because of their part-time status or who their employer is. Half of all workers don't have job protections to take time off to welcome a new baby to the family. They can't take time off to help an elderly parent without fear of losing their job.

Here's another serious idea to help working families: Extend the family and medical leave protection to all workers. And furthermore, let's guarantee paid leave under the law. The Federal Family and Medical Leave Act only guarantees unpaid job-protected leave. Too many families simply cannot afford to miss a day or two of work. That's why Congress should finally deliver on the paid leave that our Nation's workers deserve.

I recently heard from Matari Jones from San Antonio, Texas. While she said that the family and medical leave was a godsend when her children were born, taking unpaid time off to care for her newborns to heal from a complicated delivery was a significant financial struggle. Unfortunately, Matari was not alone. A working woman—or any worker, for that matter—shouldn't have to choose between family members they love or the paycheck they need.

California, the District of Columbia, Connecticut, Washington State, and New Jersey have taken steps for paid family and medical leave and sick leave. The policy is good for families, and it is good for business.

The least-paid workers in our society are also least likely to be able to afford a day off when they are sick. Many of those workers are behind the lunch counter or taking care of our older family members.

If Leader CANTOR and this House are truly serious about helping working families, then let's deliver on the full promise of workplace leave policies that properly value our Nation's families. Extend family and medical leave benefits to all workers, and look for ways to guarantee workers' access to paid family and medical leave and to sick leave.

There are other steps Congress should take to ensure that workers can share the prosperity that they're helping to create. Let's make sure that women are paid based upon their worth by passing the Paycheck Fairness Act. Let's raise the minimum wage that will boost the economy by putting money into the pockets of millions of working people.

So I would say to my friend from Virginia, the majority leader, if he is serious about helping working families, then join with us and let's enact policies that put these families first in both the workplace and in their homes.

PRESERVING 6-DAY POSTAL SERVICE

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

Mr. CONNOLLY. Mr. Speaker, the Postmaster General's announcement this past week that he intends to eliminate Saturday mail delivery is of great concern to my colleagues on both sides of the aisle.

Beyond the fact that such a move completely disregards congressional intent, it also sets the Postal Service on a downward spiral that will undercut any opportunity to revitalize it and put it in a more sound financial footing for future generations. Whether it's the financial documents for a small business, a prescription refill for an elderly resident, or a birthday card for a loved one, Saturday mail delivery is important to every person in every community in America.

The United States Postal Service is an American institution dating back to the founding of our Nation when it was enshrined in article I of the Constitution, and Saturday delivery has been part of that tradition for the past 150 years. The men and women who don the blue uniform of the USPS are visible in every street in every community.

□ 1030

As a recent Washington Post story recounted, mail carriers have been known to report crimes, detect gas leaks and check on the elderly. Many serve the same routes for years, taking note of the comings and goings in their neighborhoods and offering an extra set of watchful eyes. They are, in many ways, the first responders in many of these communities.

Eliminating Saturday mail service would result in the layoffs of more than 50,000 letter carriers. Job losses in the public sector have already been a drag on our economy for the past 2 years, and this only exacerbates that problem. The supposed savings would clearly be offset if these unemployed middle class workers would then need Federal assistance to make ends meet.

Upon closer inspection, the economic case for eliminating Saturday delivery is specious at best. The Postmaster General claims it will save $2 billion, but that does not include the lost revenue or the broader economic ripple effect. A confidential report commissioned by the Postmaster General just last year showed that a 7.7 percent decline in mail volume, such as going from 6 to 5 days would trigger, would actually result in a $5.2 billion loss in revenue. It's little wonder that he deep-sixed his own study.

Within the broader economy, 8.4 million jobs are supported by the private and public mailing industries. That represents 6 percent of all American jobs. For every job in the Postal Service, there are 10 in the private sector, and three out of four of those jobs are dependent on existing delivery infrastructure by the Postal Service, including 6-day mail. Last year, the combined industries supported $1.3 trillion in sales revenue, or 8.6 percent of our entire economy.

While first-class mail volume has been trending downward for the past decade, the Postal Service is not maximizing those lines of business that are showing growth, such as package delivery. Growth in online retail sales, spurred by Cyber Monday, for example, pushed USPS package delivery revenue up by 4.7 percent, or $154 million, in the first quarter of this year alone. The Postal Service has not been able to capitalize on those opportunities largely because Congress, itself, stifled innovation with the 2006 legislation that it passed. Unlike its international counterparts, the Postal Service is prohibited by law from co-locating with such comparable businesses as banks and coffee shops, which actually offer a lot of revenue in the European postal services. We even restrict how the Postal Service can competitively market its low-priced services.

Of course, the most egregious burden imposed on the Postal Service by Congress is the outrageous pre-funding requirement for future retiree health benefits. Under current law, it must pre-fund 75 years at 100 percent of those benefits in a 10-year window. No other entity on the planet has such an onerous requirement but the Postal Service, and we did it—Congress did it—in 2006. In fact, $11.1 billion of the $15 billion-plus loss last year for the Postal Service is directly attributable to that burden.

That brings us back to the audacity of last week's announcement by the Postmaster General. The Postal Service has routinely testified before Congress, requesting the authority to go from six to five, but congressional intent on the preservation of 6-day mail delivery has been clear for 30 years. Even the Presidential budget request recognizes the need for Congress proactively to grant such authority. It cannot be grabbed unilaterally. The Postmaster General acknowledged he was on shaky ground—and indeed he is—in making this announcement. I, along with Representative GRAVES, have asked him to provide what, if any, legal justification he relied on to make this momentous decision, and we've asked the Attorney General and the

Postal Regulatory Commission for their opinions on the Postmaster General's statutory authority for this ill-advised action.

Mr. Speaker, Representative GRAVES and I have introduced a bipartisan resolution urging the Postal Service to preserve 6-day delivery. We would welcome our colleagues in joining us to highlight congressional intent that Saturday service is vital to our neighborhoods and small businesses and to the vitality of our communities. I urge my colleagues to take a closer look.

THE DRONES ARE COMING, PAGE II

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

Mr. POE of Texas. Mr. Speaker, the domestic use of drones is on the way. There will be more eyes in the sky looking over America.

According to the FAA, by 2015, it will allow the use of drones nationwide, and by 2030, 30,000 drones will be cruising American skies—looking, observing, filming, and hovering over America. They will come whether we like it or not. We will not know where they are or what they're looking at or what their purpose is, whether it's permitted or not permitted, whether it's lawful or unlawful, and we really won't know who is flying those drones.

Sometimes drones are good. We can thank drones for helping us track terrorists overseas and for helping us catch outlaws on the border. Legitimate uses by government and private citizens do occur, but a nosy neighbor or a Big Brother government does not have the right to look into a window without legitimate cause or, in the case of government, probable cause.

Mr. Speaker, drones are easy to find. I learned from a simple Google search that you can buy a drone on eBay or at your local Radio Shack. It's very easy. And as technology changes, Congress has the responsibility to be proactive and to protect the Fourth Amendment right of all citizens. The Fourth Amendment states:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated.

It doesn't take a constitutional law professor to see why legislation is needed to protect the rights of the American people. The right of a reasonable expectation of privacy is a constitutional right. Any form of snooping or spying, surveillance or eavesdropping goes against the rights that are outlined in the Constitution.

Today, I will reintroduce the Preserving American Privacy Act because it's time for Congress to be proactive in protecting the rights of civilians from the private use and government use of drones. This legislation balances individual constitutional rights with legitimate government activity and the private use of drones. We don't have time to wait until 2030 when there are 30,000 drones in the sky.

This bill sets clear guidelines, protects individual privacy and informs peace officers so they will know what they can do and what they cannot do under the law. Nobody should be able to use drones for whatever purpose they want. This bill will make it clear for what purpose law enforcement and citizens and businesses can use drones.

There will be limits on the government use of drones so that the surveillance of individuals or their property is only permitted or conducted when there is a warrant. This applies to State, Federal, and local jurisdictions, but there are exceptions. Law enforcement could use a drone for fire and rescue, to monitor droughts and to assess flood damage or to chase a fleeing criminal. And of course, the exceptions, called exigent circumstances, which are already in our law, will apply.

This bill includes a clear statement so that it does not prevent the use of drones for border security. The bill also sets guidelines for the private use of drones.

The bottom line of the bill is simple: nobody should be spying on another unless they have the legal authority to do so. The decision should not be left up to unelected bureaucrats to decide the use of drones, so Congress has the obligation to set guidelines, to secure the right of privacy and to protect citizens from unlawful drone searches. Just because the government has the technology to look into somebody's yard doesn't give it the constitutional right to do so.

And that's just the way it is.

THE CONSEQUENCES OF SEQUESTRATION

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

Mr. BERA of California. Mr. Speaker, in a few short weeks, we face automatic across-the-board spending cuts. If allowed, they could not only stall our economic recovery; these cuts will immediately threaten the future of our children and grandchildren. If we allow sequestration to take place, we threaten to kick 70,000 of our children off of the Head Start program. If we allow sequestration to take place, 10,000 American teachers will lose their jobs. We threaten the very future of our children and grandchildren. This is irresponsible.

In the spirit of their future, the children from Mrs. Gibson's third-grade class at Foulks Ranch Elementary School in Elk Grove, California, wanted me to deliver a message to Congress. They are five simple tips: They want Congress to be responsible. They want Congress to be respectful. They want Congress to be kind. They want Congress to be accountable. Mr. Speaker, the third-graders from Mrs. Gibson's class want Congress to make good choices.

Allowing sequestration to take place is a bad choice. If the third-graders can figure it out, I certainly hope we in Congress can as well. Let's do what they advise. Let's be responsible and let's make good choices.

□ 1040

PUERTO RICO MEDICARE PART B EQUITY ACT

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

Mr. PIERLUISI. Mr. Speaker, today I'm introducing a modified version of bipartisan legislation I introduced last Congress. The bill would amend a provision in Federal law that applies only to Puerto Rico and that has harmed thousands of Medicare beneficiaries on the island. My legislation would eliminate this problem for future beneficiaries and provide appropriate financial relief to current beneficiaries who have been adversely affected. Senator SCHUMER is introducing a companion bill, and I want to thank him for his support on this issue.

Most individuals become eligible to enroll in Medicare part A, which covers inpatient hospital care, when they turn 65. In every State and territory except Puerto Rico, individuals enrolled in part A are automatically enrolled in part B, which covers doctors' services and outpatient hospital care and requires the payment of a monthly premium. Individuals can opt out of part B if they don't want it. In Puerto Rico, by contrast, individuals enrolled in part A are not automatically enrolled in part B but, rather, must opt in to receive this coverage.

The problem with the opt-in requirement is that the law requires individuals to elect part B coverage within a 7-month initial enrollment period or to pay a penalty to the Federal Government. The penalty is substantial—a 10 percent increase in the monthly part B premium for every year of delayed enrollment. It is also permanent, lasting as long as the individual has part B, which can be decades.

Over the years, the responsible Federal agencies have done a poor job informing beneficiaries in Puerto Rico about the opt-in requirement and the consequences of late enrollment. Therefore, many of my constituents fail to realize they lack Part B until they get sick and need to visit a doctor, by which point significant time may have elapsed. To illustrate the repercussions, consider the standard Medicare Part B monthly premium of $105. An individual who enrolls 2 years late must pay a 20 percent surcharge—an additional $21 per month. Over 1 year, that is $252. Over 20 years, it is $5,000.

The combination of the opt-in requirement and inadequate beneficiary education in Puerto Rico has led to consequences that are both severe and

predictable. Puerto Rico has the lowest part B participation rate in the country—81 percent compared to the national average of 92 percent. There are least 130,000 island residents enrolled in part A but not part B. Without this coverage, beneficiaries have limited access to doctors' services and outpatient hospital care. If these individuals do eventually enroll in part B, as most will, the 7-month window will have closed and they will be required to pay a lifetime penalty.

Moreover, there are at least 53,000 seniors or disabled individuals in Puerto Rico who are already paying a lifetime penalty for enrolling late in part B. Each year, in fact, island residents pay a total of over $7 million in late fees. This is profoundly unfair. Through no fault of their own, my constituents are required to forfeit money to the Federal Government they should be using to meet their basic needs and support their families.

On the administrative front, I have worked hard with Senator SCHUMER to ensure that the relevant Federal agencies improve the educational materials provided to Puerto Rico beneficiaries, and I am pleased they have taken positive steps in response to our demands. But the only true solution to this problem is legislative.

My bill would do three things:

First, it would amend Federal law so that, going forward, beneficiaries in Puerto Rico are treated like their counterparts in every other jurisdiction, automatically enrolled in part B with the option to opt out of coverage;

Second, to ease the burden on those who enrolled late in part B, usually with no understanding of the consequences of that choice, the bill would reduce the monthly penalty they are required to pay by 85 percent;

Finally, to address those beneficiaries who are enrolled in part A but not B and who will pay a late penalty whenever they do enroll, the bill would authorize a special period during which those individuals could enroll in part B and pay a monthly surcharge that is 85 percent less than the penalty they would be subject to under current law.

I look forward to working with my colleagues in both the House and the Senate to enact this much-needed bill into law.

I should also mention that I was impressed with the State of the Union delivered by President Obama last evening, and I particularly support his call for democracy in America. But I remind, respectfully, both the President and all Americans that Puerto Rico has a status that is undemocratic. There are 3.7 million American citizens living in Puerto Rico who lack the most basic voting rights in a democracy. They cannot vote for the President, and they do not have voting representation in Congress. They have rejected this status, and the least that this Congress should do is give Puerto Rico the choice of joining the Union as a State or be treated as a sovereign nation.

IT'S TIME TO GET TO WORK

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

Ms. BONAMICI. Mr. Speaker, today is February 13, but it feels like Groundhog Day. Here we are, back again, facing the prospect of devastating cuts from sequestration.

Families in Oregon don't understand why Members of Congress can't seem to set aside their differences and get things done; and, frankly, neither do I. We don't want to see these devastating cuts go into effect. We don't want to see a government shutdown. We don't want to tell the children that they have to have even more students in their already-crowded classrooms or explain to senior citizens that the Meals on Wheels they rely on might not be delivered. We don't want to see cuts to food safety or air traffic control or maritime and border security.

We're in the home stretch, racing towards yet another deadline, but instead of sitting at the bargaining table, we're headed out for recess.

In Oregon alone, sequestration would kick more than 900 kids out of Head Start programs that make a difference in their school readiness. It would trigger a 9 percent cut in Federal funding to Oregon's public university system, slashing student aid and ongoing research and development. Law enforcement agencies throughout the country would lose the equivalent of 1,000 Federal agents, 1,300 prison officers, and more than 5,000 Border Patrol personnel. Small businesses across the Nation would lose more than $540 million in loan guarantees.

Despite the talk of uncertainty, our economy really is poised to take off, but it can't do that if Congress decides to take off from work. It's sad but true: The biggest obstacle to economic growth tomorrow is congressional foot-dragging today.

We've been governing by crisis for too long. It's time to rally around common sense. It's time to take a seat at the bargaining table. And most of all, it's time to get back to work.

No sequestration deal, no recess.

CAREER AND TECHNICAL EDUCATION MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. LANGEVIN) for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, I rise today in recognition of Career and Technical Education Month. I'm proud to be joined by Mr. THOMPSON of Pennsylvania, who I know spoke earlier this morning. Mr. THOMPSON is my good friend and fellow cochair of the bipartisan Congressional Career and Technical Education Caucus.

CTE is an investment in the future of our economy, our workforce, and our country. From skills training in high schools to community colleges and professional programs, CTE plays a critical role for workers of every age. And I'm so proud that President Obama called for more support for CTE in his State of the Union message last evening.

The most important step I believe we can take this year to support CTE is to fully reauthorize the Carl D. Perkins Vocational and Technical Education Act. Currently, the Perkins Act is authorized at a level set in 2010, which doesn't reflect the reality of a modern economy where more workers are looking at high-skilled fields.

More and more employers need highly skilled workers. I hear too often from Rhode Island employers with job openings that they can't fill because they can't find the workers with the right skills to fill the jobs that they do have available. Meanwhile, our unemployment rate remains unacceptably high.

Closing the skills gap is one important step we can take to ensure that workers can fit and fill the needs of expanding industries, both today and in the future. After all, how can we expect to help individuals start a company or businesses expand their company or to relocate jobs from overseas if we don't have the workers with the right skills to do the jobs that would be and are available?

Mr. Speaker, I look forward to a continuing partnership with my good friend, G.T. THOMPSON from Pennsylvania, in the 113th Congress, and I strongly urge my colleagues to join the Career and Technical Education Caucus and to support the full reauthorization of the Perkins Act.

RECESS

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

Accordingly (at 10 o'clock and 50 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Archbishop Emeritus John Quinn, Diocese of San Francisco, San Francisco, California, offered the following prayer:

Lord, we give deep-felt thanks for the great providential blessing that makes us citizens of the United States of America.

The men and women of this House, in their service to our country, daily confront seemingly intractable public issues, a burden at times overwhelming; but You work even in the dark places of human history.

Teach us this day not to fear the darkness but to put our hand in Yours and resolutely seek the light.

You reveal Yourself as the Father of us all. We ask You to bring us together in civic harmony and in the common task of making real in our time the ideals and the dreams that make us America.

As we turn now to the work of this day, we ask for more than human wisdom, and pray that Your blessing, moving across our continent, will keep us one nation under God with liberty and justice for all.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. GENE GREEN of Texas led the Pledge of Allegiance as follows:

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

WELCOMING ARCHBISHOP EMERITUS JOHN QUINN

The SPEAKER. Without objection, the gentlewoman from California (Ms. ESHOO) is recognized for 1 minute.

There was no objection.

Ms. ESHOO. Mr. Speaker, it is a great privilege to welcome Archbishop John Quinn to the House of Representatives and to thank him for offering the opening prayer today.

Archbishop Quinn is one of the preeminent spiritual leaders and theologians of our Nation. His church service spans over four decades, beginning with his ordination in Rome in 1953. He has served as a pastor, as an educator, as Provost of the University of San Diego College for Men, as Auxiliary Bishop of San Diego, as Bishop of Oklahoma City and Tulsa, as the first Archbishop of Oklahoma City; and in 1977, he was named the sixth Archbishop of San Francisco.

His fellow bishops elected him President of the National Conference of Catholic Bishops in 1977, where he led with great distinction for a 3-year term. In December 1995, after 18 years of ''tending his flock'' of the Archdiocese of San Francisco, he resigned and was given a visiting fellowship at Campion Hall, Oxford.

My colleagues, our country has been blessed by the great patriotism, wisdom, scholarship, deep spirituality, and inspirational leadership of this humble and holy man.

Thank you, Archbishop Quinn, for gracing the House of Representatives with your prayer and your presence and for strengthening our country with a faith that calls each of us to be instruments of peace and justice.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

AMERICA'S FIRST PRIORITY—A BUDGET

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

Mr. MCCARTHY of California. Madam Speaker, last night, I had hoped to hear from the President that he would challenge both Houses to pass the first priority—a budget. The House has done it. The Senate has not for the last 3 years.

In this House, we talk a lot about the sluggish economy and our continual debt. We talk in trillions, so let's take the zeros away and talk in household income. If we were a household, we would, roughly, bring in $24,500 a year, but we would spend $35,500. That means we'd have to add $11,000 to the credit card each year, but when we'd look to the credit card, it would already have $160,000 on it.

We have to get the House in order. The Senate has refused to pass a budget in 3 years. The time is now to move America forward.

REBUILDING AMERICAN INFRASTRUCTURE

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

Mr. HIGGINS. Last night, President Obama argued that rebuilding American infrastructure is crucial to job creation, and with 70,000 structurally deficient bridges, it is long overdue.

Today, the United States Chamber of Commerce is holding a summit on infrastructure investment. According to the U.S. Chamber, our broken infrastructure costs $78 billion annually in lost time and fuel, and we will experience $336 billion in lost growth over the next 5 years. Our decaying infrastructure is a significant drag on the economy. Freight rail bottlenecks cost us $200 billion a year—air traffic delays $33 billion a year. Our inadequate ports will lose up to $270 billion in exports by 2020, costing 738,000 jobs.

Lots of people around here spend a lot of time whining about China. China invests 9 percent of its economy in infrastructure. We invest less than 3 percent. Stop whining about China and do something about it. President Obama and the U.S. Chamber agree that it's time to nation-build right here at home, right here in America, and Congress should listen.

CONGRATULATIONS TO GAINESVILLE, GEORGIA

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

Mr. COLLINS of Georgia. Madam Speaker, I rise to congratulate my hometown—the city of Gainesville, Georgia—for its leadership in creating and sustaining jobs despite the economic challenges facing our Nation. A new Milken Institute study ranked Gainesville as the best-performing small city in Georgia last year.

The study found that 24 new and expanded industries created 1,200 jobs, retained 742 existing jobs, and generated $164 million in capital investment for Gainesville and Hall County in 2012. This performance puts Gainesville in the top 10 small cities for job growth in the U.S.

I am proud that Gainesville continues to be a leader in economic development. Gainesville was ranked sixth in job growth nationwide from 2010 to 2011 and was ranked second in job growth from 2011 to 2012. From food and auto services to manufacturing and retail, more businesses are calling Gainesville home, which means more job opportunities for Georgians. I commend the leadership of Gainesville and Hall County for creating an environment where businesses can thrive, and I look forward to their continued success.

I hope that other cities across the Nation, as well as Congress, will look to Gainesville as an example of how job creation can be achieved even in a difficult economic climate.

SEQUESTRATION

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

Ms. CHU. Last night, President Obama challenged all of us to come together to improve our country's fiscal health today and for generations to come.

Automatic budget cuts, or sequestration, was never intended to be good fiscal policy. It was never intended to be policy—period. If these cuts take place, the American people will actually be harmed by the Representatives who were sent here to serve them. This is unacceptable. In just 2 weeks, if we don't act, across-the-board cuts will deeply hurt every aspect of our lives—schools, health programs, law enforcement, research and development. Under sequestration, all of these will be decimated.

In our fragile economy, our Nation cannot afford to wait, so I call on our colleagues from the other side of the aisle to rise to the challenge. We cannot keep on going from one manufactured crisis to the next. Work with us to stop sequestration before it's too late.

□ 1210

STOP DEVASTATING SEQUESTER

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

Ms. FOXX. Mr. Speaker, President Obama had a chance last night to lay out a plan for smart, strategic savings to replace his devastating sequester. We were all watching; we were all listening. We want to work together on this. But instead of laying out a vision for how government can avoid his sequester—his sequester—by living within its means, the President decided to make the impractical case for passing the buck onto taxpayers through even more taxes.

House Republicans have known all along the President's sequester was a terrible plan. We gave the Supercommittee a chance to do the right thing, and when they didn't, we led.

Twice since last summer we have passed legislation that would preserve savings while completely removing the threat sequester poses to American jobs and national security. The President didn't join the conversation until recently.

March 1 is coming. Will he or won't he put forth a credible plan to stop the damage of his sequester? Republicans have responded. He and our friends on the other side of the aisle have not.

OPPOSING SEQUESTRATION

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in opposition to the huge education cuts that are in the sequester. Massive sequestration is an inefficient way to make spending decisions that affect millions of Americans. However, this is what we agreed to, and the House majority has not had an open and frank debate on how this Chamber can reduce our national deficit while helping our students and hardworking educational professionals succeed.

On education alone, sequestration will reduce funding for the Department of Education and Head Start by an estimated $4.8 billion. Department of Education funding will return to pre-2003 levels, impacting between 8.9 million and 9.4 million students. Potential job losses in the education field are projected to be between 74,600 and 80,500. These cuts will come as schools and colleges enroll more students and the cost of services increases.

I call on Members on both sides of the aisle to join me in finding a better way to reduce our deficit while protecting our children, students, and educational professionals.

STRENGTHENING THE MIDDLE CLASS

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

Mr. CICILLINE. Madam Speaker, last night President Obama outlined a bold vision for his second term in office and spoke about the number one issue facing our country: jobs. The President understands that if we want to get our country back on the right track, we have to invest in those areas that are essential to growing our economy and strengthening the middle class.

With families all across America, and particularly in my home State of Rhode Island facing tremendous challenges, it's critical that our friends on the other side of the aisle put aside partisan gamesmanship and start working together on the commonsense goals that President Obama outlined: reinvigorating manufacturing; investing in our infrastructure; making education a priority; and developing new sources of clean energy, as well as a long-term strategy to deal with our debt.

It's true that Republicans and Democrats have a choice. We can either work to find common ground and move our country forward as a whole, or we can continue the partisan fighting that has created gridlock in Washington.

I urge my colleagues on both sides of the aisle to find common ground and real solutions so we can put our country back to work and address the serious challenges facing our Nation.

REPEAL AND REPLACE DANGEROUS SEQUESTER

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

Mr. CARTWRIGHT. Madam Speaker, we have before us this question of allowing indiscriminate and harmful cuts to our armed services and other vital national governmental works.

I agree we must address the debt and the deficit, but it's not a new problem, and we have fixed it before. Right now, our national debt stands at about 105 percent of GDP, gross domestic product. In 1946, it was close to 122 percent, and we fixed it—not by austerity, not by slash and burn; we fixed it by investing in America. We built our national highway system. We made our armed services the envy of the world. We even rebuilt Europe and Japan. We went to the Moon, for heaven's sake.

By the 1960s, our economic growth was so great that it was impossible for anyone to complain about the Roosevelt debt with a straight face. That's what we need to do now. We need to believe in ourselves. We need to invest in the great engines of our economic recovery, our infrastructure, and our middle class.

So, Mr. Speaker, I urge the Members, be bullish on America and repeal and replace this dangerous sequester.

AMERICANS NEED REAL SOLUTIONS

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

Mr. KILDEE. Madam Speaker, last night at his State of the Union address, President Obama outlined a real job creation plan to grow our economy and strengthen America's middle class. However, sequestration is just 15 days away, threatening to stall our economic recovery.

Sequestration would be devastating for many programs and services that my constituents and all Americans rely on: Head Start; the Women, Infants and Children—WIC—nutrition plan; medical research funding; Indian Health Service; police officers; and food inspectors. Funding for all these crucial areas would be decimated.

Sequestration would also make our country less safe by implementing reckless, across-the-board defense cuts. We've already reduced the deficit by $2.5 trillion, mostly through spending cuts. There's no question we can eliminate additional wasteful spending. However, we should be strategic in finding ways to reduce our deficit. With sequestration looming, Madam Speaker, Americans need real solutions, not another eleventh hour cliffhanger.

DEVASTATING SEQUESTRATION CUTS

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

Ms. GABBARD. Madam Speaker, I rise today to speak about the devastating sequestration cuts that are set to take effect unless we, Congress, act by March 1. If these arbitrary across-the-board cuts are allowed to occur, our military, our national security, and our communities will suffer.

Hawaii is one of the top 10 States that will take the biggest hit. We've already seen these anticipated cuts playing out at the Pearl Harbor shipyard, where 133 apprentices will not be hired and 30 temporary workers will lose their jobs. This is affecting real people, their families, as well as our military's readiness.

Times are tough and we must all share in the sacrifice, but we cannot do so at the expense of our military readiness or on the backs of our middle class families, seniors, and children.

SEQUESTRATION MEANS STUPID

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

Mr. DEFAZIO. Madam Speaker, sequestration. You know, it's inside-the-Beltway talk. What does it mean? It means stupid, across-the-board budget cuts.

Take a program of tremendous public import—whether it's a defense program, public safety program, student financial aid—and cut it 10 percent. Take a turkey, something we don't need anymore, something stupid, obsolete—registering kids for a draft that doesn't exist and will never exist—cut it 10 percent.

So instead of doing targeted cuts and getting rid of programs that we don't need anymore, that don't work anymore, and looking at reasonable revenues, we're going to cut everything 10 percent. It's going to have a real impact.

I was told yesterday by the Office of Management and Budget the first measurable impact is in my district, a 10 percent sequestration of payments to counties in my State from the Interior Department, which means in Douglas County, Oregon, the last 10 road deputies are gone. In another county, which is down to one road deputy, the last road deputy is gone. We're talking about counties the size of States here with no rural law enforcement. That's because of the stupid sequestration.

□ 1220

SEQUESTER IS NOT THE ANSWER

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

Ms. JACKSON LEE. Madam Speaker, I join with my colleagues to say that sequester is not the answer. When I begin to look at my district and I see high school students and middle school students and elementary school students, I say sequester is not the answer.

Yes, we can look reasonably at how we improve reducing the debt, but not on the backs of seniors, not eliminating the social network.

And then, with respect to our children, do we tell them we close the doors on summer jobs, we close the doors on the best teachers, innovative teaching, science labs? Absolutely not.

So I join with the President to say that it's an inflicted wound we gave. Let's be better. Let's be adults.

And, finally, Madam Speaker, let's do our job on gun safety. Let's ensure universal background checks. Let's have registration of those guns that are owned by gun owners like we register a car. And let's make sure that, as my legislation introduced, that we secure the guns in our homes so that children or those who are disturbed cannot access your guns because you left them around.

I am not interested in coming into your home and taking your guns, but you have a responsibility to be able to secure them. That law was passed in the State of Texas, a State that prizes its guns.

Let's be a group, a Congress that can work together. We can do this.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on the postponed question will be taken later.

FEDERAL DISASTER ASSISTANCE NONPROFIT FAIRNESS ACT OF 2013

Mr. BARLETTA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 592) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 592

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Disaster Assistance Nonprofit Fairness Act of 2013''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Hurricane Sandy inflicted catastrophic damage in the Northeastern United States.

(2) Houses of worship across the Northeast's many faiths and denominations were among the private nonprofit facilities that sustained damage.

(3) Churches, synagogues, mosques, temples, and other houses of worship throughout communities in New York, New Jersey, Connecticut, and elsewhere play an essential role in the daily lives of the communities.

(4) The Federal Emergency Management Agency's (FEMA) public assistance program provides financial grants for the repair of various types of private nonprofit facilities.

(5) Among the types of nonprofits to which FEMA provides such grants are those in which citizens gather and engage in a variety of educational, enrichment, and social activities. These activities are essential to community building and occur in houses of worship.

(6) Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), FEMA's disaster relief program is a general government program under which assistance is provided in the wake of a natural disaster using criteria that are neutral with regard to religion.

(7) Congress has previously enacted legislation providing financial assistance to religious nonprofit institutions, including houses of worship, on terms equal to other eligible nonprofit institutions.

(8) Such legislation is consistent with recent precedents of the Supreme Court of the United States and legal opinions issued by the Office of Legal Counsel of the Department of Justice.

SEC. 3. INCLUSION OF HOUSES OF WORSHIP AS PRIVATE NONPROFIT FACILITIES ELIGIBLE FOR DISASTER RELIEF.

(a) DEFINITION OF PRIVATE NONPROFIT FACILITY.—Section 102(10)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(10)(B)) is amended to read as follows:

''(B) ADDITIONAL FACILITIES.—In addition to the facilities described in subparagraph (A), the term 'private nonprofit facility' includes any private nonprofit facility that provides essential services of a governmental nature to the general public (including museums, zoos, performing arts facilities, community arts centers, community centers, including houses of worship exempt from taxation under section 501(c) of the Internal Revenue Code of 1986, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops, and facilities that provide health and safety services of a governmental nature), as defined by the President.''.

(b) REPAIR, RESTORATION, AND REPLACEMENT OF DAMAGED FACILITIES.—Section 406(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(3)) is amended by adding at the end the following:

''(C) HOUSES OF WORSHIP.—A church, synagogue, mosque, temple, or other house of worship, and a private nonprofit facility operated by a religious organization, shall be eligible for contributions under paragraph (1)(B), without regard to the religious character of the facility or the primary religious use of the facility.''.

(c) APPLICABILITY.—This section and the amendments made by this section shall apply to the provision of assistance in response to a major disaster or emergency declared on or after October 28, 2012.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 592.

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

There was no objection.

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

First, I want to acknowledge the work of the gentleman from New Jersey (Mr. SMITH) for his leadership on this bipartisan legislation.

Currently, the Robert T. Stafford Disaster Relief and Emergency Assistance Act, also known as the Stafford Act, provides for assistance to nonprofit organizations to rebuild damaged facilities following a declared disaster.

Like other nonprofit organizations, religious-based organizations have seen significant damage to their facilities from disasters. Just last year, for example, we saw facilities owned by both religious and nonreligious organizations alike damaged or destroyed by Hurricane Sandy.

The administration is interpreting current law to allow some religious nonprofits to receive reconstruction assistance, while others do not. For example, parochial schools and religious hospitals receive funds, while a soup kitchen or a shelter may not, depending on how often it is used for purely religious purposes.

H.R. 592 clarifies that facilities owned by religious-based organizations qualify for certain types of disaster assistance.

Again, let me thank the gentleman from New Jersey for his efforts on behalf of his constituents to rebuild the storm-ravaged areas of his State.

I reserve the balance of my time.

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

I rise in support of H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013. This bill designates houses of worship as eligible private nonprofit organizations to receive Federal Emergency Management Agency funds to repair or rebuild after a disaster strikes.

When most people think of disaster damage, they think of the physical damage that is often shown on television, that is, of downed trees, flooded streets and homes, snow piled high, et cetera.

But for disaster survivors, the impact is often also emotionally traumatic. In some cases, survivors have lost loved ones or all of their worldly possessions. In these trying times, survivors often look to houses of worship for spiritual instruction, guidance, and counseling. The services provided by houses of worship are critical to survivors' full healing and recovery after a disaster.

During and after disasters, houses of worship are there at a time when the emotional toll inflicted by a disaster is at its worst. While some may have concerns about providing any type of Federal assistance to houses of worship, some types of Federal assistance should be, and are, provided on a neutral basis.

Funding provided to a broad class of entities for secular purposes such as government-funded and -sponsored police and firefighting assistance and protection and recovery from terrorist activities are such examples.

Likewise, disaster assistance has been provided to religious institutions in the past. In 1995, after the Oklahoma City bombing, Congress approved funds for the U.S. Department of Housing and Urban Development that specifically allowed for the repair and reconstruction of houses of worship damaged by the bombing.

In addition, under FEMA's current policy, funds are provided to repair or rebuild religiously affiliated private nonprofit organizations such as schools, nursing homes, food shelters, and daycare centers.

Assisting with recovery from a disaster does not promote or establish religion. There is no intrinsically religious purpose in providing disaster assistance. This provision simply recognizes that houses of worship are one aspect of community recovery.

This bill helps ensure that our communities fully recover physically, emotionally, and mentally after a disaster. I urge my colleagues to join in supporting this bill.

I reserve the balance of my time.

Mr. BARLETTA. Madam Speaker, I wish to yield 7 minutes to the gentleman from New Jersey (Mr. SMITH), who is the sponsor of this bill.

Mr. SMITH of New Jersey. I thank my good friend, the chair, for yielding. I thank him for his support and for Mr. RAHALL. And I want to thank Gracie Meng for her cosponsorship and leadership on this important bill, and all the cosponsors, and to ERIC CANTOR and the leadership for scheduling it for a vote today. This is extremely important and very timely.

Madam Speaker, Superstorm Sandy inflicted unprecedented damage on communities in the Northeast, including my district in New Jersey. Congress and the President have responded by providing $60 billion in emergency and recovery aid.

Today's debate and vote, however, isn't at all about whether or how much funding Congress appropriates to mitigate the impact of Sandy. We've had that vote.

Rather, it's about those who are being unfairly left out and left behind. It's about those who help feed, comfort, clothe, and shelter tens of thousands of victims now being told they are ineligible for a FEMA grant.

It's unconscionable that foundational pillars of our communities damaged by Sandy—synagogues, churches, mosques, temples and other houses of worship—have been categorically denied access to these otherwise generally available relief funds.

Current FEMA policy is patently unfair, unjustified, and discriminatory and may even suggest hostility to religion. FEMA has a policy in place to aid nonprofit facilities damaged in the storm, but the agency has excluded houses of worship from their support. That is wrong, and it's time Congress ensures fundamental fairness for these essential private nonprofits.

The bipartisan Federal Disaster Assistance Nonprofit Fairness Act will ensure that houses of worship are eligible for Federal funds administered by FEMA.

Madam Speaker, it's worth noting here that FEMA's discriminatory policy of exclusion is not prescribed by any law. Nothing in the Stafford Act or any other law, including the Hurricane Sandy Disaster Relief Appropriations Act, precludes funds to repair and to replace and to restore houses of worship.

Indeed, the congressional precedent favors enacting H.R. 592, as there are several pertinent examples of public funding being allocated to houses of worship. For example, FEMA grants were explicitly authorized by Congress back in 1995 and provided to the churches damaged by the Oklahoma City terrorist attack, as my friend from West Virginia pointed out.

□ 1230

The Homeland Security Department and UASI provides funding to houses of worship for security upgrades. The Interior Department provides funding to grants for historically significant properties, including active churches and active synagogues. And the SBA provides low interest loans—no hint at all by anyone that there's an Establishment Clause issue.

It's important to note that a controlling Justice Department Office of Legal Counsel memorandum explains in detail the legal principles that make H.R. 592 constitutional. In a 2002 written opinion, the Office of Legal Counsel concluded it was constitutional for Congress to provide disaster relief and reconstruction funds to a religious Jewish school, along with all sorts of other organizations, following a devastating earthquake. The same principles apply to protect religious organizations following a devastating hurricane.

As the Office of Legal Counsel memo concluded:

> Provisions of disaster assistance to religious organizations cannot be materially distinguished from aid programs that are constitutional under longstanding Supreme Court precedent, establishing that religious institutions are fully entitled to receive generally available government benefits and services, such as fire and police protection.

The Supreme Court handed down its first modern Establishment Clause decision in the Everson v. Board of Education decision, which involved a program in my own home State of New Jersey. In that case, the Court held that religious institutions are entitled to receive ''general government services'' made available on the basis of neutral criteria. The Court held that the Establishment Clause does not bar, in that case, students attending religious schools from receiving generally available school busing services provided by the government.

As Nathan Diament, Executive Director of Public Policy for the Union of Orthodox Jewish Organizations of America, notes in his excellent legal analysis, which I will include in the RECORD:

> Disaster relief is analogous to aid that qualifies as general government services approved by the Court in Everson.

Madam Speaker, the bill before us today simply makes clear and clarifies that Federal disaster relief includes religious entities, along with every other sort of entity.

As the Court later stated in Widmar v. Vincent:

> The provision of benefits to so broad a spectrum of groups is an important index of secular, that is, constitutional effect.

As it stated more recently in Texas Monthly v. Bullock:

> Insofar as that subsidy is conferred upon a wide array of nonsectarian groups as well as religious group organizations in pursuit of some legitimate secular end, the fact that religious groups benefit incidentally does not deprive the subsidy of the secular purpose and primary effect mandated by the Establishment Clause.

Significantly, Madam Speaker, when three churches in Detroit received taxpayer-funded grants to repair and spruce up their buildings prior to the 2006 Super Bowl, American Atheists sued the City of Detroit and lost.

In a sweeping decision offered by Judge Sutton, the U.S. Court of Appeals for the Sixth Circuit, unanimously held that the direct assistance to the churches did not violate the Establishment Clause. Judge Sutton said, and I quote, in pertinent part:

> Detroit sought to fix up its downtown, not to establish a religion. And as will generally be the case when a governmental program allocates generally available benefits on a neutral basis and without a hidden agenda, this program does not have the impermissible effect of advancing religion in general or any one faith in particular. By endorsing all qualifying applicants, the program has endorsed none of them, the Court went on to say, and accordingly it has not run afoul of the Federal and State religious clauses . . . In the Establishment Clause context, that means evenhanded neutral laws generally, though not invariably, will be upheld. So long as the government benefit is neutral and generally applicable on its face, it presumptively will satisfy the Establishment Clause.

H.R. 592 exhibits no government preference for or against religion, or any particular religion, since it merely permits houses of worship to receive the same type of generally available assistance.

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

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

Mr. SMITH of New Jersey. Again, this legislation permits houses of worship to receive the same type of generally available assistance in picking up the pieces after stunning devastation that many other similarly situated nonprofits receive. Thus, the bill not only passes the test of constitutionality, it passes the test of basic decency.

Indeed, to do otherwise would be to single out churches for adverse treatment, which is in itself constitutionally suspect.

The Supreme Court held, Madam Speaker, in Lukumi Babalu Aye v. City of Hialeah, that ''at a minimum, the protections of the Free Exercise Clause pertain if the law at issue discriminates against some or all religious beliefs.''

And in Employment Division v. Smith, the Court held that under the Free Exercise Clause, the State may not ''impose special disabilities on the basis of religious views or religious status.''

To continue to single houses of worship out for discrimination does not express government neutrality; it expresses government hostility. And there's no place for government hostility toward religion under our Constitution.

I thank the gentleman for yielding.

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

The SPEAKER pro tempore. The gentleman from West Virginia has 17½ minutes remaining.

Mr. RAHALL. Thank you.

I yield 4 minutes to the gentleman from New York (Mr. NADLER).

(Mr. NADLER asked and was given permission to revise and extend his remarks.)

Mr. NADLER. Madam Speaker, I reluctantly rise in opposition to this bill. The purpose of this bill is laudable. Unfortunately, there are real constitutional problems.

This bill would provide direct cash grants to rebuild houses of worship. Direct government funding of churches, synagogues, and mosques has always been held to be unconstitutional, and the decisions of the Supreme Court establishing that principle remain good law to this day. While some recent decisions have raised questions of these prior decisions' validity, they remain binding precedent. Most legal authorities would hold this bill to be constitutional, although some would disagree.

At the very least, given the serious constitutional questions raised by this legislation, I am deeply troubled that it has received no committee consideration and is being rushed to the floor just a few days after being introduced under a procedure that allows only 40 minutes of debate and no amendments. One would think that we were naming a post office rather than passing legislation with significant constitutional implications that could alter the relationship between government and religion.

While I have serious reservations about this bill and the way it is being considered, I wanted to commend the sponsors, the gentleman from New Jersey (Mr. SMITH) and my colleagues from New York, Ms. MENG and Mr. KING, who have been outstanding champions of the people hard hit by Hurricane Sandy.

So what is the concern?

Let's start with the basics. This bill would direct Federal taxpayer dollars to the reconstruction of houses of worship. The idea that taxpayer money can be used to build a religious sanctuary or an altar has consistently been held unconstitutional.

This is entirely different from government working with religious institutions to deliver social services. FEMA money, under the law this bill would amend, is already available to those institutions.

FEMA Disaster Assistance Policy 9521.1 states:

> Just because a community center is operated by a religious institution does not automatically make it ineligible. In addition to worship services, many religious institutions conduct a variety of activities that benefit the community. Many of these activities are similar or identical to those performed by secular institutions and local governments.

The law now permits funding to religious institutions that provide those services to the general public, on an equal basis with secular institutions doing the same work. Although the title of this bill suggests otherwise, there is no unequal treatment of religious institutions.

So what we are really talking about is whether we should be in the business of using taxpayer money to build and rebuild houses of worship and rebuild sanctuaries and altars that are not available for use to the general public.

I think, at the very least, we need to exercise caution. I know that people have been circulating letters making extravagant claims about the current state of the law, but what is clear is that the Supreme Court has never overruled its prior decisions specifically prohibiting this kind of use of public money.

□ 1240

In Tilton v. Richardson, the Court held that a 20-year ban on using publicly financed college facilities for religious or other purposes was not sufficient. The Court made the ban permanent, saying:

> If, at the end of 20 years, the building is, for example, converted into a chapel or otherwise used to promote religious interests, the original Federal grant will in part have the effect of advancing religion.

And that, of course, is not permissible.

Similarly, in Committee for Public Education v. Nyquist, the Court struck down a State program of ''maintenance and repair grants'' for the upkeep of religious elementary and secondary schools. The Court said:

> If the State may not erect buildings in which religious activities are to take place, it may not maintain such buildings or renovate them when they fall into disrepair.

Some proponents have pointed to the Court's ruling in Mitchell v. Helms. The question in that case was whether publicly financed educational materials could be lent to religious schools. The controlling opinion, written by Justice O'Connor, made it clear that it was not sufficient that the publicly furnished materials be provided on a nondiscriminatory basis; they must never be diverted to religious activities. That is clearly not the case here.

The majority has made a big issue of respecting the Constitution. We read the Constitution at the beginning of each Congress, and we are required to provide a statement of constitutional authority when we introduce a bill.

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

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

Mr. NADLER. But all of that means very little if, when faced with a genuinely significant constitutional question, the House gives it the bum's rush. This bill should be subject to hearings in the Judiciary Committee, with input from constitutional scholars, and due consideration of these significant constitutional issues, before we take such a radical step.

At the very least, for those who support this bill, I would think that they would want to get it right, to ensure that it is not done in a way that would make it susceptible to successful legal challenge. I urge my colleagues to put the brakes on this legislation until we can review it with the care it deserves.

Because I believe this bill to be unconstitutional, and because the constitutional issues have not been properly considered, I must reluctantly vote ''no.''

I thank the gentleman for yielding.

Mr. BARLETTA. Madam Speaker, I wish to yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), chairman of Judiciary.

Mr. GOODLATTE. I thank the gentleman from Pennsylvania, the chairman of the subcommittee, for his hard work on this legislation and the gentleman from New Jersey (Mr. SMITH) for introducing it and leading this bipartisan effort to address what I think is a serious problem.

I rise today in support of the Federal Disaster Assistance Nonprofit Fairness Act of 2013.

Churches, synagogues, and also houses of worship are essential to the fabric of communities throughout this great Nation. In times of need, it seems that faith and the charitable acts that faith inspire are essential to rebuilding and healing our communities. When disasters occur, like Hurricane Sandy in the Northeast, it's often houses of worship whose faith calls them to spring into action to help their fellow man, to feed the hungry and house the homeless. Faith inspires hope that communities can become whole again.

Every Member of Congress has seen the good works and deeds that houses of worship and nonprofit organizations do in our communities. There is no reason that the Federal Government should treat churches, synagogues, and houses of worship differently than other nonprofits in times of disaster.

I want to note that the so-called ''pervasively sectarian doctrine,'' which absolutely prohibited any aid to pervasively sectarian organizations such as churches, is no longer supported by Supreme Court precedent. While that doctrine was a central part of Supreme Court jurisprudence during the 1970s when the Supreme Court handed down decisions cited by opponents of this bill, including Tilton v. Richardson in 1971, Hunt v. McNair in 1973, and Committee for Public Education v. Nyquist, also 1973, it is no longer controlling, as the pervasively sectarian doctrine was subsequently rejected by a majority of the Supreme Court in the 1999 case of Mitchell v. Helms. Indeed, as the Congressional Research Service concluded in its December 27, 2000, report to Congress:

> In its most recent decisions, the Supreme Court appears to have abandoned the presumption that some religious institutions are so pervasively sectarian that they are constitutionally ineligible to participate in direct public aid programs. It also seems clear that the question of whether a recipient institution is pervasively sectarian is no longer a constitutionally determinative factor.

Today's legislation is important because it will ensure that houses of worship are treated equitably to other private nonprofit facilities, and that they are eligible for Federal Emergency Management Agency disaster relief and emergency assistance. I am glad that we are acting today to clarify that FEMA should treat churches, synagogues, and all houses of worship the same as other nonprofit organizations that are working to rebuild affected communities.

I thank Congressman SMITH for introducing this legislation, and I urge all Members to join with me to support this important clarification of existing law.

Mr. RAHALL. Madam Speaker, I'm very honored to yield 3 minutes to a cosponsor of the pending legislation, the gentlelady from New York (Ms. MENG).

Ms. MENG. Madam Speaker, I rise today to strongly urge my colleagues to support H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013. I want to also thank my colleague, Congressman CHRIS SMITH of New Jersey, for his wonderful leadership on this issue.

On October 29 of last year, Hurricane Sandy tore through New York City and its surrounding areas and left an unprecedented amount of damage in its wake. Homes burned to the ground, our communities were devastated, properties flooded, and over 120 lives were lost. Rightfully so, one of the 113th Congress' first actions was ensuring that adequate funding was made available to begin repairing the damage, and I was happy to be part of that effort.

The $60 billion in aid that Congress made available was a great start to rebuilding our communities and making them whole, but it was only a start. If we as Members of Congress want our affected communities to recover in the aftermath of any natural disaster, we must ensure that FEMA public assistance grants are available to help rebuild all institutions that are vital to a community's way of life.

H.R. 592 is a bipartisan bill. It would allow houses of worship, such as churches, synagogues, temples, or mosques, to receive the fair treatment they deserve. The bill places these vital community institutions on the same playing field as other private nonprofits that are already eligible for FEMA disaster relief. This bill provides no new funds. It sets forth no difference, no favoritism, no promotion of religion; it simply provides for the community and its well-being.

Facilities that already are able to apply for funding include zoos, museums, community centers, and homeless shelters, and it is important that houses of worship not be discriminated against when they need our help. These houses are vital community centers that serve so many of our constituents. The centers' existence, safety, and ability to serve should not be infringed upon, especially because the funds are available under our broadly available program without regard to the religious nature of these facilities. Indeed, to deny FEMA relief to these important institutions would be to discriminate against them because they are religious institutions, in violation of the First Amendment to our Constitution.

Not every facility, home, or place that engages in religious activity will be made available for FEMA assistance because this bill uses a predefined, accepted definition for what these facilities are under section 501(c) of the Internal Revenue Code of 1986. This is how the IRS currently recognizes and provides tax benefits to houses of worship, and this definition will help prevent erroneous claims.

The concerns about promotion of religion are unfounded. Alan Derschowitz, a widely respected expert on these issues, supports this bill on its constitutional grounds. He wrote that:

> Under precedents of the U.S. Supreme Court, religious institutions may receive government aid if it is in the context of a broadly available program with criteria that are neutral toward religion and pose no risks of religious favoritism. This is certainly the case in the context of FEMA disbursing aid to repair buildings in the wake of a natural disaster.

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

Mr. RAHALL. I yield the gentlelady an additional minute.

Ms. MENG. Many of the groups opposing this bill also oppose Nonprofit Security Grant funding, historic preservation grants, and parochial school funding after Katrina. They oppose Federal assistance that helped rebuild the Trinity Parish Episcopal Church in Seattle after an earthquake; aid made available after the tragic Oklahoma City bombing in which money was made available to the First United Methodist Church, First Baptist Church, St. Paul's Episcopal Cathedral, and St. Joseph's Catholic Church. This is not precedential; this is taking care of our constituents and their needs, our most important task in Congress.

Congress erred by not including an important part of our communities in these rebuilding efforts, and I hope we can correct that today.

DIOCESE OF ROCKVILLE CENTRE,
Rockville Centre, NY, February 11, 2013.

Hon. CHRIS SMITH,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SMITH: A few weeks ago I wrote to your office to call your attention to the sad situation of houses of worship that were severely damaged by Hurricane Sandy. At that time I could cite Catholic churches and Jewish synagogues who had been told that FEMA would not offer them grants to re-build their place of worship but only loans.

Today I learned that you plan to offer in Congress a bill that would offer houses of worship the same access to disaster relief as other community centers.

I write to thank you for doing this as well as to add my voice of support for just such a correction of a previous position that surely does not reflect either our traditions or our current realities. Houses of worship have been one of the first centers of response across Long Island. The Sunday after Sandy I visited the four parishes most damaged by the storm where I witnessed in parish halls without heat or electricity two signs of hope: faithful people worshipping and the same faithful people reaching out to one another to share food, clothing and other necessities even when their own homes had been destroyed.

To discriminate against houses of worship would be a mark of sectarianism that denies

the generosity of the people who helped one another and narrows the American spirit to an arbitrary sectarianism. Please know that my parishioners, my priests and all the volunteers in our various outreach centers are one with me in support of your bill.

WILLIAM MURPHY,
Bishop of Rockville Centre.

AMERICAN JEWISH COMMITTEE,
Washington, DC, February 12, 2013.

Re H.R. 592.

DEAR REPRESENTATIVE: We write on behalf of AJC (American Jewish Committee) to endorse the necessity and constitutionality of legislation to ensure that FEMA provides disaster-relief assistance to houses of worship and other facilities on an equal footing with analogous not-for-profit organizations.

We do not support such legislation lightly, since AJC usually opposes direct government aid to pervasively religious institutions, such as houses of worship. AJC has a long record of opposing aid to pervasively religious institutions as an ingredient of the separation of church and state that is an essential component in the protection of our religious liberties. Nevertheless, we believe disaster relief is constitutionally different.

First, disaster relief, such as the ongoing efforts following Hurricane Sandy, presents special circumstances that do not amount to a transfer of the costs of operating a place of worship from the collection plates to the taxpayer, a core concern of the Framers when they authored the First Amendment's prohibition on government establishment of religion. It is instead a form of social insurance in which society shares the burden of recovering from extraordinary disasters. There is a strong societal interest in aiding those who have suffered damage from such a broad-sweeping event, even institutions that for compelling constitutional and policy reasons would not otherwise be eligible for government assistance.

Second, houses of worship are not uniquely beneficiaries of the aid—a wide variety of not-for-profit institutions are eligible for aid under the existing statutory framework, including zoos and museums. These latter are undeniably important social institutions, but it is clearly the case that houses of worship play at least as important a role in providing essential response services to people in need. Disaster relief is thus available under religiously neutral criteria, which leave no room for discretionary or discriminatory judgments of the sort that generate Establishment Clause concerns.

For these reasons, we support in principle the goal to which H.R. 592 is directed.

We do wish to note how we read the proposed language in Section 3(b), lines 15–16, that makes eligible for aid a ''house of worship and a private nonprofit facility operated by a religious organization . . . without regard to the religious character of the facility or the primary use of the facility.'' (emphasis supplied) We read this section, as we believe it is intended; as meaning that an otherwise qualified institution is not disqualified from aid merely because it is religious, and that in its implementation, FEMA must apportion aid between secular and religious functions.

Thank you for your consideration of our views.

Respectfully,

MARC D. STERN,
Director of Legal Advocacy.

RICHARD T. FOLTIN,
Director of National and Legislative Affairs.

UJA FEDERATION OF NEW YORK,
New York, NY.

MEMORANDUM OF SUPPORT FOR H.R. 592

EQUAL TREATMENT OF HOUSES OF WORSHIP

Houses of worship for all faiths are a crucial part of the New York region's fabric and while they have always been beacons of support, comfort and community resources, since Hurricane Sandy New Yorkers have needed these institutions more than ever. These organizations are an essential part of neighborhoods and enable rites of passage, community gatherings, charitable activities and are sources of comfort and prayer. In the face of lost homes and distressed property, disruption of employment opportunities and dislocated families, houses of worship have helped many find stability and fulfillment in an uncertain time. In the aftermath of Sandy, as with so many other natural disasters, churches, synagogues and other houses of worship have been places offering essential response services to people in need—even while the church, mosque or synagogue itself is damaged.

Toward that end, UJA-Federation is proud to have funded close to $1 million to 76 synagogues to help these institutions support their communities through respite and relief and enlisted dozens of volunteers to help rebuild damaged buildings. Our efforts have made a significant impact at synagogues including West End Temple in Belle Harbor, Queens, Congregation Khal Yeraim in Sea Gate, Brooklyn and The Jewish Russian Learning Center in Staten Island and these houses of worship have helped the Jewish and broader communities in the neighborhoods they are serving.

Each of these synagogues serves as vital hubs of community providing physical, spiritual and emotional shelter for community members. That said, during Hurricane Sandy, many of the synagogues suffered severe damage and lack the resources to rebuild. UJA-Federation while helping houses of worship serve individuals in need does not have the resources to support capital needs.

Many houses of worship function similar to other non-profits by providing day care programming, schooling for children and youth, senior centers and resource centers for immigrants. These services are the lifeblood for communities. Houses of worship have worked closely with elected officials and government on city, state and federal levels to coordinate disaster relief efforts to the benefit of the entire community.

The Stafford Act provides that private nonprofit entities—such as schools, hospitals and community centers—damaged in a natural disaster may receive financial grants from FEMA to repair their buildings. The Act does not list houses of worship among its list of examples of nonprofits so eligible; neither does the Act exclude houses of worship in any way. To the extent that FEMA has provided aid to eligible programs run by houses of worship, the aid has not been provided on the same terms as the aid provided to other eligible nonprofits. It is, therefore, entirely appropriate for FEMA's aid program for private nonprofits to assist houses of worship with their rebuilding needs.

Current Supreme Court jurisprudence makes clear that religious institutions may receive government financial aid in the context of a broad program administered on the basis of religion neutral criteria. This is why houses of worship and other religious nonprofits can, and do, currently receive grants from the Department of Homeland Security to improve their security and the Interior Department for historic preservation.

Numerous houses of worship have suffered financially from this crisis and federal funding would significantly alleviate the effects of building damage and their contents.

Accordingly, UJA-Federation supports passage of H.R. 592.

UNIVERSITY OF VIRGINIA
SCHOOL OF LAW,
Charlottesville, VA, February 12, 2013.

Re H.R. 592.

Hon. CHRIS SMITH,
Hon. GRACE MENG,
House of Representatives,
Washington, DC.

DEAR REP. SMITH AND REP. MENG: I write to support your efforts to include places of worship in federal relief efforts in response to Hurricane Sandy. As Professor Dershowitz has already explained, there is no constitutional obstacle to including places of worship in this measure, which is entirely neutral and very broadly applicable.

The Supreme Court has permitted government funds to flow without discrimination to broad categories of schools, including religious schools (Zelman v. Simmons-Harris). And when a university undertook to subsidize publications, the Court has actually required government funds to flow without discrimination to a broad category that included religious publications (Rosenberger v. University of Virginia).

Charitable contributions to places of worship are tax deductible, without significant controversy, even though the tax benefits to the donor are like a matching grant from the government. These deductions have been uncontroversial because they are included without discrimination in the much broader category of all not-for-profit organizations devoted to charitable, educational, religious, or scientific purposes.

The neutral category here is equally broad. To include places of worship in disaster relief is neutral; to exclude them would be affirmatively hostile. There is no constitutional obstacle to including them.

Very truly yours,

DOUGLAS LAYCOCK.

CAMBRIDGE, MA.

Hon. CHRIS SMITH,
Hon. GRACE MENG,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES SMITH AND MENG: I write to express my support for your legislation (H.R. 592) which will ensure that churches, synagogues, mosques and other houses of worship damaged in Hurricane Sandy will be eligible to receive federal disaster relief funds to repair their facilities on the same terms as other, similarly situated, private nonprofit organizations.

While the Establishment Clause of the First Amendment properly restricts government funds flowing to religious institutions, this restriction is not absolute. Under precedents of the U.S. Supreme Court, religious institutions may receive government aid if it is in the context of a broadly available program with criteria that are neutral toward religion and pose no risks of religious favoritism. This is certainly the case in the context of FEMA disbursing aid to repair buildings in the wake of a natural disaster.

Once FEMA has the policy in place to aid various nonprofit organizations with their building repairs, houses of worship should not be excluded from receiving this aid on the same terms. This is all the more appropriate given the neutral role we have witnessed houses of worship play, without regard to the religion of those affected, in the wake of Sandy and countless previous disasters. Federal disaster relief aid is a form of social insurance and a means of helping battered communities get back on their feet. Churches, synagogues, mosques and other houses of worship are an essential part of the recovery process.

I hope Congress will move quickly to enact your legislation.

Sincerely,

ALAN DERSHOWITZ,
Felix Frankfurter Professor of Law, Harvard Law School.

AGUDATH ISRAEL OF AMERICA,
Washington, DC, February 12, 2013.

Re FEMA Aid and Religious Institutions.

Hon. CHRISTOPHER H. SMITH,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE SMITH: On behalf of Agudath Israel of America, a national Orthodox Jewish organization, I write to congratulate you on sponsoring H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013, which is intended to make clear that houses of worship and other religious institutions are eligible to receive FEMA disaster relief on an equal footing with other eligible nonprofits. A vote on the measure is scheduled for this week.

Over the years—most recently, during Hurricane Sandy—Agudath Israel has been engaged in helping to ensure that religious institutions obtain a full measure of FEMA aid for the repair and restoration of their disaster-damaged facilities. Unfortunately, due to unnecessary and unfair limitations placed on how and when disaster assistance may be provided specifically to religious entities—including houses of worship and religious schools—this has been an ongoing challenge. Without the much needed aid, they often face staggering costs that make rebuilding prohibitive.

There is no reason to treat religious entities in this manner. Supreme Court decisions, as well as executive action, in recent years that have allowed federal aid to go to religious institutions when the assistance is made broadly available and is distributed on a religion-neutral basis—as the FEMA program does.

Religious institutions are an integral part of American communities and play an important role in assisting devastated neighborhoods revitalize and rebuild. After natural disasters, they provide both material and nonmaterial help to those in need. They should be treated like other vital nonprofits and receive federal assistance without prejudice or discrimination.

Sincerely yours,

RABBI ABBA COHEN.

THE COUNCIL OF THE CITY OF NEW YORK
New York, NY, February 12, 2013.

Hon. GRACE MENG,
Congress Member, House of Representatives, Washington, DC.

Hon. CHRIS SMITH,
Congress Member, House of Representatives, Washington, DC.

DEAR CONGRESS MEMBERS MENG AND SMITH: We are writing in support of H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013. This important legislation will ensure that houses of worship affected by Hurricane Sandy will be eligible to receive assistance from FEMA to rebuild their damaged properties. At stake are the interests of New Yorkers in the many neighborhoods that were hit hard by Sandy.

Churches, synagogues and mosques serve as a bedrock for our citizens and our communities. They not only provide places for people to worship but operate after-school programs, food pantries, and other critical services. Many of the churches, synagogues and mosques that were damaged by the hurricane are now facing great difficulty reopening their doors.

Although we understand that some oppose this change due to the constitutional requirement of separation of church and state, in this case we don't agree. Recovery from a natural disaster like Hurricane Sandy isn't a matter of state sponsoring religion. It's a matter of helping those in need after one of the worst natural disasters our country has ever seen.

Under such extraordinary and painful circumstances, houses of worship should be eligible to receive aid on the same basis as all other non-profits damaged by the hurricane. We applaud you for your leadership on this matter and are happy to lend our support to your bill.

Sincerely,

CHRISTINE C. QUINN,
Speaker.
PETER F. VALLONE, JR.,
Chair, Public Safety Committee.
FERNANDO CABRERA,
Council Member.

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

The SPEAKER pro tempore. The gentleman from Pennsylvania has 7½ minutes remaining.

Mr. BARLETTA. Madam Speaker, I wish to yield 1½ minutes to the gentleman from Pennsylvania (Mr. PITTS).

□ 1250

Mr. PITTS. Madam Speaker, I'm pleased to speak on behalf of my friend Mr. SMITH's sensible legislation to help rebuild communities destroyed by Hurricane Sandy.

Federal assistance is intended to make communities whole; and if we leave behind ruined houses of worship, we're taking the soul out of those places. Churches, synagogues, and other houses of worship are an essential piece of any community. They provide shelter in storms, assistance to the needy, and support for families. And they provide essential services and support to people of all faiths.

In previous disasters, including Katrina, the Seattle earthquake and the Oklahoma City bombing, the Federal Government has extended assistance to places of worship. Areas affected by Sandy should be no different.

I'm a strong supporter of the First Amendment, and I believe that this assistance is completely compatible with our Constitution. Assistance will be distributed without prejudice against any particular religion. Government cannot endorse religion, but that does not mean we should discriminate against those of faith during a time of disaster. Recovery cannot be considered successful if sacred places of our community are left empty.

FAMILY RESEARCH COUNCIL,
Washington, DC, February 12, 2013.

U.S. REPRESENTATIVE,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the Family Research Council (FRC) and the families we represent, I am writing today in strong support of H.R. 592, the ''Federal Disaster Assistance Nonprofit Fairness Act of 2013'' by Reps. Chris Smith (R–NJ) and Grace Meng (D–NY). H.R. 592 would ensure that houses of worship would not be denied the same relief offered to other entities following a major storm or disaster.

Following every disaster, natural and man made that has hit the United States, our houses of worship have been there to help. Following the terrorist attacks of September 11, 2001, churches, relief organizations and Christian organizations went into emergency response mode sending help in the form of money, food, supplies and volunteers. When Katrina struck Louisiana, it was religious entities that helped the victims and refugees despite being affected by the storm as well. This is just as true with the recent Hurricane Sandy that struck our Eastern seaboard.

Houses of worship across the Northeast including many faiths and denominations were among the private nonprofit facilities that sustained damage. However, it was the churches, synagogues, mosques, temples, and other houses of worship throughout communities in New York, New Jersey, Connecticut, and elsewhere that provided relief to many individuals while the federal government seemingly did little.

The Federal Emergency Management Agency's (FEMA) own policies allow for grants to nonprofit organizations where citizens are known to gather and engage in a variety of educational, enrichment, and social activities. However, it is internal FEMA policy that does not believe houses of worship are worthy of the same type of relief.

H.R. 592 is consistent with recent precedents of the Supreme Court of the United States and legal opinions issued by the Office of Legal Counsel of the Department of Justice. We strongly urge your vote for this necessary legislation.

Sincerely,

TOM MCCLUSKY,
Senior Vice President.

Mr. RAHALL. How much time do I have remaining, please, Madam Speaker?

The SPEAKER pro tempore. The gentleman from West Virginia has 8½ minutes remaining.

Mr. RAHALL. I yield 5 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Madam Speaker, I thank the gentleman for yielding.

I rise in opposition to H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013, which would add ''houses of worship'' to the list of eligible entities that can receive direct government assistance from FEMA. While the devastation caused to many communities after Hurricane Sandy is severe, and while I empathize with the desire to assist all who have suffered severe losses, direct government funding for houses of worship, whether for building or rebuilding, remains unconstitutional.

The establishment clause in the First Amendment protects religious freedom by preventing the government from endorsing and funding any one religion—or all religions. And while well intended, this bill would violate years of precedents interpreting the establishment clause.

In Committee for Public Education v. Nyquist, a 1973 case which upheld the principles of Everson v. Board of Education, from 1947, the U.S. Supreme Court held that no taxpayer funds could be used for maintenance and repair of facilities in which religious activities take place, explaining:

If the State may not erect buildings in which religious activities are to take place,

it may not maintain such buildings or renovate them when they fall into disrepair.

Accordingly, longstanding precedent specifically holds that taxpayer funds cannot go to construct, rebuild or repair buildings used for religious activities. The type of buildings that this bill seeks to make eligible for direct government funding—houses of worship—are inherently used for religious activities and the bill would have the effect of unconstitutionally funneling taxpayer money for religious activities.

Other cases have also upheld the precedent established in Everson v. Board of Education and have further clarified the application of the establishment clause to cases of direct religious funding. In Tilton v. Richardson, the Supreme Court unanimously held that a government subsidy used to construct buildings at colleges and universities was constitutional but only if the buildings were never used for religious activities.

In Hunt v. McNair, 1973, the Supreme Court upheld a South Carolina law which established an ''educational facilities authority'' that issued bonds to finance construction and renovation of facilities at educational institutions was upheld because it included a condition that government-financed buildings could never be used for religious worship or instruction.

All of these cases firmly establish that it is constitutionally impermissible for the government to provide direct subsidization of religious institutions for the construction, repair or maintenance of any building that is, or even might be, used for religious purposes. Houses of worship clearly fall within this category of buildings and based on a long line of Supreme Court cases cannot be publicly funded and cannot be recipients of direct grant funding.

Now, there are constitutional ways to assist churches along with other community organizations. Loan programs, such as the government-sponsored small business loan programs available to any business in a community, could also be used by churches. Such loan programs have been upheld as constitutional so long as they are both neutral on their face and in their application and so long as their purpose is not to aid religious institutions specifically.

In Mitchell v. Helms, 2000, the Supreme Court held that loan programs for religious institutions are allowable in some cases. However, such programs are distinguishable from grants and are further distinguishable from the direct funding of church facilities that are, or may be, used for religious purposes. The opinion included that:

> Of course, we have seen special establishment clause dangers when money is given to religious schools or entities rather than indirectly.

Justice O'Connor noted the Court's ''continued recognition of the special dangers associated with direct money grants to religious institutions.'' Now, therefore, H.R. 592 clearly violates the principles prohibiting direct government grants to religious institutions. It also violates any possible exemption that could be available under the theory of neutrality—the standards in this bill applicable to houses of worship are different from the standards for other entities.

While I'm in favor of constitutionally permissible ways to assist churches that have been damaged by natural disasters, this bill clearly does not do so in a constitutionally permissible way; and for this reason, I must oppose the bill and urge my colleagues to instead work together to ensure that all entities affected by Hurricane Sandy can be assisted in an expeditious and constitutionally permissible manner.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, February 12, 2013.

Re Oppose H.R. 592, the so-called Federal Disaster Assistance Nonprofit Fairness Act of 2013.

DEAR REPRESENTATIVE: On behalf of the American Civil Liberties Union (ACLU), a non-partisan organization with more than a half million members, countless additional activists and supporters, and 53 affiliates nationwide dedicated to the principles of individual liberty and justice embodied in the U.S. Constitution, we are writing to urge you to vote ''No'' on H.R. 592 when the measure comes up on the suspension calendar on Wednesday. This bill, which would authorize FEMA to provide houses of worship with direct grants of taxpayer funds, would flout longstanding constitutional law and harm religious liberty.

The Supreme Court has recognized that the First Amendment was devised to prohibit ''[t]he imposition of taxes to . . . build and maintain churches and church property,'' because such funding is an affront to ''individual religious liberty.'' Accordingly, longstanding Court precedent specifically holds that taxpayer funds cannot go to construct, rebuild, or repair buildings used for religious activities—which clearly includes houses of worship. The Court has never retreated from this bedrock Establishment Clause principle. In fact, the Supreme Court continues to recognize ''special Establishment Clause dangers where the government makes direct money payments to sectarian institutions,'' which is exactly the use of taxpayer funds at issue here. And in a variety of bills over the past several decades, Congress has prohibited the use of funds to construct buildings used for religious purposes. Indeed, in the American Recovery and Reinvestment Act, Congress again recognized this prohibition and limited green construction funding to buildings in which secular activities take place.

Under current policy, houses of worship may obtain government loans—just not direct grants—to rebuild. All for-profit businesses and non-profit organizations—including houses of worship—are eligible to participate in the SBA Disaster Loan Program. Houses of worship, therefore, are not without government help to rebuild. Moreover, houses of worship are not the only non-profit facilities that would otherwise be ineligible for direct grants for reconstruction. Only non-profits with facilities used for emergency, essential, and government-like activities are eligible for grants. Thus, FEMA grants are not the same as ''general government services,'' like police or fire, which are available to every business, nonprofit, private residence, and house of worship. To say that the policy is unfair or that houses of worship are treated unequally—singled out among all other non-profits—therefore, is untrue.

Although houses of worship may serve a central role in the lives of their congregants, it is impossible to see how the prayer and worship conducted in these sacred buildings is equivalent to the essential, government-like activities in facilities that would be eligible for government grants. It would be a dangerous precedent to equate religious worship with the vital services government provides. And while houses of worship may host educational and social activities, only community centers that are open to the general public on a nondiscriminatory basis, serve the entire community (not just congregants), and are used for a range of different activities are eligible for a FEMA grant.

In the aftermath of Hurricane Katrina, the Bush administration directed that houses of worship would remain ineligible for FEMA funds. The Bush administration respected longstanding Supreme Court precedent and continued to adhere to this constitutional requirement. Churches, synagogues, mosques, and temples were damaged in Katrina just as they were in Sandy. As an organization whose offices were closed for weeks as a result, we very much understand the serious difficulties faced by people who were impacted by superstorm Sandy—so many of our friends and colleagues in New York and New Jersey continue to deal with its aftermath. But, the harm would be compounded if this misfortune were used as a reason to erode fundamental religious liberty protections enshrined in the First Amendment.

Religious liberty is one of our nation's most fundamental values and it starts from the principle that religion thrives when both religion and government are safeguarded from the undue influences of the other. Barring federal funds for the rebuilding of houses of worship is not discriminatory or hostile to religion—it is one of the most fundamental ways we have to protect and defend religious liberty for all. Indeed, the Establishment Clause protects religious freedom by preventing the government from endorsing and funding any one religion—or all religions.

Because H.R. 592 would flout longstanding constitutional law and harm religious liberty, we urge you to oppose the measure and vote ''No'' when the measure comes up on the suspension calendar on Wednesday.

Please contact Legislative Counsel Dena Sher if you have questions or comments about our concerns.

Sincerely,

LAURA W. MURPHY,
Director, Washington Legislative Office.
DENA SHER,
Legislative Counsel.

AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE,
Washington, DC, February 12, 2013.

Re Oppose H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013.

DEAR REPRESENTATIVE: Americans United writes to express our strong opposition to H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013, which will be debated on the House floor tomorrow, Wednesday, February 13. The sole purpose of the bill is to authorize the Federal Emergency Management Agency (FEMA) to issue direct grants to fund the rebuilding of houses of worship. We oppose this bill because such funding would violate the Constitution and represent a significant shift in longstanding federal policy. Indeed, the George W. Bush

Administration followed the policies of the Reagan, George H.W. Bush, and Clinton Administrations when it disallowed FEMA grants for the rebuilding of ''houses of worship'' after Hurricane Katrina.

As someone who was born and raised at the Jersey shore and whose parents are still making repairs to their home and cleaning up after the storm, I certainly appreciate the needs the community faces. But, I also recognize that the Constitution places certain limits on the government's ability to fund houses of worship. The Tilton/Nyquist line of Supreme Court cases firmly establish that it is constitutionally impermissible for the government to provide aid for the construction and repair of houses of worship. In accordance with these cases, ''the State may not erect buildings in which religious activities are to take place'' and ''it may not maintain such buildings or renovate them when they fall into disrepair.''

The rule set down by the Supreme Court in these cases remains controlling law as neither they, nor the principle behind them, have ever been overruled in any subsequent Supreme Court decision. To the contrary, in its more recent cases examining the constitutionality of government aid to religious institutions, the Supreme Court has maintained that direct money grants create ''special Establishment Clause dangers.'' Congress too just recently recognized the applicability of this precedent when it limited green construction funding in the Recovery Act to buildings in which secular activities take place.

Furthermore, proponents' claims that Tilton and Nyquist are inapplicable and that Congress should instead look to free speech forum and in-kind aid cases must be rejected. The Supreme Court has squarely held that free speech forum cases are inapposite to federal aid cases and that money grants are distinct from in-kind funds.

It is also important to note that houses of worship, like most non-profit organizations and businesses, are eligible for government loans—just not direct grants—to rebuild. In addition, houses of worship are not the only nonprofits that are ineligible for direct grants for reconstruction. To the contrary, only nonprofits with facilities that are used for emergency, essential, and government-like activities are eligible. And, eligible facilities, such as community centers, must also be open to the general public. To say that houses of worship are singled out among all other non-profits, therefore, is untrue. It is similarly inaccurate to claim that FEMA grants should be extended to houses of worship because the grants are akin to ''general government services,'' such as police or fire. FEMA grants—unlike general government services—are not available to every business, nonprofit, private residence, or other building.

Although it may not seem easy in times of tragedy to tell those seeking aid that they are ineligible for government grants, the bar on the government rebuilding of houses of worship is an important limitation that exists to protect religious freedom for all. It upholds the fundamental principle that no taxpayer should be forced to fund a religion with whom he or she disagrees and that the government should never support building (''establishing'' religion in its most basic form) religious sanctuaries. And, it protects against the government favoring, or creating the perception of favoritism for, certain religions over others.

Houses of worship are special in our country and our constitution. They are both the place where worship takes place, and, adorned with religious symbols and iconography, are themselves expressions of worship. Accordingly, they are accorded special protections—exemptions, accommodations, and tax deductions. Restrictions on government funding of religion is also a special protection—they protect the conscience of the individual taxpayer, safeguard the autonomy of the religious institution, and ensure an equal playing field for all religions by prohibiting the government from playing favorites.

For the reasons listed above, we urge you to oppose H.R. 592.

Sincerely,

MAGGIE GARRETT,
Legislative Director.

HINDU AMERICAN FEDERATION,
Washington, DC, February 12, 2013.

Re Please Oppose H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013.

DEAR REPRESENTATIVE, We at the Hindu American Foundation (HAF), a 501(c)(3) advocacy organization, write to express our deep concern about H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013, sponsored by Congressman Chris Smith (R–NJ). The act provides for direct grants to fund the rebuilding of ''houses of worship.'' We believe such funding violates the Constitution and represents a significant shift in longstanding federal policy. As such, HAF opposes H.R. 592.

We believe constitutionally problematic because the Supreme Court has long held that taxpayer funds cannot go to construct, rebuild, or repair buildings used for religious activities, including houses of worship without invoking ''special Establishment Clause dangers.'' In fact, the controlling law proscribing such funding was set down by the Supreme Court in three major cases—Tilton v. Richardson, Hunt v. McNair, and Committee for Public Education v. Nyquist. Even Congress has recognized the applicability of this precedent when green construction funding in the Recovery Act was limited to buildings in which secular activities take place. Past administrations, from George W. Bush to Ronald Reagan, have also all recognized that direct financial support to build and reconstruct houses of worship raises serious Establishment Clause concerns.

There are some government grant programs that benefit other non-profit facilities, such as the Stafford Act. But these grants are limited to only ''educational, utility, irrigation, emergency, medical, rehabilitation, and temporary or permanent custodial'' facilities,'' and ''any private nonprofit facility that provides essential services of a governmental nature to the general public.'' Even among potentially eligible facilities, there are prohibitions on funding structures used for religious purposes. That houses of worship are amongst non-profit facilities which sustain damage and destruction wrought by natural disasters, is a sad reality. However, providing direct funding for rebuilding, as Sec 3 of H.R. 592 seeks to do, would be unprecedented, would unnecessarily entwine government with religion, and ultimately would threaten the autonomy of religion.

This is not to suggest that houses of worship are not deserving or in need of assistance after a natural disaster; only that direct federal funding should not be granted for such uses. There are many government loans, which houses of worship could apply for should they choose. The SBA Disaster Loan Program, for example, provides loans of up to $2 million to cover losses that are not fully covered by insurance, and they can be used to reconstruct or repair property damaged after a disaster.

Since its inception, the Hindu American Foundation (HAF) has made legal advocacy one of its main areas of focus. From issues of religious accommodation and religious discrimination to defending fundamental constitutional rights of free exercise and the separation of church and state, HAF has educated Americans at large about various aspects of Hindu belief and practice in the context of religious liberty, either as a party to the case or an amicus curiae. These have included a successful suit against the State of South Carolina over a special Christian license plate mandated by the state's legislature, and amicus briefs filed before the U.S. Supreme Court in cases involving the public display of the Ten Commandments and legislative prayer in which the county allowed only those prayers which invoked a Judeo-Christian deity.

HAF seeks to be a resource for your office with regards to matters involving the Establishment Clause. Please feel free to reach out us should you need further clarification to the facts presented in this letter.

Respectfully,

SUHAG A. SHUKLA, ESQ.,
Executive Director/Legal Counsel.

BAPTIST JOINT COMMITTEE
FOR RELIGIOUS LIBERTY,
Washington, DC, February 12, 2013.

Re Oppose H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act of 2013.

DEAR REPRESENTATIVE: On behalf of the Baptist Joint Committee for Religious Liberty (BJC), a 76-year-old agency dedicated to defending and extending religious freedom for all, I am writing to express our opposition to H.R. 592, to be considered on the floor tomorrow, Wednesday, February 13. The BJC, supported by fifteen national Baptist bodies and hundreds of congregations and individual supporters, believes religion is best served when it is neither advanced nor inhibited by government. H.R. 592, which would authorize FEMA to provide houses of worship with direct grants of taxpayer funds, would flout well-established constitutional principles and harm religious liberty.

The First Amendment's Establishment Clause prohibits government from providing outright grants or similar financial support to churches and other houses of worship. Supreme Court jurisprudence has been clear on this point, having repeatedly reaffirmed the principle that direct monetary contributions of taxpayer dollars to religious institutions create ''special Establishment Clause dangers.'' Simply put, we do not allow taxpayer dollars to build churches; we likewise should not allow taxpayer dollars to be used to rebuild churches.

The damage wrought upon the Northeast by Hurricane Sandy is an instance in which our moral and humanitarian instincts may seem at odds with the constitutional requirement of no-establishment. Happily, we have ways to empathize with and provide aid to churches and other religious organizations damaged by the terrible storm. Repairs may be financed by denominational efforts, private foundation grants and contributions of the faithful. Additionally, insurance proceeds are available for rebuilding efforts, and churches and houses of worship may be eligible to obtain low-interest, long-term loans under the Small Business Administration disaster loan program for damages not covered by insurance.

Natural disasters and other times of crisis serve as a call to action for citizens of faith. When we answer that call using voluntary, private donations, we reflect the very best of America's longstanding commitment to religious liberty for all. Public funding of houses of worship threatens to undermine religious autonomy and impermissibly involve government in the private affairs of religious bodies. It is simply not a good idea—however

our heartstrings are tugged—to give churches access to the public till. H.R. 592 would do just that, and we therefore urge you to oppose it.

Sincerely,

NAN FUTRELL,
BJC Staff Counsel.

Mr. RAHALL. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I absolutely agree with my colleagues of the necessity of an absolute firewall around the protection of the First Amendment. And I do believe that Members understand the sacred aspect of freedom of religion and the separation of church and state.

But I rise today to support H.R. 592, and I support it so that it can be considered by the Senate and that we can reinforce the distinctive separation between church and state. But coming from Hurricane, if you will, Valley, coming from the gulf, living through Hurricane Rita and Hurricane Katrina, the pain I saw that places of worship, of any kind, were devastated, the members are taxpayers. And for all that we could do, we could never get those places to be restored.

The small business loan program does not work because many of our churches are just that, they give their money to the poor. They are not rich institutions. That is the bulk of places of worship no matter what your faith may happen to be.

And as the Federal Emergency Management Agency does, in fact, support nonprofits, I would argue to the authors of this bill whether or not they would be open to ensure that the funding is specifically for the devastation that occurred on that specific natural disaster, that there was a time limit, that there were specific items of which the church—or the place of worship, let me be general—could utilize it for.

I come to the floor because I have lived the pain of pastors, I have lived the pain of rabbis, imams and priests who have suffered the devastation of their faith. It is not a fault of their own.

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

Mr. RAHALL. Madam Speaker, the gentlewoman is making such a persuasive case, I yield her all the balance of my time.

The SPEAKER pro tempore. The gentlewoman is recognized for 1½ minutes.

Ms. JACKSON LEE. I thank the distinguished gentleman for his kindness. Let me thank the ranking member very much.

I think we can make this work. And I also want to just mention an anecdotal story: when we had Hurricanes Katrina and Rita, the places of worship opened their doors to the surviving members out of Louisiana or survivors out of Louisiana and just opened their doors.

□ 1300

They had leaking roofs. They were damaged. But in Texas, they opened their doors. We took a quarter of a million, and they opened their doors. They put cots up, and they fed them. All of those items could not be reimbursed.

We saw places of worship—no matter what their faith—literally shut down. They just could not survive because they had given their all with their leaking roof, their non-resources to give food in a place that these people could stay.

So in this instance, having walked through a number of disasters, from the tragedy of 9/11, a heinous manmade disaster, to every hurricane that we've had, including the tsunami way across the ocean, to see what a natural disaster can do and to preclude these places who can legitimately document—I would even suggest that it be on a reimbursement form. But we can work together so that we can document that what these dollars are used for will be used for the restoration of the physical plant that houses or allows those who are Americans, who pay taxes, and are contributing to this Nation.

I ask my colleagues to consider H.R. 592 and how we can make it better so that it can go forward and help the places of worship.

Mr. BARLETTA. Madam Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my good friend for yielding, and I thank the gentlelady from Texas for her very strong and passionate remarks.

I especially again want to thank Congresswoman MENG for her excellent statement and her support and cosponsorship of this important bill.

Let me just say a couple of points to my colleagues. First of all, I will be submitting for the RECORD a very fine analysis by the Becket Fund for Religious Liberty, an outstanding public interest law firm that has done yeoman's work throughout the country on religious liberty.

It's a statement to us as Members of Congress by its leaders. It points out first not only does the Establishment Clause provide no support for FEMA's practice of discriminating against houses of worship, that practice itself runs afoul of the First Amendment by discriminating against religious institutions.

Second, the bill you have proposed will not lead to Establishment Clause violations because no act of Congress can purport to repeal the First Amendment. Arguments to the contrary are constitutional scaremongering.

Eric Rassbach and Daniel Blomberg have authored again a very important contribution to this debate.

Madam Speaker—and Ms. MENG mentioned this earlier and it bears repeating—in letters of support for H.R. 592, Harvard Professor Alan Dershowitz concludes:

> Religious institutions may receive government aid if it is in the context of a broadly available program with criteria that are neutral toward religion and pose no risk of religious favoritism.

He states further:

> Once FEMA has a policy in place to aid various nonprofit organizations with their building repairs, houses of worship should not be excluded from receiving this aid on the same terms.

This is all the more appropriate given the neutral role that we have witnessed houses of worship play without regard to religion to those afflicted in the wake of Sandy and countless previous disasters.

Federal disaster relief aid in the form of social insurance and other means of helping battered communities get them back on their feet. Churches, synagogues, mosques, and other houses of worship are an essential part of the recovery process.

Madam Speaker, religious liberty scholar Professor Douglas Laycock of the University of Virginia School of Law wrote a letter endorsing H.R. 592 and said in part:

> Charitable contributions to places of worship are tax deductible without significant controversy, though the tax benefits to the donor are like a matching grant from the government. These deductions have been uncontroversial because they're included without discrimination in a much broader category of all not-for-profit organizations devoted to charitable, educational, religious, or scientific purposes. The neutral category here is equally broad; to include places of worship in disaster relief is neutral. To exclude them would be affirmatively hostile. There is no constitutional obstacle to including them.

That is according to Professor Laycock of the University of Virginia School of Law, a preeminent expert on these matters.

Madam Speaker, houses of worship are an integral, irreplaceable part of the contour and fabric of our communities. Like any other private nonprofit organization, their recovery is essential to the recovery of neighborhoods, towns, and States. They should not be excluded from Federal programs that ensure community recovery, especially since they so selflessly provide assistance to all in need.

In conclusion, Madam Speaker, this legislation has been backed by a number of important organizations, including the Union of Orthodox Jewish Congregations of America, the United States Conference of Catholic Bishops, the National Association of Evangelicals.

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

Mr. BARLETTA. I yield the gentleman an additional 30 seconds.

Mr. SMITH of New Jersey. Just to underscore for my colleagues the broad support that this has, the American Jewish Committee has also supported it, the Family Research Council. As I said earlier, the Becket Fund and so many others have written very extensive remarks in favor of it.

I do hope there will be very strong support for this important legislation. It's a matter of inclusion to stop current-day, present-day exclusion.

MEMORANDUM

To: Interested Parties

From: Nathan J. Diament, Exec. Director of Public Policy

Date: February 6, 2013

Re Legal Analysis Supporting Including Houses of Worship, Among Private Nonprofit Facilities, Eligible for Federal Disaster Relief Funds Administered by FEMA Under the Stafford Act.

Conclusion: The Establishment Clause does not bar the award of federal grants to houses of worship for the repair of facilities damaged in a natural disaster, in the context of the Stafford Act's ''private nonprofit facility'' aid program.

I.

A. BACKGROUND

The Robert T. Stafford Disaster Relief and Emergency Assistance Act provides that the Federal Emergency Management Agency (FEMA) may provide funding, through its Public Assistance program, to restore facilities of certain private nonprofit organizations which were damaged in a natural disaster. 42 U.S.C. 5122, 5172.

The private nonprofit organizations eligible for such aid include those which provide ''critical services'' (ie: utilities, hospitals and schools) and those which provide ''essential services'' (ie: museums, community centers, libraries, day care centers and more). The Stafford Act does not explicitly include or exclude houses of worship from eligibility for public assistance. In its regulations and policies, FEMA has imposed restrictions on eligibility for aid to houses of worship. FEMA excludes facilities whose ''primary use'' is religious from eligibility.

It is worth noting an illustrative example of FEMA's unequal policy. One eligible category of nonprofit providing ''essential services'' is community centers. FEMA policy defines these entities as ''a gathering place for a variety of social, educational . . . and community service activities.'' FEMA policy describes a broad array of activities that fit this definition—but excludes a facility that hosts the very same activities if that facility and those activities are in a house or worship in a religious context.

FEMA's exclusion of houses of worship from eligibility cannot be exclusively on constitutional grounds because, as noted, FEMA awards aid to religious entities that operate what it deems to be eligible nonprofits. FEMA's exclusion is also not on statutory grounds as the statute does not explicitly exclude houses of worship.

FEMA's policy is unfair, discriminatory and not required by constitutional jurisprudence.

B. POSSIBLE CONSTITUTIONAL CONCERNS

Those who would contend that providing government funds for the repair of houses of worship is barred by the Constitution would argue that a two-part rule governs direct financial support of religious institutions. First, that direct aid may be given to ''nonpervasively sectarian'' religious institutions, provided the aid is not used to fund specifically religious activity and is channeled exclusively to secular functions. Second, that there are institutions—''pervasively sectarian'' institutions—in which ''religion is so pervasive that a substantial portion of [their] functions are subsumed in the religious mission.'' (*Hunt* v. *McNair*, 413 U.S. 734, 743 (1973)). The opponents would further contend that, because houses of worship would qualify as ''pervasively sectarian'' institutions, in which the ''secular and religious functions'' are ''inextricably intertwined,'' the government may not provide direct aid to them ''with or without restrictions,'' because the aid will inevitably end up advancing religion. (*Tilton* v. *Richardson*, 403 U.S. 672 (1971), and *Committee for Public Educ.* v. *Nyquist*, 413 U.S. 756 (1973)).

In addition, the opponents of fair inclusion of houses of worship would contend that to the extent that it is possible to distinguish between the religious and secular, any governmental effort to separate out the facilities and functions that engage in exclusively religious activities could well involve the kind of monitoring of a religious entity otherwise prohibited by the Establishment Clause. Opponents would again cite *Tilton* and *Nyquist*, which imposed certain restrictions on the government's provision of construction, maintenance, and repair aid to properties used by religious educational institutions.

As the following discussion will demonstrate however, in the context of disaster response and relief, these contentions are inconsistent with current constitutional jurisprudence.

II

A. GENERAL CONSTITUTIONAL PERSPECTIVE

A proper reading of Supreme Court decisions and jurisprudence developed in the decades since *Tilton* and *Nyquist* clearly lead to the conclusion that providing federal grants to houses of worship, among many types of nonprofits, as part of a broad disaster relief program, is constitutionally acceptable. Most notably, the Supreme Court's ruling in *Mitchell* v. *Helms*, 550 U.S. 793 (2000), explicitly undermined the continued application of *Tilton* and *Nyquist*.

First, Congress may legitimately conclude that the federal government has a secular interest in aiding a community's recovery from a natural disaster, that repairing damaged private nonprofit facilities is an essential component of that recovery and that houses of worship are among those nonprofit facilities which should be aided.

Second, the public assistance grants are not an isolated initiative designed to aid religion—it is but one part of a much larger legislative effort to assist a disaster stricken region with its recovery. In this critical way, it is quite distinguishable from the targeted aid programs considered in the *Tilton* and *Nyquist* cases.

Third, the aid to houses of worship is within the context of the Stafford Act's broader provision of aid to nonprofit entities. In this respect, inclusion of houses of worship is consistent with many existing and past examples of inclusion of religious institutions in broader infrastructure improvement and federal aid programs. Notable examples of such programs include:

i) the Interior Department's ''Save America's Treasures'' program provides grants for the repair and maintenance of historically significant properties, which have included the Boston's Old North Church and Newport's Touro Synagogue;

ii) FEMA awards disaster relief grants to repair facilities under the Stafford Act, 42 U.S.C. 5121–5206, damaged in natural disasters to religious institutions including, for example, a Seattle parochial school;

iii) following the Oklahoma City bombing, Congress authorized FEMA and other federal agencies to provide disaster relief funds to houses of worship on the same basis as all other nonprofit facilities;

iv) the California Missions Preservation Act, P.L. 108–420 (Nov. 30, 2004), authorizes federal grants for restoring colonial era missions in California, many of which are still used for religious worship;

v) Congress has overwhelmingly authorized grants for security upgrades for nonprofits, including houses of worship, under the Department of Homeland Security's UASI program;

and many other examples abound.

Therefore, a federal disaster relief program which includes houses of worship among its eligible grantees cannot be materially distinguished from other aid programs that are constitutional under longstanding precedents establishing that religious institutions are fully entitled to receive widely available government benefits and services.

B. DISASTER RELIEF AND REPAIR GRANTS ARE ''GENERAL GOV'T SERVICES''

It is highly significant that eligibility for FEMA's public assistance grants extends to a broad class of beneficiaries, defined without reference to religion and including both public and private institutions. Ever since 1947, the year of its decision in *Everson*, the Supreme Court has indicated that religious institutions are entitled to receive ''general government services'' made available on the basis of neutral criteria. 330 U.S. at 17. *Everson* held that the Establishment Clause does not bar students attending religious schools from receiving generally available school busing services provided by the government. In reaching its decision, the Court explained that even if the evenhanded provision of busing services increased the likelihood that some parents would send their children to religious schools, the same could be said of other ''general state law benefits'' that were even more clearly constitutional because they were equally available to all citizens and far removed from the religious function of the school. *Id.* at 16. As examples, the Court cited ''such general government services as ordinary police and fire protection, connections for sewage disposal, public highways and sidewalks,'' concluding:

''cutting off church schools from these services, so separate and so indisputably marked off from the religious function, would make it far more difficult for the schools to operate. But such is obviously not the purpose of the First Amendment. That Amendment requires the state to be a neutral in its relations with groups of religious believers and non-believers; it does not require the state to be their adversary. State power is no more to be used so as to handicap religions, than it is to favor them.''

Id. at 17–18. *See also id.* at 16 (''[The state] cannot exclude individual Catholics, Lutherans, Mohammedans, Baptists, Jews, Methodists, Non-believers, Presbyterians, or the members of any other faith, *because of their faith, or lack of it*, from receiving the benefits of public welfare legislation. . . . [W]e must be careful, in protecting the citizens of New Jersey against state-established churches, to be sure that we do not inadvertently prohibit New Jersey from extending its general state law benefits to all its citizens without regard to their religious belief.'').

Federal disaster aid is analogous to aid that qualifies as ''general government services'' approved by the Court in *Everson*.

As the Supreme Court explained in *Widmar* v. *Vincent*, 454 U.S. 263, 274 (1981), ''[t]he provision of benefits to so broad a spectrum of groups is an important index of secular effect.'' *Accord Zobrest* v. *Catalina Foothills Sch. Dist.*, 509 U.S. 1, 8 (1993) (''we have consistently held that government programs that neutrally provide benefits to a broad class of citizens defined without reference to religion are not readily subject to an Establishment Clause challenge''); *Board of Educ. of Kiryas Joel Village Sch. Dist.* v. *Grumet*, 512 U.S. 687, 704 (1994) (''we have frequently relied explicitly on the general availability of any benefit provided religious groups or individuals in turning aside Establishment Clause challenges''). Thus, the aid here is closely analogous to the provision of ''general'' government aid like that sanctioned by the Court in *Everson*. *See also* Church Arson Prevention Act of 1996, Pub. L. No. 104–155, 110 Stat. 1392

(creating a program that provides low-income reconstruction loans to nonprofit organizations, including churches, destroyed by arson motivated by racial or religious animus). As Justice Brennan expressed the point in *Texas Monthly:* ''Insofar as [a] subsidy is conferred upon a wide array of nonsectarian groups as well as religious organizations in pursuit of some legitimate secular end, the fact that religious groups benefit incidentally does not deprive the subsidy of the secular purpose and primary effect mandated by the Establishment Clause.'' 489 U.S. at 14–15 (plurality opinion) (footnote omitted).

When viewed in the context of disaster response, *Walz* v. *Tax Commission*, 397 U.S. 664 (1970), strongly supports this conclusion. There the Court rejected an Establishment Clause challenge to a property tax exemption made available not only to churches, but to several other classes of nonprofit institutions, such as ''hospitals, libraries, playgrounds, scientific, professional, historical, and patriotic groups.'' *Id.* at 673; *see also id.* at 667 n.1. In upholding the tax exemption, the Court relied in part upon its breadth: the exemption did ''not single[] out one particular church or religious group or even churches as such,'' but rather was available to ''a broad class of property owned by nonprofit, quasi-public corporations.'' *Id.* at 673. As the Court stated in reference to *Everson,* if ''buses can be provided to carry and policemen to protect church school pupils, we fail to see how a broader range of police and fire protection given equally to all churches, along with nonprofit hospitals, art galleries, and libraries receiving the same tax exemption, is different for purposes of the Religion Clauses.'' *Id.* at 671. Thus, just as a broad category of beneficiary institutions was sufficient to sustain the inclusion of religious institutions in the tax benefit in *Walz*—which, after all, substantially benefitted churches' *property*—the breadth of programs funded in the Stafford Act weighs heavily in favor of the constitutionality of including houses of worship.

C. NO RISK OF PERCEIVED ENDORSEMENT OF RELIGION

No reasonable observer would perceive an endorsement of religion in the government's evenhanded provision of funds to repair a house of worship damaged in a natural disaster such as Hurricane Sandy. *See Mitchell,* 530 U.S. at 842–44 (O'Connor, J., concurring in judgment). While it is true that in a narrower direct aid program one could argue that if a school ''uses the aid to inculcate religion in its students, it is reasonable to say that the government has communicated a message of endorsement,'' *Id.* at 843, that is not the case in the context of this broader disaster relief effort. A presumption of governmental endorsement is not present where the aid is provided to a wide array of public and private entities for the sake of recovery from a disaster and where the government is indifferent to the religious or secular orientation of the facility's function. Moreover, we think a reasonable observer—one informed about the purpose, history, and breadth of the program, *see Zelman,* 536 U.S. at 655—would understand that the federal government is not paying for religious activity; it is paying to help devastated communities recover. That is not an endorsement of religion.

D. DISTINCT FROM TILTON AND NYQUIST

Opponents will contend that the Supreme Court's decisions in *Tilton* and *Nyquist,* which involved construction and maintenance aid to religious schools, should be read to support the conclusion that FEMA aid to houses of worship violates the Establishment Clause. We disagree.

In *Tilton,* the Court sustained the provision of federal construction grants to religious colleges insofar as the program at issue barred aid to facilities ''used for sectarian instruction or as a place for religious worship,'' but invalidated such grants insofar as the program permitted funding the construction of buildings that might someday be used for such activities. *See* 403 U.S. at 675, 683 (plurality opinion) (citations omitted). The Court concluded that a 20–year limitation on the statutory prohibition on the use of buildings for religious activities was insufficient because ''[i]f, at the end of 20 years, the building is, for example, converted into a chapel or otherwise used to promote religious interests, the original federal grant will in part have the effect of advancing religion.'' *Id.* The Court therefore held that the religious use restriction had to run indefinitely. *Id.*

Similarly, *Nyquist* involved a program that provided maintenance and repair grants to religious elementary and secondary schools. The grants at issue were limited to 50 percent of the amount spent for comparable expenses in the public schools, but the Court invalidated the program. ''No attempt [was] made to restrict payments to those expenditures related to the upkeep of facilities used exclusively for secular purposes,'' the Court stated, and the 50 percent restriction would not necessarily prevent rehabilitation of entire religious schools. 413 U.S. at 774. The Court thus concluded that such aid would have the effect of advancing religion, in violation of *Lemon*'s second prong. *Id.*

These holdings have been severely undermined and limited. See Mitchell v. Helms, 530 U.S. 793, 856–57 (2000) (O'Connor, J., concurring in judgment).

A broad reading and application of *Tilton* and *Nyquist* does not apply here for several reasons. First, *Tilton* and *Nyquist* are in considerable tension with a more recent line of cases holding that the Free Speech Clause does not permit the government to deny religious groups equal access to *the government's own property,* even where such groups seek to use the property ''for purposes of religious worship or religious teaching.'' *Widmar* v. *Vincent,* 454 U.S. 263, 265 (1981). *See Lamb's Chapel* v. *Center Moriches Sch. Dist.,* 508 U.S. 384, 394 (1993); *Capital Square Rev. & Advisory Bd.* v. *Pinette,* 515 U.S. 753 (1995); *Good News Club* v. *Milford Central Sch.,* 533 U.S. 98 (2001); *see also Westside Community Bd. of Educ.* v. *Metgens,* 496 U.S. 226 (1990). Providing religious groups with access to property is a form of direct aid, and allowing such groups to conduct worship services plainly ''advances'' their religious mission. The Court, however, has consistently refused to *permit* (let alone require) state officials to deny churches equal access to public school property on the basis of these officials' argument ''that to permit its property to be used for religious purposes would be an establishment of religion.'' *Lamb's Chapel*, 508 U.S. at 394.

The Supreme Court's Establishment Clause jurisprudence has greatly evolved since the Court's decisions in *Tilton* and *Nyquist* were rendered, and many of the legal principles that supported those decisions have been discarded. In 1985, for example, the Court struck down programs under which the government provided religious and other schools with teachers who offered remedial instruction to disadvantaged children. *See Aguilar* v. *Felton*, 473 U.S. 402 (1985); *School Dist. of Grand Rapids* v. *Ball*, 473 U.S. 373 (1985). The Court reasoned that teachers in the program might ''become involved in intentionally or inadvertently inculcating particular religious tenets or beliefs.'' *Ball*, 473 U.S. at 385. In *Agostini* v. *Felton*, 521 U.S. 203, 223 (1997), however, the Court overruled *Aguilar* and substantial portions of *Ball*, explaining that the Court had abandoned the presumption that placing public employees in religious schools ''inevitably results in the impermissible effect of state-sponsored indoctrination or constitutes a symbolic union between government and religion.'' Similarly, in the 1970s the Court held that the state could not provide any ''substantial aid to the educational function of [religious] schools'' reasoning that such aid ''necessarily results in aid to the sectarian school enterprise as a whole.'' *Meek* v. *Pittenger*, 421 U.S. 349, 366 (1975); *accord Wolman* v. *Walter*, 433 U.S. 229, 250 (1977). In *Agostini* and *Mitchell*, however, the Court expressly abandoned that view, overruling *Meek* and *Wolman*. *See Agostini*, 521 U.S. at 225; *Mitchell*, 530 U.S. at 808, 835–36 (plurality opinion); id. at 837, 851 (O'Connor, J., concurring in judgment). In addition, other portions of *Nyquist* have been substantially narrowed or overruled. As the Court stated in *Zelman*, ''[t]o the extent the scope of *Nyquist* has remained an open question in light of these later decisions, we now hold that *Nyquist* does not govern neutral educational assistance programs that, like the program here, offer aid directly to a broad class of individual recipients defined without regard to religion.'' 536 U.S. at 662.

Perhaps more important, recent Supreme Court decisions have brought the demise of the ''pervasively sectarian'' doctrine that comprised the basis for numerous decisions from the 1970s, such as *Tilton* and *Nyquist*. As noted above, that doctrine held that there are certain religious institutions in which religion is so pervasive that *no* government aid may be provided to them, because their performance of even ''secular'' tasks will be infused with religious purpose. That doctrine, however, no longer enjoys the support of a majority of the Court. Four Justices expressly abandoned it in *Mitchell*, *see* 530 U.S. at 825–29 (plurality opinion), and Justice O'Connor's opinion in that case set forth reasoning that is inconsistent with its underlying premises, *see id.* at 857–58 (O'Connor, J., concurring in judgment, joined by Breyer, J.) (requiring proof of *actual* diversion of public support to religious uses to invalidate direct aid to schools and explaining that ''presumptions of religious indoctrination are normally inappropriate when evaluating neutral school-aid programs under the Establishment Clause''). *See also Columbia Union College* v. *Oliver*, 254 F.3d 496, 502–04 (4th Cir. 2001) (explaining that the pervasively sectarian test is no longer valid in light of the holdings of six Justices in *Mitchell*). Justice O'Connor rejected the view that aid provided to religious primary and secondary schools will invariably advance the schools' religious purposes, and that view is the foundation of the pervasively sectarian doctrine.

Such was the reasoning and conclusion reached by a federal district court in a current case highly analogous to the FEMA aid program—*American Atheists Inc.* v. *City of Detroit* DDA, 503 F.Supp.2d 845 (2007). There, plaintiffs challenged Detroit's ''Façade Improvement Plan'' under which the city provided funds to buildings in a particular section of downtown in order to improve their appearance for the Superbowl which was to be held in the city. Three churches received such grants and this was challenged in the lawsuit. The federal court concluded that the program was available to a broad array of buildings and its grant criteria were religion neutral and the FIP was thus constitutional.

For all of these reasons, *Tilton* and *Nyquist* do not control the question at issue in the case of FEMA's public assistance aid to private nonprofit facilities, including houses of worship.

E. SINGLING OUT FAITH-RELATED ENTITIES FOR EXCLUSION RUNS COUNTER TO A PROPER APPLICATION OF THE ESTABLISHMENT CLAUSE

In recent years, Justice Breyer has insightfully invoked the balanced and practical approach to the Establishment Clause previously championed by Justices Goldberg and Harlan. In *Van Orden* v. *Perry*, 545 U.S. 677 (2005), Justice Breyer wrote that ''the Court has found no single mechanical formula that can accurately draw the constitutional line in every case. See *School Dist. of Abington Township* v. *Schempp*, 374 U.S., at 306 (1963) (concurring opinion). Where the Establishment Clause is at issue, tests designed to measure ''neutrality'' alone are insufficient, both because it is sometimes difficult to determine when a legal rule is ''neutral,'' and because ''untutored devotion to the concept of neutrality can lead to invocation or approval of results which partake not simply of that noninterference and noninvolvement with the religious which the Constitution commands, but of a brooding and pervasive devotion to the secular and a passive, or even active, hostility to the religious.'' Ibid. In proceeding to rule that a display of the Ten Commandments on the grounds of the State of Texas' capitol was acceptable, Justice Breyer argued that, in so many of these cases, context matters. Thus, ''to reach a contrary conclusion here [and declare the display to violate the Establishment Clause], based primarily upon on the religious nature of the tablets' text would, I fear, lead the law to exhibit a hostility toward religion that has no place in our Establishment Clause traditions.''

If we apply Justice Breyer's principled pragmatism to the issue at hand, if Congress and the President decide to appropriate billions of dollars to help private nonprofits rebuild after a natural disaster, but also determine to deliberately exclude houses of worship when they otherwise meet the relevant criteria, such a decision would be the very exhibition of hostility toward religion that the Justices have inveighed against pursuing in the name of the Establishment Clause.

In the wake of Hurricane Sandy and every major disaster within recent memory—churches, synagogues and other houses of worship have been essential in a community's recovery and response effort. Even while the church may have its HVAC system destroyed it will welcome the homeless. Even while the synagogue may have been flooded, it will feed the hungry.

Basic fairness and principles of nondiscrimination, let alone compassion, should compel Congress and the Executive Branch to change policy and declare houses of worship eligible for disaster relief assistance administered by FEMA.

UNITED STATES CONFERENCE OF CATHOLIC BISHOPS, AD HOC COMMITTEE FOR RELIGIOUS LIBERTY,
Washington, DC, February 11, 2013.

Hon. CHRIS SMITH,
House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR REPRESENTATIVE SMITH: As the House of Representatives prepares to consider H.R. 592, the Federal Disaster Assistance Act, we write in support of the legislation, which would ensure the fair and equal treatment for houses of worship damaged in a natural disaster.

Your legislation is consistent with Supreme Court jurisprudence, which recognizes the right of religious institutions to receive public financial aid in the context of a broad program administered on the basis of religion-neutral criteria. The bill is not asking for special treatment, just equal treatment that conforms to constitutional protections.

It should be noted that in the aftermath of a natural disaster houses of worship often play an irreplaceable role in the recovery of a community. Discrimination that treats houses of worship as ineligible for federal assistance in the wake of a natural disaster, beyond being a legal violation, hurts the very communities most affected by the indiscriminate force of nature.

The best approach to address questions of eligibility for houses of worship is a permanent clarification of federal law. For this reason we support your bill and ask that it be adopted by Congress.

Sincerely,

MOST REVEREND WILLIAM E. LORI,
Archibishop of Baltimore, Chairman, USCCB Ad Hoc Committee for Religious Liberty.

MOST REVEREND DENIS J. MADDEN,
Auxiliary Bishop of Baltimore, Chairman, USCCB Committee for Ecumenical and Interreligious Affairs.

UNION OF ORTHODOX JEWISH CONGREGATIONS OF AMERICA, INSTITUTE FOR PUBLIC AFFAIRS,

DEAR REPRESENTATIVES SMITH AND MENG: We write to express our strong support for the Federal Disaster Assistance Nonprofit Fairness Act of 2013. Your legislation will ensure the fair and equal treatment for houses of worship damaged in Hurricane Sandy and future natural disasters.

The Stafford Act provides that private nonprofit entities—such as schools, hospitals, museums and community centers—damaged in a natural disaster may receive financial grants from FEMA to repair their buildings. The Act does not list houses of worship among its list of examples of nonprofits so eligible; neither does the Act exclude houses of worship in any way.

In the aftermath of Sandy, as with so many other natural disasters, churches, synagogues and other houses of worship have been places offering essential response services to people in need—even while the church or synagogue itself is damaged.

It is, therefore, entirely appropriate for FEMA's aid program for private nonprofits to assist houses of worship with their rebuilding needs. Moreover, if houses of warship are excluded from this otherwise religion neutral program—that unfair treatment would be improper anti-religious discrimination.

Current Supreme Court jurisprudence makes clear that religious institutions may receive government financial aid in the context of a broad program administered on the basis of religion neutral criteria. This is why houses of worship and other religious nonprofits can, for example, currently receive grants from DHS to improve their security and the Interior Department for historic preservation.

Your legislation clarifying the Stafford Act is consistent with these precedents and policies and we urge the House of Representatives to pass this measure as soon as possible.

Thank you,

YEHUDA NEUBERGER.
NATHAN DIAMENT.

NJ STATE ASSOCIATION OF JEWISH FEDERATIONS,
February 11, 2013.

Hon. CHRISTOPHER H. SMITH,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN SMITH: The N.J. State Association of Jewish Federations and its eleven constituent federations and their network of affiliated and beneficiary agencies are pleased to acknowledge your leadership in introducing H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act. We support the legislation which would authorize those houses of worship impacted and devastated by Hurricane Sandy to receive assistance through the recently enacted Sandy relief funding.

Our houses of worship, as with other faith based institutions, play a crucial role every day providing stability, comfort and serving as a community resource. With the hurricane's impact still very much in evidence for our state, we have needed houses of worship more than ever to ease the path of recovery for community and each of their individual members. Even though the church, mosque, temple or synagogue may have been physically damaged, houses of worship continue to provide essential response services to people in need.

Jewish Federations in those areas that suffered most from Sandy's might assisted their synagogues and congregants to overcome the immediate crisis through financial aid, respite and relief while securing dozens of volunteers to help rebuild damaged buildings in the greater local community. The Jewish Federation of Monmouth County, as one of the communities hardest hit by the hurricane, the relief funding provided by it and its partner Federations in the state have enabled Monmouth to meet a wide array of human service needs in the county. Their approach has been strategic, identifying both short-term and long-term needs and dislocations following the storm, empowering our partners in their efforts to respond, and connecting those who could most benefit to these resources. Most importantly, the Federation has been proactive in spreading word throughout Monmouth County that the Jewish community is here to help in storm recovery efforts.

Jewish Family and Children Service organizations replaced lost clothing, provided gift cards for food, counseled Sandy victims easing their anxiety and emotional pain and made available flexible repayment loans to help families and businesses recover. The Jewish Federation of Greater Metro West has provided $50,000 to JFS agencies to assist with the medium and long term needs. Chabad of Hoboken received $5,000 for counseling assistance, while federation is also developing a partnership with Union Beach, a community outside their catchment area and will provide $10,000 toward relief efforts there.

Many of our synagogues suffered severe damage and lack the resources to rebuild. Jewish Federations, while helping houses of worship serve individuals in need, do not have the resources to support capital needs. Assistance from the Jewish Federation of Monmouth County helped ''Chabad of the Shore'' roof and carpet repaid, as well as providing plywood to cover vulnerable windows. Temple Shalom in Aberdeen had roof damage which was repaired through Federation assistance. There were a number of other similar actions of relief provided by the Monmouth federation.

This is not only the Jewish community experience, but one shared with houses of worship of all religions. It is entirely appropriate for FEMA's aid program for private nonprofits to assist houses of worship with

their rebuilding and community outreach needs.

For all the reasons stated, herein, the passage of H.R. 592 will bring equity in a time of crisis and will recognize the unselfish sacrifices made by our houses of worship in response to an event that left devastation in its wake and tragic consequences for its victims. Accordingly, the NJ State Association of Jewish Federations is pleased to support the enactment of the Federal Disaster Assistance Nonprofit Fairness Act.

Sincerely,

RUTH COLE,
President.
JACOB TOPOREK,
Executive Director.

DIOCESE OF TRENTON,
Trenton, NJ, February 11, 2013.

Hon. CHRIS SMITH,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN SMITH: I understand that you will soon be presenting a bill to Congress which would provide federal funding in the form of grants to houses of worship which were devastated by the hurricane last October.

I applaud your efforts and offer my full support for this bill. Volunteers from the Catholic churches as well as other denominations were on the front line with food, clothing, shelter and other basic necessities as soon as the storm passed. They were surely the first responders and just as surely will be there as long as they are needed. To exclude houses of worship from which these volunteers have come is a grave injustice.

On behalf of the clergy, religious and lay people who live and work within the Diocese of Trenton, I thank you for being our advocate and for taking the initiative to introduce this bill on behalf of all faith communities.

Sincerely,

MOST REVEREND DAVID M. O'CONNELL, C.M.,
Bishop of Trenton.

CONGREGATION SONS OF ISRAEL,
Lakewood, NJ, February 12, 2013.

Hon. CHRISTOPHER H. SMITH,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN SMITH: As the House of Representatives prepares to consider H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act, we write in support of the important legislation that you have introduced. Thank you for your effort to ensure the fair and equal treatment for houses of worship in the aftermath of this devastating natural disaster.

It is universally acknowledged that houses of worship play a central role in the recovery of a community in the aftermath of any natural disaster. Faith-based volunteers are the first responders providing aid and comfort to those who have lost so much, and they persevere with their efforts as long as help is needed. To exclude the houses of worship from where these volunteers have come from government assistance would be a grave injustice.

Discrimination that treats houses of worship as ineligible for federal assistance in the wake of a natural disaster, beyond being a legal violation, hurts the very communities most affected by the devastating storm.

We strongly feel that you have identified the best approach to address recurring questions of eligibility for houses of worship by proposing a permanent clarification of federal law. We therefore strongly support your bill and ask that it be adopted by Congress.

With much appreciation for your efforts,

RABBI SAMUEL TENDLER,
Congregation Sons of Israel.

NATIONAL ASSOCIATION OF EVANGELICALS,
February 12, 2013.

Hon. CHRIS SMITH,
Hon. GRACE MENG,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES SMITH AND MENG: Thank you for your efforts to correct a misguided policy of the Federal Emergency Management Agency (FEMA) that currently bars houses of worship from receiving federal disaster assistance for rebuilding damaged structures. Your work to insure that government assists private nonprofit entities, including houses of worship, in an evenhanded way is very much appreciated.

In any major natural disaster, churches, synagogues and other houses of worship play indispensable roles in providing comfort and relief to those who have experienced loss. They bring food, water, clothing and other essential supplies to those who are stranded or displaced. They care for the wounded and comfort the bereaved. Our communities are stronger because they are there.

When the houses of worship themselves have been damaged, the effects are often felt far beyond the membership. When an important part of the community infrastructure is damaged, the entire community suffers. Many times, churches continue serving their communities even after their own buildings have been destroyed.

FEMA does not violate the establishment clause when it administers a religion-neutral program of support for the rebuilding of community infrastructure. In fact, if religious organizations are specifically excluded when comparable secular organizations are included, the government's practice would be discriminatory. This is the clear conclusion of Supreme Court jurisprudence, and is consistent with current federal practice in the Department of Homeland Security and the Interior Department.

Thank you for your leadership in working to restore fairness to FEMA disaster assistance.

Sincerely,

GALEN CAREY,
Vice President, Government Relations.

BAIS KAILA TORAH PREPARATORY HIGH SCHOOL FOR GIRLS,
Lakewood, NJ, February 12, 2013.

Hon. CHRISTOPHER H. SMITH,
Rayburn House Office Building, House of Representatives, Washington, DC.

DEAR CONGRESSMAN SMITH: I hope that all is well with you and your family. With your introduction of H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act, we see that you are again taking the initiative to do what is right, especially considering that houses of worship are always at the forefront of the recovery process when communities are hit with natural disasters. It is therefore very appropriate that they be able to participate on an equal footing with other nonprofits in receiving federal aid, as a means of helping damaged communities get back on their feet.

As I understand it, the Federal Emergency Management Agency is charged with ensuring that communities are prepared for natural disasters, and then responding to facilitate recovery in the wake of such disasters. FEMA has historically provided disaster-related aide to parochial schools damaged by earthquakes. Other examples of federal aid to houses of worship, includes grants for security improvements from the U.S. Department of Homeland Security and historic preservation grants from the U.S. Department of the Interior. Your legislation, H.R. 592, would simply ensure that the Stafford Act is consistent with these policies.

In conclusion, once again we thank you for your leadership and advocacy and we look forward to seeing the passage of H.R. 592.

Sincerely yours,

RABBI YISROEL SCHENKOLEWSKI,
Dean.

THE JEWISH FEDERATIONS OF NORTH AMERICA,
Washington, DC, February 11, 2013.

Hon. JOHN A. BOEHNER,
Speaker of the House of Representatives, Capitol Building, Washington, DC.
Hon. NANCY PELOSI,
House Democratic Leader, House of Representatives, Capitol Building, Washington, DC.

DEAR SPEAKER BOEHNER AND LEADER PELOSI: The Jewish Federations of North America (JFNA) is writing to express our support for H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act. This bill, scheduled to be on the suspension calendar this coming Wednesday, February 13, 2013 and co-sponsored by Representatives Chris Smith (R–NJ) and Grace Meng (D–NY), will ensure the fair and equal treatment for houses of worship damaged in Hurricane Sandy.

JFNA is the national organization that represents and serves 154 Jewish Federations and 300 independent Jewish communities across North America. In their communities, Jewish Federations and volunteers in the central address for fundraising and an extensive network of Jewish health, education and social services. In response to Hurricane Sandy Jewish Federations have raised almost $7 million in direct Sandy-related relief and allocated almost $11 million to Sandy victims in Connecticut, New Jersey and New York.

The Stafford Act provides that private nonprofit entities—such as schools, hospitals and community centers—damaged in a natural disaster may receive financial grants from FEMA to repair their buildings. The Act does not list houses of worship among its list of examples of nonprofits so eligible; neither does the Act exclude houses of worship. To the extent that FEMA has provided aid to eligible programs run by houses of worship, the aid has not been provided on the same terms as the aid provided to other eligible nonprofits.

In the aftermath of Sandy, as with so many other natural disasters, churches, synagogues and other houses of worship are locations where essential response services have been provided to people in need—even while the church or synagogue itself has suffered extensive damage. It is, therefore, entirely appropriate for FEMA's aid program for private nonprofits to assist houses of worship with their rebuilding needs. Moreover, if houses of worship are excluded from this otherwise religion neutral program—that unfair treatment would be improper anti-religious discrimination. Additionally, for almost 30 years, it has been FEMA's mission to lead America to prepare for, prevent, respond to, and recover from domestic disasters. This has led to FEMA's provision of disaster-related aide to parochial schools damaged by earthquakes.

Current Supreme Court jurisprudence makes clear that religious in receive government financial aid in the context of a broad program administered on the basis of religion neutral criteria. This is why houses of worship and other religious nonprofits can, and do, currently receive grants from DHS to improve their security and the Interior Department for historic preservation.

H.R. 592, the Federal Disaster Assistance Nonprofit Fairness Act, would ensure that the Stafford Act is consistent with these

policies, and we ask that you vote in favor of this legislation.

Sincerely yours,

WILLIAM C. DAROFF,
Vice President for Public Policy & Director of the Washington office.

THE BECKET FUND FOR RELIGIOUS LIBERTY.

Hon. CHRISTOPHER SMITH,
House of Representatives, 2373 Rayburn House Office Building, Washington, DC.
Re FEMA's discriminatory treatment of houses of worship.

DEAR CONGRESSMAN SMITH: You and others have asked us to examine the application of the Establishment Clause of the United States Constitution to the disbursement of federal disaster relief funds to houses of worship damaged in severe weather events such as Superstorm Sandy. In particular, you would like us to examine (1) whether the Federal Emergency Management Agency's practice of not funding repairs to houses of worship is justified by the Establishment Clause grounds, and (2) whether your proposed act preventing FEMA's practice would give rise to Establishment Clause problems.

The answer to both questions is no. First, not only does the Establishment Clause provide no support for FEMA's practice of discriminating against houses of worship; that practice itself runs afoul of the First Amendment by discriminating against religious institutions. Second, the bill you have proposed will not lead to Establishment Clause violations because no Act of Congress can purport to repeal the First Amendment. Arguments to the contrary are constitutional scaremongering.

BACKGROUND

Superstorm Sandy devastated many of the Northeast's coastal cities. The federal government is expected to spend about $60 billion to help restore these hard-hit communities. Yet FEMA has categorically denied foundational elements of those communities—synagogues, churches, mosques, and other houses of worship—access to this otherwise generally-available relief funding. A broad range of nonprofit organizations, including zoos and museums, qualify for disaster-relief grants administered by FEMA. But when religious organizations asked FEMA for the same assistance it provides many other nonprofits, FEMA told them that it considered them ineligible for the grants. This leaves houses of worship like All Saints Church of Bay Head, New Jersey, which was built by shipbuilders in 1889 and now has a sinkhole for a sanctuary, without access to the help that is available to the neighborhood zoo.

Despite acknowledging that religious facilities can meet the threshold aid requirement that the facility be ''used for a variety of community activities,'' FEMA considers ''churches, synagogues, temples, mosques, and other centers of religious worship'' categorically ineligible simply because of their religious use. Nor is this a recent problem: the George W. Bush Administration took the same stance after Hurricane Katrina, based on a federal regulation promulgated in 1990 by the George H.W. Bush Administration. (As noted below, though, the federal government has often departed from this stance to assist houses of worship through neutral and generally available funding programs.)

ANALYSIS

FEMA's discriminatory policy. To justify its discrimination against houses of worship, FEMA has cited arguments asserting that the Establishment Clause of the United States Constitution prevents houses of worship from having equal access to FEMA disaster assistance grants. Others make the same claim. For instance, Barry Lynn of Americans United for Separation of Church and State has stated that, ''even after the devastation of [Superstorm] Sandy,'' the federal government cannot provide relief to destroyed synagogues, churches, and mosques.

But this argument is simply not true. When Lynn recently made a similar argument in an amicus brief to the U.S. Court of Appeals for the Sixth Circuit, the court—in an opinion authored by Judge Sutton—flatly and unanimously rejected the argument. The court noted that long-standing Supreme Court precedent allowed ''churches, synagogues, and mosques'' to receive ''generally available benefits'' like ''police and fire-protection services'' and access to ''sewers and sidewalks.'' The court reasoned that ''[i]f a city may save the exterior of a church from a fire,'' it could certainly provide equal access to government funds that ''help that same church with peeling paint.''

That conclusion is all the more true here, where the problem the government seeks to remedy is not peeling paint but complete devastation. Notably, the Sixth Circuit supported its conclusion by explicitly noting the widespread legal acceptance ''of government programs designed to provide one-time emergency assistance through FEMA . . . to churches devastated by natural disasters.''

Indeed, the federal government—including FEMA—has repeatedly given disaster relief to religious groups in the past. For instance, after Seattle Hebrew Academy was damaged by a major earthquake in 2002, FEMA awarded a disaster relief grant for repair. Before it did so, FEMA asked the Department of Justice's Office of Legal Counsel whether that was constitutionally permissible. OLC's detailed response concluded that ''a FEMA disaster grant is analogous to the sort of aid that qualifies as 'general government services' approved by the [Supreme] Court'' for provision to houses of worship. The OLC letter pointed out that, far from banning equal access to government funding, the First Amendment bans the government from ''deny[ing] religious groups equal access to the government's own property,'' and ''require[s] equal funding'' of religious expression. The letter ended by noting that an argument could be made that ''excluding religious organizations from disaster assistance made available to similarly situated secular institutions would violate the Free Exercise Clause and the Free Speech Clause.''

OLC has likewise approved, and the federal government has permitted, the participation of houses of worship in the Save America's Treasures program, which authorizes matching grants for preservation of properties with historical significance. For instance, the OLC approved a National Park Service grant to restore Boston's Old North Church—a church which is currently used by an active Episcopal congregation and was once used to warn Paul Revere of British military plans. Similar grants have been provided for Atlanta's Ebenezer Baptist Church, where Martin Luther King, Jr., preached, the historic Franciscan missions in California, and Touro Synagogue in Rhode Island. All of those houses of worship needed repairs for damage caused by the ravages of time—why would damage caused by the ravages of Sandy be any different?

Several other federal statutes permit federal funding or support for houses of worship that have been damaged or destroyed. Indeed, after the Oklahoma City bombing, Congress specifically authorized FEMA and other agencies to provide disaster relief to damaged churches on the same basis that any other private nonprofit facilities may receive such aid.

Finally, FEMA's policy of discriminating against houses of worship is itself problematic under the Establishment Clause because it denies religious institutions access to a generally available benefit, solely because they are religious. The Supreme Court has repeatedly held that ''[t]he First Amendment mandates governmental neutrality between religion and nonreligion.'' Singling out religious institutions for special disfavor is not neutral. Similarly, FEMA's approach also creates a potential conflict with federal civil rights law, specifically the Religious Freedom Restoration Act, which forbids government imposition of substantial burdens on religious exercise. As courts have frequently held, denial of a generally available benefit to religious persons because they are religious constitutes a substantial burden on the exercise of religion.

In short, FEMA is wrong to claim that the Establishment Clause—which combats discrimination—justifies its decision to discriminate. It is instead FEMA's discrimination policy that is more likely to trigger scrutiny under the First Amendment and related civil rights laws.

The proposed bill. For the same reasons, it is our opinion that your proposed bill will not raise Establishment Clause problems. Instead, it will alleviate them by offering a way to stop discrimination against houses of worship in federal disaster relief funding.

On the night before your bill was set for a vote, FEMA issued a statement in opposition to the bill. As an initial matter, much of FEMA's three-page statement does nothing more than lay out existing law and reiterate what we've established above: Congress has made similar regulatory fixes before and the OLC has provided legal opinions supporting religious organizations' equal access to generally available government funds.

FEMA really makes only two complaints against the proposed bill. First, it warns that entities like the ACLU have threatened to sue unless it keeps discriminating against religious organizations. But, as explained above, such threats are meritless and will be met in court by the Becket Fund and other organizations that are happy to defend equal access for houses of worship that have been devastated by natural disasters. Further, it is imprudent to allow such threats to take federal legislation hostage, as giving in to them will only encourage future threats. Finally, concerns about litigation might make some sense if FEMA were run by a tiny village government with a small budget that might be intimidated by the prospect of litigating against the ACLU. But given the resources of the Department of Justice, this argument from fear of litigation makes no sense.

FEMA's second complaint is that the bill could require them to choose whether to fund ''arks of the covenant [and] prayer books.'' But, as a factual matter, it appears FEMA is trying to manufacture this particular controversy in order to scare legislators. As Rabbi David Bauman of Temple Israel in Long Beach—which was flooded by up to 14 feet of storm-surge saltwater—explained, no one is asking the government to restore prayer books; they need help with basic structural repairs, just like other buildings in the neighborhood. More importantly, the bill cannot repeal the Establishment Clause: FEMA will remain bound by the Constitution. Thus to the extent a religious organization requests funds that would result in a constitutional violation, FEMA will still be bound to turn them down. What the bill actually does is get rid of the artificial and discriminatory standard created by FEMA and replace it with the standard of neutrality required under the First Amendment.

In addition, to the extent that there is any problem it is one of FEMA's own making. As

it admits in its statement of opposition, it is FEMA's own regulatory interpretations that would require it to pay for prayer books or other similar items. But neither of the regulations that FEMA cites as forcing it to make the apparently unpalatable choice appear to require any such decision. And FEMA can always exercise its interpretive power to avoid a constitutional violation.

Again, no one is asking the government to buy prayer books or Torahs. Instead, synagogues, churches, and mosques are simply asking that they receive the same disaster relief as many other private nonprofits. Doing anything less would not live up to the neutrality required by the Establishment Clause—it would express a blatant hostility to religion that the Establishment Clause rejects.

In conclusion, it is our opinion that FEMA cannot rely on the Establishment Clause to categorically ban houses of worship from competing for disaster relief funds on the same terms as other eligible nonprofits. Your proposed bill will not violate the Constitution but will instead protect it.

Very truly yours,

ERIC C. RASSBACH,
DANIEL BLOMBERG,
The Becket Fund for Religious Liberty.

Mr. BARTLETT. Madam Chair, I yield myself such time as I may consume.

I know all too well and firsthand what happens when disaster strikes at home. My constituents were affected by Hurricane Irene and Tropical Storm Lee.

So I would like to commend the gentleman from New Jersey for his hard work for the constituents back home. It's times like this that we need to come together in a bipartisan fashion to help Americans who need that help.

With that, Madam Speaker, I yield back the balance of my time.

Mr. LEVIN. Madam Speaker, in the wake of the devastation caused by Superstorm Sandy, Congress must be an active partner in the effort to rebuild, so I will vote in favor of the bill before the House today, which extends FEMA disaster relief assistance to houses of worship on an equal footing with other not-for-profit organizations affected by the storm.

I wish, however, that the House had taken the time to hold hearings on this legislation before bringing it to the House Floor so that we could have more fully explored the constitutional issues involved with this matter. Clearly, the federal government can and does provide federal resources to houses of worship for a variety of purposes, including homeland security grants and small business loans, but we must tread carefully in this area to ensure that the assistance extended passes muster with the basic provisions of the Constitution. It would have been better to thoroughly vet the language of this bill, among ourselves in the House and with constitutional scholars before bringing it up for a vote. As this legislation must pass the Senate in order to become law, I hope there will be in their proceedings a careful review of these issues before they act, including making any needed changes, which would bring the bill back to the House for final enactment.

Mr. FRANKS of Arizona. Madam Speaker, we often come to this floor to advocate any number of controversial issues—issues that often produce strong disagreement from the given Speaker's opposing party. But I stand here today stating what I'm confident an overwhelming majority of Americans would deem simple common sense: if the government responds to a disaster—like Hurricane Sandy, which caused devastating damage and losses in the tens of billions of dollars—it should strive to help the entire community recover, not pick and choose some to receive help and others to go it alone.

But, stunningly, that's not the way it currently works, Madam Speaker. As it stands, many of the strongest, most necessary pillars in our society—churches and other places of worship—are being excluded from even being considered for the recovery aid provided by FEMA in the wake of Sandy.

Since the policy has come to light, some have attempted to defend it, invoking that all–too–commonly abused notion of the separation of church and state. But, Madam Speaker, even if we accept the most radical definition of this phrase, there would still be no reasonably legal explanation for this inexcusable oversight.

The Supreme Court responded to a similar issue when it decided Everson v. Board of Education. In that decision, the court criticized the ''imposition of taxes to pay ministers' salaries and to build and maintain churches and church property.'' But in the very same decision, the court makes clear the obvious exception to this policy, stating that the state has the duty to maintain neutral relations with places of worship, and that they should be granted access to the same basic government services as the rest of the community—''such general government services as ordinary police and fire protection, connections for sewage disposal, public highways and sidewalks.''

Who can, with any modicum of intellectual honesty, suggest that disaster relief does not fit the definition of a basic government service? The government is not maintaining neutral relations with houses of worship in this sphere. It is actively and specifically excluding them from a basic government service enjoyed by every other member of the community.

Of course, perhaps the cruelest irony of this entire situation is the fact that it is so often the churches who step in to help in the immediate aftermath of such disasters. They are the ones sending their congregations to feed, clothe, and house a desperate community. They are the ones taking up donations en masse to help the most afflicted. And they are the ones selflessly emptying their food closets to sustain, for just a little while longer, families anxiously awaiting government aid—the same government aid for which they will inexplicably not even be considered.

Madam Speaker, this unconstitutional, un-American, unreasonable discrimination against these essential, compassionate members of our society simply must not continue. Churches and other places of worship must be held to the same criteria as other members of the community in these decisions. I urge my colleagues to strongly support H.R. 592.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 592.

The question was taken.

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 592, by the yeas and nays;

H.R. 267, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

FEDERAL DISASTER ASSISTANCE NONPROFIT FAIRNESS ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 592) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 354, nays 72, not voting 5, as follows:

[Roll No. 39]

YEAS—354

Aderholt	Bishop (UT)	Bucshon
Alexander	Black	Burgess
Amodei	Blackburn	Bustos
Bachmann	Blumenauer	Butterfield
Bachus	Bonner	Calvert
Barletta	Boustany	Camp
Barr	Brady (PA)	Campbell
Barrow (GA)	Brady (TX)	Cantor
Barton	Braley (IA)	Capito
Beatty	Bridenstine	Capps
Benishek	Brooks (AL)	Cárdenas
Bentivolio	Brooks (IN)	Carney
Bera (CA)	Broun (GA)	Carter
Bilirakis	Brown (FL)	Cartwright
Bishop (GA)	Brownley (CA)	Cassidy
Bishop (NY)	Buchanan	Castor (FL)

Castro (TX)
Chabot
Chaffetz
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle
Duffy
Duncan (TN)
Ellmers
Engel
Eshoo
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hinojosa
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Kelly
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Negrete McLeod
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pascrell
Paulsen
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (WI)
Salmon
Sanchez, Loretta
Sarbanes
Scalise
Schiff
Schock
Schrader
Schwartz
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Swalwell (CA)
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—72

Amash
Andrews
Barber
Bass
Becerra
Bonamici
Capuano
Carson (IN)
Chu
Cicilline
Cohen
Conyers
Davis (CA)
DeGette
DeLauro
Duckworth
Duncan (SC)
Edwards
Ellison
Enyart
Esty
Foster
Garamendi
Gosar
Grijalva
Hastings (FL)
Himes
Holt
Honda
Horsford
Huffman
Keating
Kennedy
Labrador
Lee (CA)
Lofgren
Lowenthal
Lynch
Markey
Matsui
McCollum
McDermott
McGovern
Michaud
Miller, George
Moran
Nadler
Neal
Nolan
O'Rourke
Pastor (AZ)
Payne
Pelosi
Pocan
Polis
Ryan (OH)
Sánchez, Linda T.
Schakowsky
Schneider
Scott (VA)
Sinema
Slaughter
Smith (WA)
Speier
Stutzman
Takano
Tierney
Tsongas
Visclosky
Walz
Welch
Woodall

NOT VOTING—5

Dingell
Farr
Pearce
Shea-Porter
Watt

□ 1334

Messrs. CARSON of Indiana, POLIS, Ms. BASS, Messrs. HIMES, RYAN of Ohio, NOLAN, GOSAR, MARKEY, LABRADOR, DUNCAN of South Carolina, and WOODALL changed their vote from ''yea'' to ''nay.''

Messrs. THOMPSON of Mississippi, WITTMAN, DAVID SCOTT of Georgia, FRANKS of Arizona, GARDNER, BARTON, SALMON, and Mrs. CAPPS changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1340

HONORING JOHN LAWRENCE

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

Ms. PELOSI. Madam Speaker, I rise with great pride to pay tribute to a very distinguished American and a longtime member of the congressional staff, John Lawrence. In fact, he has served the Congress for 38 years as a member of the staff—30 years of it for GEORGE MILLER and 8 years as my assistant in the leadership office. I'm happy to pay tribute to him.

I'm sad because John will be—and I don't know if the word is retiring—but he will be leaving service in the Capitol. He has always been a great proponent of science, technology, and innovation. As he concludes his service to the House, it is only fitting to cite the words of Alfred Lord Tennyson as inscribed on the walls of the House Science and Technology Committee:

For I dipped into the future, far as human eye can see, saw the vision of the world, and all the wonder that would be.

Over his nearly four decades serving the Congress, John has always kept his sights and his vision firmly on the future. He believed and he knew that the future is about investing in our children, supporting working families, and strengthening the middle class. He knew that the future is about protecting our environment and preserving our planet for generations to come.

John knew that the future of the House is strengthened by fellow staff members working in a bipartisan way. John has always respected the role played by our staffs on the Education Committee, the Natural Resources Committee, the offices of the Democratic leader, and as my role of Speaker of the House and as our distinguished Speaker's role as Speaker today. Indeed, the staff looked to him for leadership, just as Members looked to him for guidance.

In that spirit, this afternoon, my colleagues, the Speaker will honor John Lawrence with the John W. McCormick Award of Excellence on which, as declared by former majority leader, then-Majority Leader Carl Albert in 1970:

The name of the House employee, who performs the most valuable service for the House, will be inscribed.

What a fitting tribute to John Lawrence's 38 years of valuable service, extraordinary leadership, and dedication to the future. We've had the privilege of honoring in a bipartisan way other members of the staff in the Congress, and John's name will bring luster to that list.

Colleagues, please join me in thanking a dear friend, my former chief of staff, John Lawrence.

I yield to the Speaker of the House, Mr. BOEHNER.

Mr. BOEHNER. This is a day of mixed emotions for the House. John Lawrence's retirement means that we're losing a faithful public servant, one of our own. But we can all agree that John deserves some time off after 38 years of working here in the House. And for those of you who may not know John, he is currently the longest-serving staffer in the House.

John and I have known each other for a long time, going back to my days as chairman of the Education and the Workforce Committee. I can safely say that it really didn't matter whether we were on the same side of the page or whether we had opposing views—he always handled it in the same way, with class and integrity. He's a real stand-up guy. That didn't just make John an asset to GEORGE MILLER or Leader PELOSI. It made him a great asset, I think, for the House as a whole and to the American people.

So I know all of my colleagues and I want to say to John, thank you for all of your service to this House. We're sorry to see you go, but we want to wish you and your family the best in the future.

Congratulations.

Ms. PELOSI. With the Speaker's permission, I acknowledge Elijah Lawrence, the teenage son of John and Deborah Lawrence, who's with us in the Chamber.

I yield back the balance of my time.

HYDROPOWER REGULATORY EFFICIENCY ACT OF 2013

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

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 267) to improve hydropower, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. WHITFIELD) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 9, as follows:

[Roll No. 40]

YEAS—422

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Markey
Massie
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Coble
DeFazio
Dingell
Farr
Gutierrez
Pearce
Schock
Shea-Porter
Watt

□ 1348

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr PEARCE. Madam Speaker, on rollcall 39 I was unavoidably detained, due to a public hearing scheduled by the Administration in my district. If I had been present, I would have voted ''yea.''

On rollcall 40 I was unavoidably detained, due to a public hearing scheduled by the Administration in my district. If I had been present, I would have voted ''yea.''

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. BECERRA. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 64

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Mr. Garamendi.

(2) COMMITTEE ON THE BUDGET.—Mr. Blumenauer (to rank immediately after Mr. Cárdenas).

(3) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Welch (to rank immediately after Mr. Danny K. Davis of Illinois).

The resolution was agreed to.

A motion to reconsider was laid on the table.

GUN VIOLENCE PREVENTION

The SPEAKER pro tempore (Mr. JOYCE). Under the Speaker's announced policy of January 3, 2013, the gentlewoman from California (Ms. SPEIER) is recognized for 60 minutes as the designee of the minority leader.

Ms. SPEIER. Mr. Speaker, this afternoon, we're going to spend the hour talking about gun violence prevention, and in particular, how the National Rifle Association has systematically unwound laws that have already been on the books.

Last night, the President referenced the fact that since the horrific deaths at Sandy Hook there have been a thousand more people that have died due to gun violence. It is not good enough to wear a green ribbon in support of the Sandy Hook families and think you have done enough.

Times have changed, and the polling that's been done is overwhelming in support of sensible gun violence prevention laws. Let's be clear at the outset—the Heller decision by the U.S. Supreme Court has made it very clear: Every American has a right to own a gun for recreational purposes or to have a gun in their home for purposes of safety, and that is not going to change. We embrace that decision, we support it. But we also support safe laws around the use of guns.

So let us begin by looking at this, a Quinnipiac survey done very recently. Ninety-two percent support background checks for all gun purchases, including 91 percent of gun-owning households; 89 percent support closing the gun show loophole by requiring background checks for all gun purchases; 69 percent support banning the sale of semi-automatic, military-style assault weapons; 68 percent support banning the sale of large-capacity ammunition magazines; and 81 percent favor prohibiting high-risk individuals from having guns, including those convicted of serious crime as juveniles or convicted of violating domestic violence restraining orders.

So Frank Luntz, the Republican pollster, polled NRA members and non-NRA members who were gun owners, and what did they find out there? There they found out that 85 percent of gun owners and 87 percent of NRA members believe Second Amendment rights and gun safety laws can coexist. That's what we're talking about. Eighty-seven percent of gun owners and 74 percent of NRA members support requiring background checks of anyone buying a gun. We're talking about that right now. But in a couple of minutes, I'm going to show you how that has changed among the leadership in the NRA.

Fifty-three percent of gun owners and 57 percent of the NRA members mistakenly believe that everyone has to pass a background check. Eighty percent of gun owners, 79 percent of NRA members, support requiring background checks of gun retailer employees.

Eighty percent of gun owners and 71 percent of NRA members support barring people on the terror watch list from buying guns. It's a surprise to most people that they can in fact buy guns.

All right. Let's move on. Let's talk about the CEO of the National Rifle Association.

□ 1400

What did he say in 1999? In 1999, after the Columbine shootings, when so many children lost their lives at Columbine High School, he said:

> We think it's reasonable to provide mandatory instant criminal background checks for every sale at every gun show, no loopholes anywhere for anyone.

That's what he said.

What did he say after 20 children and six adults lost their lives in Newtown at Sandy Hook? In 2013, he says, at a Senate hearing, when Senator LEAHY asked:

> You do not support background checks in all instances at gun shows?

Mr. LaPierre said:

> We do not because the fact is the law right now is a failure the way it's working. None of it makes any sense in the real world.

Well, we are living in the real world, and the real world would suggest to everyone that a commonsense law is to have a universal background check for everyone.

Let's look at the next time we saw a flip-flop by Mr. Wayne LaPierre. Again, the point here being that the NRA leadership does not reflect the NRA membership.

In 1999, after Columbine, he says:

> We believe in absolutely gun-free, zero tolerance, totally safe schools. That means no guns in America's schools, period.

On ''Meet the Press'' just a few weeks ago, Mr. LaPierre said:

> If it's crazy to call for armed officers in our schools to protect our children, then call me crazy. I think the American people think it's crazy not to do it. It's the one thing that would keep people safe.

The point here, colleagues, is that the public, NRA members and gun-owning families in this country believe in commonsense reforms, and we owe it to them. We owe it to them to vote on these commonsense bills that will not restrict anyone's ability to own a gun for self-protection or to own a gun for recreation, but will take these assault weapons that are military weapons that are invented for one reason and one reason only, and that is to tear the hell out of anything they come in contact with.

As one law enforcement officer said very recently:

> The energy in an assault weapon bullet will tear open a brick wall.

You don't need that to go hunting, and you don't need that to protect yourself in your home.

I yield to the gentlewoman from New York, CAROLYN MALONEY.

Mrs. CAROLYN B. MALONEY of New York. I'd like to yield to my inspiration in so many ways—we share the same name—CAROLYN MCCARTHY. And on this issue, from New York, she is our spokesperson.

Mrs. MCCARTHY of New York. I want to thank my colleagues for having this hour to talk about, really, the real issues and certainly hopefully break up some of the myths that are out there on what we're hearing, not only in the papers but certainly from some NRA members.

I've been battling this, and many of us have been battling this issue for many, many years. I think that what happened just about 2 months ago today, that Newtown shooting happened. And that went through everybody's heart to think in this day and age that we could have a shooting that totally rips apart 20 children is unacceptable to the American people—unacceptable to the American people.

Since that, being that we're trying to give as much information as possible to the American people what's happened since that day, over 2,000 people have been killed. Two thousand Americans have been murdered in episodes of gun violence.

There are a number of us here, Members of Congress, that have gone through this kind of violence, either with a loved one, our colleague from California, JACKIE SPEIER, we know what this can mean to a family. Last night, we had 25, 30, unfortunately, victims. And yet here we are debating, hoping, even after what the President said, give us a vote. Give us a vote. This isn't about us. This is about what our job is. We can have people disagree, and I know it's a lot of tough votes for some Democrats and certainly some Republicans. I believe that when we came here and got elected and we swore to uphold the Constitution, we knew we'd be facing tough votes. Who said this was going to be an easy job? It's never been an easy job. But it is a job that the majority of us here want to do.

When the President spoke last night, and listening to the aftermath late last night on what some of the pundits were saying about what the President was actually trying to do, we heard the NRA say that the reason they're against some of the things that we want to do as far as Members of Congress and our task force that we want to really take everybody's gun away. Do you know that program that we were talking about, the buy-back? What they were saying was it's not really just a buy-back. It's confiscating every single one of the guns. Well, I don't think that would hold up constitutionally. And I think that we have put together, in my opinion, a reasonable, very practical way of reducing gun violence in this country.

I also heard last night that assault weapons, long guns, and it only adds up to 8 percent of the people that are killed every year—8 percent. Can we stop putting numbers on everything and remember the faces that were here? Can we remember the people and the families that have lost their loved ones? They are not a number.

Then they had another chart out that talked about handguns. Well, let me tell you something about handguns that affects almost everybody in our communities. Legislation that we are putting forward, the background checks, preventing straw purchasers, which basically is someone else is buying a gun for someone that is legally barred from buying a gun, think about how many handguns would not be sold to criminals. Think about how many lives will be saved.

But, also, let's think about those who have survived gun violence. But many of them, if you think about a lot of the young people in Aurora that had no health care insurance—and I can talk about my own son who was 26 when he was shot with five others, and, unfortunately, his father was murdered that day. I can tell you his medical bills to this day—to this day—they have cost this country millions of dollars.

Now I will say to you that we were very, very lucky; and I have been very, very blessed that he survived. But even back then, the doctors said that we would see changes in him as he got older because of the brain injury. And Kevin—God, I can't tell you how proud I was of my son. Two years of intensive therapy and they said he would never walk. He learned how to walk. Yes, he

is still partially paralyzed, but he learned how to walk.

□ 1410

They said he would never talk. And when I talk about those days and somebody asks how is Kevin doing, I say, ''Well, you know, he just said.''

I spent my life as a nurse before I came here. And a lot of times when we think of patients who have had strokes and we're teaching them how to speak again, when we say they were talking, trying to get the words out is so hard. Every word becomes so difficult, but he had the power to do that.

Our friend Gabby Giffords, who was here last night, to watch, in my opinion, her long struggle reminded me so much of what Kevin had to go through. I will say that Kevin went back to work, and he worked for many years. Unfortunately, he has reached the point now where he can't work, and he had to go on to Social Security disability.

That has hurt his pride so much because of the work that he has done. All they want to be is looked upon and seen as just a regular person. There are thousands and thousands and thousands of Kevin McCarthys across this country. We are trying to prevent those kinds of injuries.

Background checks, why should anybody be afraid of a background check? Why? Why should anybody—again, as was brought up in an earlier poster—when you go to a gun show—I remember when we closed the gun show loopholes in New York. Gosh, we had the NRA all over us basically saying it's going to ruin the business. I say to you, go to New York and see the gun shows that are held on weekends. There's a big difference, though. Nobody can go into that gun show without buying a gun from a licensed Federal dealer.

By the way, the Federal licensed dealers, the gun shop owners in this country, they want everybody to go through a background check because you do have less than 2 percent of gun stores that are selling these illegal guns or guns disappear. It's ruining their reputations. These are honest businessowners. We're actually protecting them.

There is so much that we can go on about. When it was talked about the people that are on the terrorist list, do people know that they can actually buy a gun without a problem? God forbid we should put them on background check. I mean, they're on the terrorist list, but they can go and buy a gun.

I want to thank my colleagues, and I want to give them an opportunity to speak because I know we all care passionately about this. And I certainly will sit here and listen to my colleagues. If we have time, hopefully, we can all speak again.

It's exactly two months since the shooting in Newtown and since then up to 2,000 Americans have been murdered in episodes of gun violence in our country.

I know that ours is a country that believes in safety and in protecting innocent people.

That's why we've instituted some of the most thorough auto safety laws in the world, and why we regulate access to medicine, and why we inspect food.

It's also why we should be looking at the most dangerous consumer products in the world and seeing how we can make their use safer for Americans.

When it comes to reducing gun violence, the president has already said everything he could possibly say.

There can't be any more excuses—the ball is in our court here in Congress.

The president was right in his State of the Union Address that gun violence victims ''Deserve a Vote.''

There's no shortage of options—I'm the sponsor of a bill to ban assault weapons, a bill to ban high-capacity magazines, a bill for universal background checks and a bill to limit online ammunition sales.

Another bipartisan bill by my colleagues cracks down on illegal gun trafficking.

Here in the House of Representatives, too many members of the Majority have been completely silent on these bills. They haven't even held a simple hearing to discuss the topic, and that's shameful.

I would ask my friends on the other side of the aisle—what are you afraid of?

I would tell them—you don't have to be afraid.

Poll after poll after poll since Newtown—national polls—show that the majority of Americans want their lawmakers to take action to reduce gun violence.

The majority of Americans support banning assault weapons. The majority of Americans support banning high-capacity magazines. And over 90 percent of Americans support universal background checks.

Even three-quarters of all NRA members support universal background checks.

So I would tell my friends across the aisle—I know this is a tough issue, but you were elected to make tough decisions.

Tell us where you stand on these measures to reduce gun violence—the American people deserve to know where you stand.

And then, have the courage to hold votes on the measures that are out there.

This is a democracy—it's our job to represent the American people.

If we don't hold votes on this issue that the American people are screaming out about every single day since that awful shooting in Connecticut, then this body will have failed in its duties and in its purpose.

I will say to my friends across the aisle—let the people speak, and let their voices be heard.

Over 30 Americans are being killed by gun violence every single day and it would be shameful to turn a blind eye to that fact.

Thank you for doing this.

Ms. SPEIER. Thank you to the gentlelady from New York for her always powerful comments.

Now we're joined by the gentlewoman from New York, CAROLYN MALONEY, who has just introduced a bill co-authored by Democrats and Republicans that deals with the trafficking of guns.

Mrs. CAROLYN B. MALONEY of New York. Thank you so much to JACKIE SPEIER for organizing this. She has told me she's going to continue working with her colleagues in Congress to raise this issue, to focus on it. She's going to try to get us here at least once a week to keep the focus on this priority of the American people and our President.

We see here some important information. I think what we should do every week, Jackie, is print the names of the innocent children, men, and women who are murdered every day in our great country because of senseless gun violence like my dear friend's husband and her son who was critically wounded. She told me how hard it was for her to tell her son that he had lost his father. And I want to publicly thank Carolyn for making this a priority in her time in Congress and giving so selflessly of her time to help us pass meaningful gun legislation.

I'm a cosponsor of all my colleagues' bills. I think they all are common sense and important and should pass. But I want to focus on one that I think every NRA member should be for, and that is to take the guns out of the hands of traffickers, people who are selling guns to criminals, to cartels that are used only to kill, whether it's gangs or robberies or whatever they use them for. Why can't we do that? Why can't we make that a felony and put teeth behind the punishment?

When we were having hearings on the Fast and Furious program in the Government Reform and Oversight Committee, law enforcement came and testified. They said: Help us. Trafficking and guns is not even a felony. It's not even a crime. You can be a drug kingpin selling guns all over the place, and you won't be convicted because it's not a crime.

No law-abiding person is a kingpin and trafficking guns. One thing that's good about this bill and why we have so much support on the other side of the aisle is that it doesn't in any way infringe on Second Amendment rights. Law-abiding Americans, if they want a gun for recreation or shooting practice or defense, fine. But these are guns that are being sold to criminals, to thugs, who then go out and kill more people.

Mr. Speaker, yesterday in a Federal courtroom in Las Cruces, New Mexico, two people were convicted of being part of a larger conspiracy to smuggle guns to some really bad people, criminals. They had smuggled guns to folks who worked as ''muscle'' for a vicious Mexican drug cartel. In fact, one of the defendants had purchased three semiautomatic weapons that showed up a month later at the scene of a triple homicide. Another of the guns he bought surfaced at a Juarez drug seizure. These two men were found guilty, but they didn't get much of a sentence because it's not a crime.

The sad fact is that about all the prosecutors could reasonably hope for in the case—under Federal law, gun traffickers can expect to do about as much time as people who illegally traffic in livestock. Illegally sell an assault weapon to a known killer or drug

kingpin or sell a chicken without a permit, and you can expect to do about the same amount of time for each. This is ridiculous.

Mr. Speaker, there is something dreadfully wrong with this picture. Right now people known as straw purchasers can buy multiple guns and immediately resell them to cartels or killers and know that if they are caught that they will not be charged with anything but paperwork violations. Law enforcement told us at the committee that they don't even bother to arrest and try to prosecute straw purchasers because there's no penalty. Well, our bill changes that and can give up to 20 years in prison for being a straw purchaser.

Tragically, this is what happened in my own State of New York last Christmas Eve just 10 days after the massacre at the Sandy Hook children's school. Last December in Webster, New York, a convicted felon set fire to a house and then set himself up as a sniper to shoot down law enforcement when they came to protect him. He shot and killed two firefighters and seriously injured two others before taking his own life.

This is a heart-wrenching tragedy, and it is one that could never have happened but for the fact that the gunman's neighbor had acted as a straw purchaser for him. Authorities say she purchased a 12-gauge shotgun and a Bushmaster rifle for the man who, as a convicted felon, could not have purchased a gun in his own name. For knowingly acting as a straw purchaser for a felon, the neighbor has been charged with the only law that really applies: State and Federal paperwork violations.

□ 1420

I believe she would not have been buying these weapons for him if she knew she could have faced 20 years in prison. That's what prosecutors all too often have to rely on—a toothless Federal law that prohibits ''engaging in the business of selling guns without a Federal license.'' Little wonder then that, according to the ATF, straw purchasers is the most common channel of illegal gun trafficking in America.

Believe me, if guns made us safer, we'd be the safest country on Earth. We are the most armed country on Earth, and we know from statistics that, if you own a gun, the degree of probability of being hurt or injured or killed by a gun is 8 to 15 percent higher than it is for other individuals. It is no surprise then that U.S. Attorneys are forced to decline to prosecute 25 percent of gun trafficking cases. This is an outrage. This is a crime. This is causing the loss of lives. The investigation can take longer than the sentence a trafficker might receive. In the wake of recent tragedies, the voice of the American people has been clear on this issue: They want something done, and they want it done now. They want us to do something to address this problem. They want something done that shows some bipartisan cooperation.

As our President said, we came here to do a job. Let's have a vote. Let's put this bill out on the floor of Congress, and let's have a vote. If some of my colleagues would like to vote against making trafficking in guns a felony, then let them do it. If some of my colleagues would like to vote against having meaningful penalties for trafficking and a straw purchaser's buying guns to be given to criminals, then let them do it, but let's have a vote. That's a democracy.

I introduced a bill in the last Congress and have reintroduced it in this Congress, H.R. 452. I hope that the listening public will urge their Members of Congress to cosponsor this bill and help us pass it for the American people. It is called the Gun Trafficking Prevention Act. It is a bipartisan bill, cosponsored by my friends and colleagues on the other side of the aisle: Mr. RIGELL of Virginia, who happens to be an NRA member, said this doesn't infringe on any gun owner's rights. He owns guns, but he just wants to go after the kingpins and the murderers and the illegal traffickers; and Mr. MEEHAN of Pennsylvania, who is a former prosecutor and knows firsthand why law enforcement needs these tools.

This bill will help keep guns out of the hands of felons and domestic abusers and the dangerously mentally ill, who cannot and should not be able to legally buy guns on their own. This bill prohibits the purchase or transfer of a firearm if the intent is to deliver the firearm to someone else who is prohibited by Federal law or State law from possessing a firearm. Persons who commit this offense are subject to up to 20 years of imprisonment. For the first time, our bill makes firearms trafficking a Federal crime—something law enforcement officials have been asking for in hearings, in letters. They have been asking for this for years.

The bill also establishes significant penalties for straw purchasers who buy firearms on behalf of someone else. Buy a firearm for a convicted felon and you could look at 20 years in prison. These increased penalties will provide law enforcement officials with the critical tools that they've been asking for, tools that BOBBY SCOTT knows from his judiciary work are critically needed. The increased penalties can be used to encourage straw purchasers to cooperate with prosecutors in order to make it possible to go on up the food chain—after the cartels and the kingpins who now have little to fear.

Let me be absolutely clear that this bill has no impact whatsoever on the Second Amendment, on legal gun ownership or purchases.

As the President pointed out in his speech last night, this bill will not put an end to all gun violence. No bill can do that. No bill can prevent any particular act of violence, but we can stop some. We can do something and we can do this, and law enforcement is begging for the passage of this bill. We can begin the healing. We can restore some trust. We can stop putting guns in the hands of criminals. We can do it in a bipartisan way, and we can do it together.

Again, I thank my good friend and wonderful colleague, JACKIE SPEIER from the great State of California, for organizing this. I will be with you at all of your future events.

Ms. SPEIER. I thank the gentlelady from New York for making it clear that we are talking about safe and sane, commonsense laws on the books, and I am honored to be a cosponsor of her bill.

I want to just take a minute and go through a timeline of what has happened under the NRA's leadership in terms of the unraveling of laws that have been on the books but, because of the NRA's leadership, they have been unraveled. Let's start with the very first one.

Between 1980 and 1987, the number of Alcohol, Tobacco and Firearms agents was slashed by 21 percent, from 1,500 to 1,180, and the number of inspectors dropped from 655 to 626. What was happening during that period of time? During that period of time, there were more and more dealers. So why would the NRA be so interested in reducing the staffing of the ATF? In 1986, the Firearm Owners' Protection Act was passed—again, sponsored by the NRA. It set a high burden of proof to prosecute violations of Federal gun laws. It limited ATF inspections to once a year, and it weakened the penalty. It allowed unlicensed individuals to sell their firearms as a hobby, avoiding meaningful regulations, thus leading to an increase in gun shows.

What does that mean when you have to establish a standard that is so high that you end up not revoking any firearm dealer's license? Well, willfully—not knowingly but willfully—violating gun safety laws is the standard that is now on the books. It's an extraordinarily high standard, and the loopholes that were created allowed for dealers to hand off their businesses, even when they had these horrendous violations, to relatives or to convert their inventory of guns into a ''personal collection,'' which they then could sell because it was now a hobby, without doing background checks. Let me give you one example.

An example is Sandy Abrams. He was a member of the NRA board of directors. He was cited with over 900 violations of Federal firearm laws at his shop, Valley Gun, and 483 crime guns were traced to his shop. This is an NRA board member who violated the laws 900 times, and 483 crime guns were traced to his shop. What did the NRA do? The NRA, in a subsequent bill, banned the tracing of crime guns. What happened to him? The only power that ATF had was to revoke his license. So what did they do? No criminal charges were ever brought. Abrams transferred hundreds of his firearms to his personal

collection, despite the revocation of his license, and faced charges of illegally selling those guns from his personal collection. As I mentioned earlier, in 1986, the Firearm Owners' Protection Act limited these inspections and weakened penalties.

We then moved on to the Dickey amendment in 1996. What did the Dickey amendment do? The Dickey amendment held that the CDC could no longer conduct public health research. Now, why would the NRA be so concerned about research going on? Because when you do research, you can link it, and it can create the opportunity for public policy decisions that are, in fact, thoughtful.

Then came the famous Tiahrt amendments in 2004 that placed restrictions on law enforcement, limited access to crime gun tracing data and required approval—background checks—of 24 hours only. That amendment said that if you're going to do a background check, you can only have that document in place for 24 hours, and then it has to be destroyed. So, to the point made by our colleague from New York about what are called ''straw purchasers,'' how would you even know there was a straw purchaser if you had to destroy that record in 24 hours?

Then in 2004 came the assault weapons ban, which was sponsored by Senator DIANNE FEINSTEIN. The chair then of the Judiciary Committee, our good Vice President, was also the shepherd of that bill.

□ 1430

In 2005, Protection of Lawful Commerce in Arms Act, this was heralded by the NRA as being their biggest get ever because that particular bill became law, and it protects gun manufacturers from civil liability suits—the only industry in this country that is not subject to civil liability suits for dangerous equipment and the like. The Sandy Hook families that are looking at trying to bring actions right now are stymied because this law is in place. There's no protection for auto manufacturers if they have unsafe products, but we've given carte blanche protection to gun manufacturers.

And in 2005, the U.S. PATRIOT Act, what did we do there? Well, then the NRA decided that, you know what, that ATF Director shouldn't just be appointed; it should be confirmed by the Senate. So in the PATRIOT Act, they got an amendment that provides that the ATF Director must be confirmed by the Senate. And guess what happens? There hasn't been an ATF Director confirmed in 7 years because of the control that they exhibit.

And then in 2005, ironically, George W. Bush does something his father didn't even do. His father, George H.W. Bush, by executive order, banned the importation of guns in this country, particularly the assault weapons. When President Clinton came into power, he, by executive order, expanded that importation ban to include high-capacity magazines. George W. Bush comes in as President, and he lifts the ban on the importation of assault weapons.

And between 2009 and 2012, we've had 99 gun safety laws rolled back at the State level. That's what the NRA is doing.

I now yield to my colleague from Rhode Island for his comments.

Mr. CICILLINE. I thank the gentlelady from California for yielding, and also for organizing this conversation about the dangers of gun violence and our responsibility to reduce gun violence in communities all across this country.

I want to also acknowledge the leadership of the gentlelady from New York, CAROLYN MCCARTHY, who long before I arrived here was an inspiration to me and so many others across the country who have been fighting for responsible gun safety legislation.

Just to give a context to the problem we are confronting, the U.S. gun murder rate is about 20 times the average of other developed nations. What that means is someone in this country is about 20 times as likely to be killed by a gun as someone in another developed country. As some have already said, since the horrible, horrible killings, the murders of Newtown, 1,772 people have been killed by guns since that tragedy.

According to the CDC, there are 11,078 firearm homicides that accounted for 68 percent of all homicides in 2010. These are just some numbers that I think give us an understanding of the seriousness of the problem that we face with gun violence in this country. It's an epidemic.

I salute Mayors Against Illegal Guns and Mayor Menino and Mayor Bloomberg, who began that. I was a founding member. I salute the Brady Campaign for their work, but there are a couple of facts that are undeniable:

Number one, the Second Amendment gives individuals the right to possess firearms, and the vast majority of gun owners are responsible and they possess firearms for their self-defense and their own protection. That's a fact.

Two, there are certain categories of individuals that we all agree ought not have access to firearms—dangerous criminals, the seriously mentally ill, and children.

So if we agree on those two facts—guns are permitted by the Constitution to be possessed by individuals, three categories of individuals at least ought not have access to those firearms—then we have a responsibility to design a system and pass laws that ensure that those three categories of individuals, in fact, don't have access to firearms; and we have the ability to do that by closing the gaping loopholes from private sales and from the fire sale that the gentlelady from California just referenced where, when your license to sell guns, your Federal license is revoked, that you're rewarded by having your entire inventory turned into a personal collection, and then you can sell it free from the constraints of background checks.

We can fix the background check system, be sure that States are putting accurate information into the system. We can ban assault weapons, which are weapons of war which don't belong in the neighborhoods of our cities and towns, and high-capacity ammunition whose only purpose is to kill a great number of people in a very short period of time. We have these very reasonable, commonsense solutions which are available.

Last night at the President's State of the Union, we had 30 victims who suffered the grievous impact of gun violence, who put a face on the devastation, the scourge of gun violence in this country. We owe it to them, we owe it to families all across this country to move on this legislation, to hold a vote up or down so we can take what most Americans support, responsible gun safety legislation to reduce gun violence in our country.

When the gentlelady was just going through the examples of what the NRA has been successful in doing, let's not forget, the NRA doesn't have a vote in this Chamber, so every single one of those actions happened because individuals in Congress voted for them, and they should be accountable for that. And we can fix it by taking votes today to enhance public safety, to impose reasonable gun safety measures that will protect children and families all across this country and continue to honor the right of individuals to possess a firearm as guaranteed in the Second Amendment.

I thank the gentlelady for her leadership and for yielding. This is an important issue.

I'll end with The New York Times headline that said, ''Do we have the courage to stop this?'' talking about the carnage in Newtown and the courage that family members have displayed who have been victims of gun violence. If we can match that courage, Members of this House can match just 10 percent of the courage that they've demonstrated in sharing their stories, then we'll do the right thing and pass responsible gun safety legislation.

Ms. SPEIER. I thank you for your extraordinarily sound comments on this issue. As you were talking about courage, I remember recently having an opportunity to listen to a family from Newtown who lost a child, who said to me and to others:

> You're just a bunch of talking heads. Can't you two groups get together and do what's right?

With that, let me yield to the Member of Congress who represents that extraordinary community and who has done so much to help them heal from what has been a devastating impact on not just everyone in the country but particularly those families in Newtown, Ms. ESTY.

Ms. ESTY. I would like to thank the gentlelady from California for organizing this Special Order hour, and I

want to thank you for your longtime leadership on the gun violence prevention issue; and to our friend and colleague Congresswoman MCCARTHY, for your tireless effort, sadly over decades now, to ensure that this Congress takes action to keep our communities safer.

Last night in this Chamber, people affected by gun violence, including a number of families and officials and first responders from Newtown, were here in this Chamber. I have the honor of representing this small, brave town that now finds itself at the center of this national debate. And, folks, they are the face. They are paying the price of our political inaction.

Among the people here last night was a courageous educator by the name of Natalie Hammond. Natalie was the lead teacher at the Sandy Hook school that day, and she was in the hall trying to stop that madman, and her colleagues on either side were killed and she was seriously injured. She got out of physical therapy and came out publicly for the first time to be here last night to put a human face on the cost of inaction.

These people, as the gentlelady from California suggested, as The New York Times and others have suggested, are so courageous. And they have one question for us: What are we going to do? What is this country going to do to address this epidemic?

The President spoke eloquently, yet very directly, last night about how we must do better as a country. As he said, the families of Newtown deserve a vote.

□ 1440

He is right. Commonsense measures that respect Second Amendment rights, like universal criminal background checks, a reinstatement of the assault weapons ban, and restrictions on high-capacity magazines should, at the very least, be voted on in this Chamber and in the Senate.

The voices of the American people should be heard in this Congress. It's up to us. It's up to us, as elected leaders, to see that these families, that every family touched by gun violence has a vote.

Lynn and Chris McDonnell, the parents of Grace McDonnell, were here in the Chambers last night, as witness to their daughter, who loved pink, who did a beautiful painting, which they gave to the President of the United States.

The McDonnells asked me this morning, they said, you know, Elizabeth, what more can we do to ensure that Congress acts? And I was astounded by the question. To think that this grieving family, what more could they do? It's, what more must we do?

They are doing everything they can to make sure that every Member of Congress understands not only their loss—their loss is America's loss, because every child that was murdered, every life lost on the city streets of our country is a loss that ripples throughout families and communities, lives. We will never know what these people could have done, could have contributed to our society, and it is an enormous hole in the fabric of our country.

The price of inaction is too high. The price of inaction is being paid every day by grieving parents like Lynn and Chris McDonnell.

So I want to thank, again, the gentlelady from California for all you're doing to ensure that we do the right thing here today, that we continue the discussion of this critical issue, that we do not lose our will to take action, and that we do bring about real change to save lives in our communities across this country.

The parents, the families, the children of Newtown deserve no less than our best efforts. We must act.

Thank you very much.

Ms. SPEIER. Mr. Speaker, can I inquire as to how much time we have left?

The SPEAKER pro tempore. The gentlewoman has 13 minutes remaining.

Ms. SPEIER. It's now my pleasure to yield time to my good, good, good friend and colleague from California, BARBARA LEE, who has been an outspoken advocate for gun violence prevention for decades.

Ms. LEE of California. Thank you very much.

First of all, let me thank you, Congresswoman SPEIER, for bringing us all together today to speak out on the important issue of addressing gun violence, not next month, not next year, not next Congress, but right now. And I have to just thank you so much for your tremendous leadership.

Yourself and Congresswoman MCCARTHY, both of you have so eloquently laid out why we need gun violence safety measures, both with your intellect and with your heart. Both of you have shared your very painful experiences, really, basically, so that others can live rather than die from gunshots. So thank you so much for staying the course.

I can think of no more important subject than what we're talking about today because this gun violence has been destroying communities, taking lives, and injuring too many people for much too long across America.

As President Obama invoked in his State of the Union speech last night, the families grieving from losing loved ones to gun violence deserve a vote. In fact, though, we're saying they deserve more than a vote. They deserve concrete steps to reduce gun violence, and we can take those steps right here in Congress.

We cannot accept one more innocent life being lost to gun violence, not one in Newtown, not one in Chicago or Cleveland, not one in my district in Oakland, California, not one in any town, any city, any school, in any theater, or any place of worship, mall, or any neighborhood.

We have an obligation to our children to ensure that Newtown marks a turning point that made us finally say, ''Enough is enough.'' We must come together to build an America where our children do not have to live in fear, and where they really believe that they have a future. Many of my young people in my district don't even think they have a future, and this is a very sad state of affairs that we've got to turn around.

Recently, I had an event in my district in West Oakland. It was the unveiling of a mural painted by several talented young artists. This ''Tree of Life'' mural depicted the hope and the faith that my young people have for a future from violence and without violence. Yet they've seen and experienced so much gun violence in their communities throughout their young years, but they still have a lot of hope, and they're counting on us here to make sure that their dream lives.

Too many of my constituents have been affected by gun violence, have pleaded for help in protecting their children from the horrors of gun violence, only to see the status quo at the Federal level.

Mr. Speaker, we need to take some serious action that includes what we've heard today, and I'll reiterate, commonsense measures such as the Federal gun buyback programs, banning high-capacity magazines, expanding the 24-hour background check, closing gun show loopholes, and reinstating the assault weapons ban. We need to do this immediately.

But we also need to work to end domestic violence in our homes and reauthorize the Violence Against Women Act. We need to do this right away.

We must also seek input from our young people, community stakeholders, faith community leaders, and others. We can work together to identify the root causes of this Nation's more than 16,000 homicides a year.

Let me call to your attention the work of a magnificent community-based organization in my district that I actually am very proud of, that I helped found in the early nineties, called the Martin Luther King, Jr. Freedom Center. These young people continue to work on conflict resolution and violence prevention efforts day and night, but they constantly tell us that their work is thwarted by too many guns on the street. And so we have to pass these gun safety measures.

We have to repeal the Tiahrt amendment, which I know Congresswoman SPEIER and Mr. MORAN and myself and other appropriators are working to do. And we must, as part of this, rededicate ourselves to getting the guns off of the street and working for, finally, a culture of peace and security.

Thank you again for your leadership.

Ms. SPEIER. Thank you to the gentlelady from California.

We now are joined by the gentlewoman from California (Mrs. NAPOLITANO), who has been a voice for mental health reform in this country for decades. I yield such time as she may consume.

Mrs. NAPOLITANO. Thank you, Gentlelady Speier, for being our lead on the gun prevention, gun violence prevention.

One of the things we don't talk about is a mental health component on which Congress has got to act. We've got to make sure that we bring it to the forefront. We've got to fund the programs to be able to help our communities deal with the mental health issues, elevate it to the level of other illnesses such as cancer, diabetes, heart issues.

We need to destigmatize it. It will not solve itself. We need to end the school tragedies, the government office attacks. Mental illness is an invisible illness. We don't talk about it, we don't listen to it, and we don't want to share it because of the stigma. We need to educate our public.

Children at a young level can be identified when they're beginning to have emotional disorders that can be addressed at a very early age. Now, that's not to say—there's many reasons why we need to go, and the time does not allow me to go into it, but when you hear that 2,000 people are killed, how many are maimed? What is the cost to society and the cost to our business, to the law enforcement? And, as you say, they are very much in favor of controlling the guns on the street, the high-capacity, the assault weapons.

□ 1450

And women are highly in favor. As you can tell, most of your speakers are women who understand this is our children, our grandchildren, our neighbors, our friends who are impacted. And we need to be able to fund mental health services at the local level so it can be addressed and help can be found for them.

I've introduced the Mental Health in Schools Act, H.R. 628, which was a companion to Senator FRANKEN's Senate bill 195. But I must ask that the public has got to raise their voice. Email, fax, mail, phone your Member of Congress, and tell them we need to pass reform.

Ms. SPEIER. I thank the gentlelady from California.

I now welcome our new colleague from California, a colleague who I have served in the State legislature with for many years, Congressman ALAN LOWENTHAL.

Mr. LOWENTHAL. I want to thank the gentlelady from California for calling us and bringing us together to discuss this very important issue.

I stand here and join my colleagues as we put forth responsible solutions to reduce gun violence in our communities and throughout our country. It was my honor to introduce from my district Peggy McCrum, the chapter leader of the Long Beach Area Brady Campaign to Prevent Gun Violence, at yesterday's conference hosted by the Brady Campaign and Mayors Against Illegal Guns.

Three decades ago, her brother, Robert Kelly, was shot and killed by a complete stranger as he walked to his car, unaware that any peril awaited him. Peggy's brother, Robert; the victims of tragedies that occurred in Newtown and Aurora's mass shooting; and the thousands of Americans whose lives are ended each year by gun violence should serve as a reminder to all of us about the fragility of human life and our ability as Members of Congress to enact commonsense legislation necessary to prevent such horrific tragedies from continuing to devastate innocent Americans.

I stand here today in total support of a ban on military-style assault weapons and high-capacity magazines, similar to the gun laws that we have in California. These instruments of mass destruction have no place in our society outside of the military. And I thank my colleagues on the Gun Violence Prevention Task Force, especially Congressman THOMPSON and Congresswoman PELOSI, for leading the charge on this effort.

The tragedy of gun violence will not be solved just by banning assault weapons and ammunition alone. We must strengthen our current background check system as well as the National Instant Criminal Background Check System. We must increase access to mental health services, we must increase the student-to-counselor ratio in our schools, and we must lift the research ban on the Centers for Disease Control and the National Institutes of Health. All of these commonsense proposals are crucial to achieving the meaningful reforms that will save countless lives.

As a community psychologist, I understand that early identification and treatment of mental illness is the key to preventing potentially harmful acts. That being said, I am proud to cosponsor Congresswoman BARBARA LEE's Student Support Act, as well as Congresswoman GRACE NAPOLITANO's Mental Health in Schools Act. Both of these bills will address the growing mental health needs of our Nation's 95,000 students.

I do not believe in taking away any American's Second Amendment rights. Just as you cannot yell ''fire'' in a movie theater, I believe you cannot own and use weapons that are capable of killing 20 school children in a matter of seconds.

To conclude, I think we all must continue to listen to those who have been injured by gun violence, to survivors, to law enforcement, and even to those who speak out against gun law reforms. We will not be able to reach common ground on this issue unless we keep an open mind to all of the voices in America.

Madam Speaker, I want to thank the gentlelady from California for calling us together to discuss this important issue.

I stand here today to join my colleagues as we put forth responsible solutions to reduce gun violence in our communities and throughout our country.

It was my honor to introduce from my district Peggy McCrum, the Chapter Leader of Long Beach Area Brady Campaign to Prevent Gun Violence at yesterday's press conference hosted by the Brady Campaign and Mayors Against Illegal Guns. Three decades ago, her brother Robert Kelly was shot and killed by a complete stranger as he was walking to his parked car—unaware of the perils that awaited him.

It can be all too easy to see Robert as a statistic on a crime map, but he—like all victims of senseless violence—was much, much more. He was a son . . . a brother . . . and a loved one. He was 28 years old; a graduate of Cal State Long Beach who was excited about starting his career at an accounting software firm. That future . . . his future . . . ended all too soon at the hands of a criminal with a gun. To date, the killer has not been found.

None of us are statistics. We are all living, breathing caring people with real lives and hopes and dreams, and we all deserve the freedom to feel safe from gun violence, be it in our schools, our movie theaters, or our streets.

Peggy's brother Robert, the victims of tragedies like the Newtown and Aurora mass shootings, and the thousands of Americans whose lives are ended each year by gun violence, will never be forgotten; they should serve as a reminder to us of the fragility of human life and our ability as members of Congress to enact commonsense legislation necessary to prevent such horrific tragedies from continuing to devastate innocent Americans.

These children, their parents, and all of the families who have been affected by the senseless acts of violence that left our country shocked and in disbelief are counting on us to do something—anything to ensure that they have the freedom to feel safe in their schools and communities.

I stand here today in open support of a ban on military-style assault weapons and high-capacity magazines, similar to the gun laws we have in California. These instruments of mass destruction have no place in our society outside of the military, and I thank all of my colleagues on the Gun Violence Prevention Task Force, especially Congressman THOMPSON and Congresswoman PELOSI, for leading the charge on this effort.

The tragedy of gun violence will not be solved by banning assault weapons and ammunition alone. We must strengthen our current background check system, as well as the National Instant Criminal Background Check System (NICS) system; we must increase access to mental health services; we must increase the student-to-counselor ratio in our children's schools; and we must lift the research ban on the Centers for Disease Control (CDC) and the National Institutes of Health (NIH). All of these commonsense proposals are crucial to achieving meaningful reforms that will save countless lives.

As a Community Psychologist, I understand that the early identification and treatment of mental illnesses is the key to preventing potentially harmful acts. That being said, I am proud to cosponsor Congresswoman BARBARA LEE's Student Support Act and Congresswoman GRACE NAPOLITANO's Mental Health in Schools Act. Both of these bills would address the growing mental health needs in our nation's 95,000 public schools.

The American people want action, and they are demanding a plan. My colleagues, I stand

here wanting and demanding a plan. As the President said in his State of the Union address, these victims deserve a vote.

However, I do not, I repeat, I do not believe in taking away any American's Second Amendment right. Just as you cannot yell "fire" in a movie theater, I believe you cannot own weapons capable of killing 20 school children in a matter of seconds. The United States Supreme Court ruling on Heller v. DC clearly stated that there are, indeed, limitations to the Second Amendment, and I stand with that ruling. Heller v. DC was not meant to strip gun owners of the rights, it was meant to instill a greater sense of responsibility that comes with owning a gun.

I am in favor of protecting an individual's right to own a gun; I also want to help create a more accountable gun culture—one that upholds Americans' constitutional right to bear arms, and keeps us safe from harm. The constitutional right to own a gun and the God-given human right to feel safe from gun violence is not mutually exclusive.

I want to conclude by saying that we must all continue to listen to the victims, the survivors, and even those who speak out against gun law reforms; we will not be able to reach common ground on this issue unless we keep an open mind to all of the voices of the American people.

Thank you.

Ms. SPEIER. I thank the gentleman from California for his thoughtful remarks. And I want to thank each and every one of you who has participated in this Special Order. It's something that we must do week after week so that our message gets out to the American people and so that they truly understand what has happened in this country over the last 20 years that has taken away so many commonsense laws that were on the books to provide the kind of safe and sane laws to make sure that everyone who owns a gun has it appropriately and everyone who shouldn't own a gun, doesn't have a gun.

This is our to-do list:

Pass the universal background check, pass a ban on large magazines, pass an assault weapon ban, crack down on gun trafficking, remove the handcuffs on law enforcement, remove the gag order on gun safety research, keep illegal and unwanted guns off the street, invest in gun safety technology R&D, close the holes in our mental health system, and take steps to enhance school safety.

Someone said:

> Too many children are dying. Too many children. We must do something. It will be hard, but the time is now. You must act. Be bold. Be courageous. Americans are counting on you.

These are the words of our own Gabby Giffords in the Senate just a couple of weeks ago. It still sends shivers up and down my spine. Gabby almost lost her life. We owe it to Gabby, we owe it to the 26 people who lost their lives in Newtown, the countless people who lost their lives in Aurora and Columbine, and the 32 people each and ever day in this country who lose their lives to gun violence. We owe it to the American people. Let's act.

I yield back the balance of my time.

Ms. MENG. Mr. Speaker, I rise today with great passion and urgency to talk about our need, as Members of Congress, to strengthen our Nation's gun violence prevention laws. Last night at the State of the Union, President Obama said it best—gun violence victims deserve a vote. From Newtown to Aurora, Oak Creek to Tucson and Blacksburg—these victims deserve a vote. Every day in this country, men, women and children die from gun violence. It doesn't have to be this way. We don't have to live in fear when we send our children to school.

I'm proud to be a member of the House Democratic Task Force on Reducing and Preventing Gun Violence. Last week, we issued a series of commonsense priorities that could make the difference in preventing future gun violence. One of the most basic priorities is implementing universal background checks. It is the only way to ensure that people who are legally barred from owning a gun are prevented from buying a gun. Right now, the law is voluntary—someone who fears failing a background check can simply avoid it by acquiring a gun from a private seller.

Another commonsense measure is a bill I introduced, the Fire Sale Loophole Closing Act, that prevents gun dealers whose licenses were revoked from reclassifying their inventory as personal and then selling the same guns as a private seller. We have to close these loopholes. These practices of getting around the law need to stop. I urge my colleagues to bring these commonsense gun safety laws to the floor for a vote because President Obama was right—our victims deserve a vote.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO LIBYA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–9)

The SPEAKER pro tempore (Mr. LAMALFA) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency declared in Executive Order 13566 of February 25, 2011, is to continue in effect beyond February 25, 2013.

Colonel Muammar Qadhafi, his government, and close associates took extreme measures against the people of Libya, including by using weapons of war, mercenaries, and wanton violence against unarmed civilians. In addition, there was a serious risk that Libyan state assets would be misappropriated by Qadhafi, members of his government, members of his family, or his close associates if those assets were not protected. The foregoing circumstances, the prolonged attacks, and the increased numbers of Libyans seeking refuge in other countries caused a deterioration in the security of Libya, posed a serious risk to its stability, and led me to declare a national emergency to deal with this threat to the national security and foreign policy of the United States.

We are in the process of winding down the sanctions in response to developments in Libya, including the fall of Qadhafi and his government and the establishment of a democratically elected government. We are working closely with the new Libyan government and with the international community to effectively and appropriately ease restrictions on sanctioned entities, including by taking actions consistent with the U.N. Security Council's decision to lift sanctions against the Central Bank of Libya and two other entities on December 16, 2011. The situation in Libya, however, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States and we need to protect against this threat and the diversion of assets or other abuse by certain members of Qadhafi's family and other former regime officials. Therefore, I have determined that it is necessary to continue the national emergency with respect to Libya.

BARACK OBAMA.

THE WHITE HOUSE, *February 13, 2013.*

HONORING CHIEF PETTY OFFICER CHRIS KYLE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. NEUGEBAUER) is recognized for 60 minutes as the designee of the majority leader.

Mr. NEUGEBAUER. Mr. Speaker, I rise today to honor a great American hero, Chief Petty Officer Chris Kyle, who, unfortunately, was killed on February 2. Normally, you would think that this would be honoring a soldier who was killed in action. Unfortunately, Chris Kyle gave his life while trying to help a fellow soldier who was dealing with some big issues.

□ 1500

And so today my colleagues and I want to spend the next hour honoring the life and the sacrifice that Chris Kyle did and gave for his country.

This is a difficult time for me, not only to honor Chris like this, but Chris

Kyle was not only a Navy SEAL hero, but he was also a personal friend of myself and my family. And our warmest wishes and prayers and thoughts go out to Taya and the family in this difficult time.

Now, this will be a time today where we're going to reflect on Chris' life. And we had a tremendous outpouring of people who wanted to share stories about Chris, and we're going to share some of those.

I know Chris would have wanted this also not to be necessarily about him, but for the country that he fought for and believed in and loved so dearly. Chris was all American. Everything he did, his service to his country, was about his love for the country.

Not only did Chris love his country, he loved his family. He loved his friends and he loved his wife and children. So I wanted to talk just a little bit about Chris' career.

Chris spent 11 years as a member of SEAL Team 3, and of course his record is nothing but superb. He retired in 2009, and when he retired he had 255 kills, with 160 of those confirmed by the Pentagon, making him the most lethal sniper in American history. And one thing about that is that Chris was very unassuming.

I remember knowing a little bit about his background, but then meeting Chris for the first time and how humble he was and how down to earth he was, and he really didn't talk about records. He talked about people, and he talked about what his job was was to protect his fellow soldiers.

His ability in the battlefield was unmatched. His longest shot came in 2008 when he identified an enemy insurgent that was about to launch a rocket near an Army convoy. From 1.2 miles away, he fired his .338 Lapua Magnum rifle and killed the insurgent, potentially saving the lives of countless Americans.

Chris was awarded countless honors for his service. He earned two Silver Stars, five Bronze Stars, two Navy and Marine Corps Achievement Medals, and one Navy and Marine Corps Commendation.

He was admired by people all over the country. And on this Monday, about 7,000 or 8,000 people gathered in the Dallas Cowboy Stadium in Dallas, Texas, to come and pay their respects for Chris Kyle. It was a great loss for our country. It was a great loss for his friends and family. They weren't just honoring an American hero. They were also honoring a husband, a father, a son, a team member, a comrade.

Chris was a born-and-bred Texas son and a devout Christian. He is survived by his wife, Taya, and two children, whom he loved and cared for deeply. In fact, he made the decision to leave the Navy in 2009 just so he could spend more time with his family at home.

After retiring from the Navy, Chris founded Craft International, a military and law enforcement training company. He also was intricately involved in numerous charities, including cofounding FITCO Cares Foundation, and other charitable events benefiting wounded and disabled servicemen and -women returning from combat.

He also wrote The New York Times bestseller, entitled, ''American Sniper,'' which chronicled his time as a SEAL sniper. Chris donated the proceeds to the families of some of the comrades that died with him in combat.

These examples really show that his sense of service was genuine and deep. He lived by the motto, ''It is our duty to serve those who serve us.'' It is our duty now as American citizens to remember this young man who served so bravely, to pray for his family in a time of mourning. America lost one of its finest sons and a true patriot. We keep Chris and his family in our thoughts and prayers, and we ask God to look after them.

We also pray for his friend, Chad Littlefield, who was killed alongside Chris, and for his family.

I am honored to have known Chris, and while he left this Earth at a young age, we know that God is watching over him.

Before I yield, I wanted to just make one point about the book that Chris wrote, ''American Sniper.'' It was a great book, and it really chronicled the sacrifice and the conditions that a lot of our men and women are under while they serve.

But what was also an important part of that book was that Taya would chronicle, from time to time, what it was like to be serving alongside Chris in a different capacity, and that is the spouse of one of our deployed men and women, and the pressures and all of the things that are involved in that and the stresses and the separation. And I think it was a great tribute to Chris and Taya to share that intimacy with us so that we could come to greater appreciate his service and her service to our country.

It is now my pleasure to recognize another gentleman from Texas, who Chris lived in his congressional district, Mr. BARTON.

Mr. BARTON. I thank the gentleman from Lubbock for yielding, and I'm proud to be a part of this Special Order.

I want to say at the very beginning that, unlike Congressman NEUGEBAUER, I did not know Chris Kyle or Chad Littlefield, the other individual who was killed. They both lived in my congressional district in Midlothian, Texas, and the tragedy of both of their early deaths is equal. Although I didn't know either one, I have studied up on them, and I went to the memorial service at Cowboy Stadium and was very moved by the eulogies and the people's remembrances that did know them.

I would like to say with regards to Mr. Littlefield, he, too, was a lifelong Texan, born in Dallas, and went to high school in DeSoto. He would have turned 36 Monday, and his funeral was at the Midlothian First Baptist Church last Friday. He is survived by his wife, Leanne, who is a middle school principal in Midlothian, and, I believe, a daughter. So our hearts go out to that family, too.

With regards to Chris, you could not have attended the service on Monday at the Cowboy Stadium and not have come away very impressed. The press reports are that there were 5,000 to 7,000 in attendance. I have done a number of events at Cowboy Stadium. I asked the head of security for the Cowboys who I know what they estimated the crowd. They said about 11,000.

As Mr. NEUGEBAUER has already pointed out, Chris was an individual who was driven by a love for his country and a love for his fellow man. I thought it was very telling at the service that the mother of one of his Navy SEALs who had been killed in combat, Chris adopted her as a second mother and asked that some of the proceeds of his book ''American Sniper'' go to her family. That, to me, is just amazing.

The president of Craft International also spoke at the service, and he spoke about how much Chris really cared about other people.

□ 1510

I think it is very telling that Chris Kyle and Chad Littlefield were both killed trying to help another troubled veteran. They were taking the suspected murderer to a gun range over in I think near Glen Rose, Texas, and trying to help him work through some problems. The person they were trying to help turned on them. So he died trying to help another person who was in need, and that's something his family can be very proud of.

I think another thing that we need to say about Chris is when people met him, they liked him and wanted to help him. The number of people who have helped in these service arrangements runs the gamut: The Governor of Texas, Governor Perry, who helped arrange the cemetery plot at the Texas State Cemetery in Austin; Jerry Jones and his family, the owner of the Cowboys, I think donated the use of Cowboys Stadium and were personally in attendance at the funeral; all the law enforcement agencies in the DFW area helped arrange the cavalcade from Midlothian down to Austin. And I am told that at almost every overpass on Interstate 35 and U.S. 287 that there were people showing flags and in attendance. There was an outpouring of love and affection that in my knowledge in the Congress is just unheard of for somebody who was not a public figure. And Chris was not. He was a public patriot, but he was not an ostentatious, grandstand kind of person.

He loved his family. He loved his two children. He loved his wife. He loved his mother and father. And he loved those whom he served with in the military. As Mr. NEUGEBAUER has pointed out, he served a number of tours in Iraq and Afghanistan.

In one of the stories that is in his book, he was under orders not to fire unless fired upon. In order to get the enemy so that he could shoot them, he put up an American flag, stood up and basically dared them to take a shot at him. And I think this is correct from the book, that when they started shooting at him he got everybody to take a shot at him, and he silenced them.

So, Congressman NEUGEBAUER, you are to be commended for organizing this Special Order. I'm proud that Chris Kyle and Chad Littlefield were constituents of mine. I'm very proud their families still live in my district. Myself and my staff will do everything we can to help them. We will cherish the memory of Chris and Chad for many, many years.

With that, I appreciate the gentleman's courtesy and I yield back.

Mr. NEUGEBAUER. I thank the gentleman.

One of the things about Kyle is, you said he wasn't a public figure. Kyle was pretty unassuming. Sometimes people wanted to talk about these records that he had accumulated. Chris would always kind of shake that off. He said:

> My service wasn't about trying to get a record. My service was trying to help my country, and my job was to make sure that the bad guys didn't get my guys.

I think that's the kind of man that he was.

One of the things that the gentleman mentioned was regarding the motorcade from Dallas yesterday to Austin, to the Texas State Cemetery. I saw some of the video of that, and it was just amazing, the patriotism all along that almost 200-mile trek of people that wanted to express their appreciation. Many of them never met Chris Kyle, but they knew what he stood for and what he meant.

As we go along, before I recognize another great patriot from Texas, I was going to read some of the emails that have been pouring in to me. This is one from Jim DeFelice, who is a coauthor of the ''American Sniper'' book with Chris. He sent an email, and I will read just a little of it. He said:

> Of my many memories of Chris, perhaps this one sums up the kind of man he was: On the morning of Hurricane Sandy, as I was going out to check on the damage to our house in the neighborhood, I received a text message from him asking if I was okay and if we needed anything. Even though he was over 2,000 miles away, I knew that if I asked for help he would have thrown a bag in the back of his pickup and driven up within the hour. It was that kind of spirit, in everything he did, that made Chris a great warrior, a great SEAL and a great American. I am grateful to have known him.

It is now my honor to recognize Mr. GOHMERT, the gentleman from Texas, for words he might want to speak.

Mr. GOHMERT. Thank you, and I thank my dear friend from Texas for having this time and for honoring such a great American hero.

Chris Kyle clearly loved his country. He loved his family, he loved those with whom he served and was willing to lay down his life for his friends. Every time he was committed to hostile theater, he knew he might be laying down his life for his friends. He also knew that the ultimate authority on love, Jesus, is quoted in John 15:13 saying:

> Greater love hath no one than this, that he lay down his life for his friends.

Chris had that commitment every time he was in a hostile area. He was willing to do that. And the fact that he gave up his life trying to help another servicemember who was suffering from a mental problem still is an act of laying down his life in service for others. He did it for this country, he did it for his friends, and he did it for those, including the gunman that took his own life.

Now, it was a very moving service. I don't believe it was broadcast. But for all of us who were there, we were deeply moved. The show of support, love, and affection for an American hero was deeply touching.

Chad Littlefield, the same situation, a man that was willing to lay down his life for his friends, and he did.

I think most people, Mr. NEUGEBAUER, have heard and read about this extraordinary man, Chris Kyle, his service to the country, three Silver Stars and five Bronze Stars. What an incredible, incredible service to his country. He deserves the tribute being brought and much, much more.

I would like to say a little bit about the sacrifice of some American heroes who don't always get recognized as heroes. In Chris' case, it's his wife, Taya, and their two children—sweet little notes on the bulletin at the funeral that they had written. His parents—it was an honor to meet Chris' parents. But we don't often think of the families and what they have laid down. They have lost father, husband, friend, confidante, a man who would do anything for them. They have paid an ultimate sacrifice.

I was reading some years back in—actually it's a journal basically that C.S. Lewis had written after his wife died. In one of the entries, he was talking about how much he missed his wife, how much he wished he had her back, and then he realized how selfish that was because she was in paradise, and his act of selfishness was to want a loved one to come back into a world where that loved one would only have to some day again die before they could return to paradise. I believe with all my heart that Chris, as a Christian, is in paradise. He's greatly missed, and especially by those closest to him that paid that ultimate price.

□ 1520

We wish he were back, but then he would have to go through that process again.

C.S. Lewis said, We've always heard that Stephen was the first martyr, but didn't Lazarus get the rawer deal? I never thought about it before. We're told Jesus raised Lazarus from the dead. You can't find any reference in scripture of Lazarus saying anything ever because he might have said something like, I was in paradise, and you're bringing me back here now?

Nonetheless, Chris has served honorably and well. He's greatly missed. And we should not forget the family members of those who have lost loved ones in service to this country. They have paid the ultimate price: his parents, his wife, his kids, his brother. Obviously, his brother sorely missed Chris. So let's pay tribute to Chris, to those who have sacrificed in giving their loved one Chris for our country.

Mr. NEUGEBAUER. I thank the gentleman, and I think the point that you make is extremely important about our families. As Members of Congress, we get an opportunity and many occasions to travel to the theater and to thank those men and women that are deployed and for their outstanding service to their country.

I know that my colleagues also do the same thing I do; that is, when you're around their families, you understand and they understand that this is a team sport. It's those families that support our military folks back home and keep the homefront going while our men and women go and do the job we ask them to do, which is an important part of making sure America has a strong defense.

I got an anonymous email from a person that wanted to express their thoughts about Chris. He says:

> When veterans asked for help or wanted to meet with him, Chris made time for them. When children needed him, he made time for them. The week before he died, his wife was marveling at how he could make time for so many different aspects of his work while making time for his family and still squeezing in time for children and veterans in need. He shrugged and let this simple reply speak volumes of his character, ''Kids and vets, right, babe?''

Chris was working hard, juggling many different things to make a living for his family. He worked hard mostly because he had already made the decision to give away more money than he had earned in his lifetime in order to support the families of the fallen. I think that says a lot about Chris. Chris wasn't caught up in material things. He wasn't caught up in honors. Every day, Chris had a servant's spirit

It is now my honor to recognize another great Texan, my neighbor to the south, Mr. CONAWAY.

Mr. CONAWAY. I thank the gentleman for yielding some time and allowing me to add my inadequate words and thoughts for Chris and his family.

I had purchased Chris's book a long time ago; but as things go, I just hadn't read it. After he was murdered a week or so ago, I read his book. It was a very unsettling experience.

The book is written in what appears to be Chris's voice. I never met Chris, and so I didn't know what he actually sounded like when he spoke. But the book is written in a very conversational tone, and it's almost like you're

having that conversation with Chris. You're reading, and you're caught up in the stories, and you're caught up in the action. You go, Oh, he was murdered several days ago.

Chris's style of talking about himself and the things that he did on behalf of his country were very self-deprecating, very matter of fact. I'm sure most of the instances in there where he talked about coming close to being hurt or coming close to near-death experiences are sugarcoated from what the real deal was because I know he didn't want his wife and family and many to know. He certainly wouldn't have been bragging about that anyway.

But Chris had a very matter-of-fact tone when he was with the SEALs and he was in those battles. Even when he was home, he had a very—''casual'' is not the right word—but very matter-of-fact attitude toward the fact that he could be killed, that something bad could happen to him.

He also spoke in the book often about his faith and a guardian angel. There was one instance where he just moved differently than he normally would have moved, and a bullet went right where he had been. That's a Holy-Spirit-kind of thing. It just wasn't Chris's time.

So you read through that book, but you know Chris has been taken from us, he's been murdered, and America has lost one of her very best to have worn our colors and to have served.

I think the thing that comes out of the story in the book was he and his wife's struggle. What was most impressive about it was how torn he was between duty to country and duty to family. He was clear that his first duty was to God, but he was legitimately torn between the responsibilities to not only himself, but his men and the others under his watch and care, and those he protected by killing bad guys before they had a chance to kill our guys. That role he played, he relished it, he cherished it, and he wanted to do it; but he also began to recognize and see the impact it was having on his wife and kids.

So the struggle he and Taya went through of trying to come to the decision of, Do I give up something I really love to do, and I feel like my duty to do it, that I will have abandoned my friends if I go in a different direction? How difficult that decision was for him and his family, but that he ultimately decided that his role, God's direction for him, was that he be a full-time father to his two kids and a full-time husband to his wife.

The sense of loss from leaving the service, leaving the SEALs—the truth of the matter is he was in a period of our country's history that is not likely to be repeated ever again. I certainly hope not. The way he spoke about the opportunity to lay his life down for others is very matter of fact in that he was certainly willing to do that.

I agree with RANDY and LOUIE as they talked about the families. They really are the unsung—I got a little taste of this back when Iraq was going on in a big way and Afghanistan. I've made multiple trips. My wife, Suzanne, is just a basket case while I'm in country. And they never take Members of Congress to any place scary. They're not going to do that. If anything, it would be a helicopter failure or something. For the most part, they never take us anywhere scary, but she doesn't know that. I know it. I know everything is fine. We're wearing suits and ties, and it's fine. But she doesn't know that until I get out of country. As soon as she knew that, I would sense the relief in her.

That gives me a microscopic sense of what these families have done for 12 years now across the board with their loved ones downrange. As far as the family is concerned, it's a 24-hour-a-day, 7-day-a-week risk for their loved one. The loved one knows when it's scary and when it's not and knows when things are going crazy, but the family back home doesn't. They're dreading that car pulling up out front because they know that their loved one is someplace where they could get hurt or killed. The strength of the American serviceman's and servicewoman's family is to support them throughout this timeframe, where we've asked them as a country to do far more for this country than should ever have been asked of any one individual.

Yes, it's an all-volunteer force and, yes, they continue to reenlist, re-up, and go at it. But we've asked them to do more than we should have. They've recognized that we had to ask them to do these things. So I too brag on the families because that really is where the strength of America is shown, in families being able to back Chris up and the things that he was trying to do to make sure he was able to do downrange all he needed to do without worrying about what was going on back home.

It is so difficult to lose someone like Chris. We had a wonderful organization in Midland, Texas, called Show of Support, a similar thing to what Chris was doing with his life after he got out, and that is in this instance they take wounded vets on deer hunts. They bring them into town, and they have a big banquet. They take the wives on a shopping spree and to the spa, and then they take the guys hunting. In this past year, they were in the parade heading down to the banquet. And the float that several were on was hit by a train, and four of these men were killed. These men who were killed had already had wounds of war that showed up in their lives every single day. One was killed pushing his wife out of harm's way.

So losing those four, the personal experience we think we feel with Chris—and we don't, but we do, because he's one of our best and one of those who has done far more for our country than we should have asked—does feel personal.

I ask folks around Memorial Day every year that we thank our country and we thank folks for the sacrifices made on behalf of our country, but it's generally in the generic, generally as a group. What I ask people to do is I say, Look, I want you to pick out somebody specific. I want you to think about somebody who we're memorializing today who has actually laid down their life in defense of this country. I want it to hurt a little bit. I want it to cost something for you to say the things we say very casually on Memorial Day.

□ 1530

I now have someone else I can think about on Memorial Day when we should all, as a country, recognize these collective sacrifices. Sometimes when you recognize them in the collective, it loses the impact, so I would encourage folks to recognize those sacrifices in the specific by picking out somebody you went to high school with who was killed in Vietnam, as in my case, or someone you know—a family member or whomever—about whom you can say, All right, as it ought to hurt just a little bit.

I want to thank the gentleman for giving me a chance to add, as I mentioned earlier, my inadequate thoughts on Chris and on his dedication to this country and his sacrifice. I wish Godspeed to his family as they cope with Chris' absence in this life.

Mr. NEUGEBAUER. I thank the gentleman.

If Chris were here and were standing next to me, I think one of the things he would say is, RANDY, you need to talk about my team members.

He was a Navy SEAL. If you read the book or if you talk to a Navy SEAL—and I've visited with Chris—the SEAL team members, because of the things that they do together, have to trust each other explicitly. He lost some of his team members while they were serving our country. He grieved over that, and he thought about them a lot.

One of his teammates sent me an email that reads:

> Chris Kyle is an American hero who will be sorely missed by his brothers in arms, the great State of Texas, and the entire United States of America. For the last week, we have mourned his death, but I ask you today to take joy in his life, to truly appreciate the time he was with us; and may we continue Chris' legacy of service unto one another and support our wounded veterans who are battling with PTSD. Thank you to everyone for their support and prayers. God bless America.

Now it's my pleasure to recognize the gentlewoman from the Fort Worth area, Ms. GRANGER from Texas, who has spent a lot of her career in Congress helping to make sure that our soldiers have the things that they need and supporting them.

Ms. GRANGER. Thank you for giving us the opportunity to rise today to honor a true American hero, who is Chris Kyle, a retired Navy SEAL chief petty officer who was killed in Glen Rose, Texas, on February 2.

Chris Kyle heroically defended his country through four tours of duty in Iraq, where he participated in major battles throughout the country. He was the single deadliest sniper in the history of the United States military. Chief Kyle was shot twice in the fighting and was in six separate IED explosions. However, he never received the Purple Heart because he didn't want to be separated from his unit while the paperwork was being processed.

Chris Kyle fought for his country and saved the lives of many of his fellow Americans, but his accomplishments extended far beyond the battlefield. After 10 years of service as a SEAL, Chris retired from the Navy to focus on his family. He continued to train military personnel and security staff, and he wrote a book documenting his time in combat, which one of the Members talked about. Rather than keep the proceeds from the sale of the book, he donated the money to the families of two fellow SEAL members who had fallen in battle.

On February 2, Chris and his friend Chad Littlefield were tragically killed by a veteran they had sought to help. This act of violence may have taken Mr. Kyle's life, but it doesn't erase the powerful legacy he leaves behind.

Mr. Kyle is survived by his wife and two young children. He lives on through his family, through the lives he saved through his heroism in combat, and through the veterans he helped. He continues to be a source of inspiration to all who know his story.

On February 11, more than 7,000 people from around the country gathered in Cowboy Stadium for Chris Kyle's memorial service. Hundreds more braved bad weather to line roads and highways to honor Chris by watching his funeral procession on the way to the Texas State Cemetery. It was a fitting tribute to a man who touched the lives of so many and who will continue to do so even after his death.

This country owes a tremendous debt of gratitude to Chris Kyle for his selfless service to his country, both on and off the battlefield. His heroism and the heroism of all his fellow veterans will never be forgotten. My thoughts and prayers are with his wife, his children, his family and friends, and especially with his teammates.

Mr. NEUGEBAUER. I thank the gentlewoman.

As was mentioned, after Chris left the SEAL team, he went to Texas, and they formed a company called Craft International. The CEO of that company is a gentleman by the name of Steven Young, and he sent this email:

> Chris was a true American hero in having devoted his adult life to serving his country in combat as a member of the U.S. Navy SEALs and in training our military and law enforcement personnel after leaving the Navy. Chris was also an extremely devoted family man, a wonderful husband and a loving father. He gave so much of his time to charitable causes that assisted military personnel and their families, and he died while trying to help a struggling servicemember. We are all saddened by his tragic death. America lost one of its finest sons and a true patriot.

I think, again, there is a common theme here. Chris was always doing things for other people. As was mentioned, when someone was involved in a hurricane, Chris was saying, Do I need to go all the way to New York to help you? That was his motto—he was service-oriented.

It is now my pleasure to recognize another great Texan, one of our newer Members of Congress, Mr. BLAKE FARENTHOLD.

Mr. BARTON. Will the gentleman yield?

Mr. NEUGEBAUER. I yield to the gentleman from Texas.

Mr. BARTON. You keep saying ''another great Texan.'' That's redundant. If you say ''Texan,'' it's assumed that they're great.

Mr. NEUGEBAUER. They're all great. Exactly.

Mr. FARENTHOLD. Thank you very much. It's my pleasure to be up here even though it is a very solemn occasion.

I didn't have the honor or privilege of knowing Chief Chris Kyle, but as I've heard my fellow Texans speak of him and as many Americans have gotten to know him through his book, it's just a true testament to the American soldier and to the traditions of our military that Chris, after heroic and valiant service to our country, came back, and instead of just fading, he continued to help his fellow servicemen. The tragedy associated with his death, one of helping another, is heart-wrenching, but it does call to mind that the greatest traditions and values of America are manifested through our service. He was doing just that when he was killed by a fellow veteran he was trying to help.

We in this country and in Congress have worked hard to provide health care, including mental health care, for our veterans. We are growing and expanding that service through the VA now. Just last week, I toured a new VA facility in my hometown of Corpus Christi. It has a large area devoted just to treating some of the psychological problems that many of our veterans come home with after experiencing the horrors of war. It's something that we need to continue to do as a country, and it's something that we need to continue to do as Americans.

Though the result of Chief Kyle's help was tragic, it doesn't diminish our responsibility and our duty to help our fellow Americans, especially our heroes who are suffering, and we can do that in a wide variety of ways. We're doing it, obviously, in Congress in the way Congress does things—we're enacting laws; we're appropriating money; we're doing programs—but helping on a very personal level is something that we need to continue to do, and that is a legacy of Chief Kyle's.

I was reading a Dallas Morning News article this morning about the kind of funeral that he received. There were 200 Patriot Guard Riders accompanying the funeral procession from the memorial service that was held at Cowboy Stadium in Dallas, Texas, to his burial in a place of honor—in the Texas State Cemetery, right in the center of the cemetery. This is just indicative of how we as Texans and how we as Americans feel about our servicemen. They deserve our honor and respect, and I'm proud that Texas and America have turned out for Chris Kyle.

I want to add my and my family's prayers to those of the rest of this Congress for Chris' wife and their children and for the entire Kyle family. We as a Nation have a profound sense of gratitude for our servicemen and -women, both active and retired, and it's our responsibility to care for them when they return home.

□ 1540

Mr. NEUGEBAUER. I thank the gentleman. A couple of other emails here. This is from Jeff Staubach:

> He was very appreciative of his friends and family. He never hesitated to thank me for the smallest gestures. We were lucky to have him fighting for us, risking his life for us, and being our friend. About 2 months ago, I emailed him and told him that we needed to go get a beer soon. It was Thanksgiving, then Christmas, then New Year's, SHOT Show. We never pinned down a date. I wish I could grab another beer with him, just to sit back and talk about our kids, what the Cowboys will do this fall, and when we'd go shoot again together.

I imagine what Chris would tell us today, and what Chris knew, because he was putting his life on the line every day, is that every day is precious. Every day is a gift from God, and that we must be a good steward of that day that he gives us. Chris Kyle, the day that he left us, left his house, thought he'd go out and shoot, maybe help this young man, and, unfortunately, actually lost his life doing that.

Mark Spicer, another friend, said:

> I once asked Chris why he chose the SEALS, and he told me it was because he had been told it was the hardest to get into, and that typified the Chris Kyle we all knew. Chris would hit any challenge head on and never flinch from hard work and his unselfish devotion to those around him.

It is now my pleasure to recognize one of our newer members from the Texas delegation, Mr. STEVE STOCKMAN.

Mr. STOCKMAN. Thank you for offering this opportunity to honor a gentleman and a Texan who has demonstrated beyond any belief that he is dedicated to his country. After he served, he could have gone, walked out and done other things. But instead, Chris took it upon himself to have compassion for his fellow soldiers. And in that process, he gave the ultimate sacrifice, his life. He's an American hero, and I offer my deepest sympathy to his wife and his two children. He served our Nation courageously, and served with multiple injuries during four tours of Iraq.

Chris retired in 2009 to spend more time with his family. On top of being a warrior, Chris was a Christian, a son, a husband, and a father. On behalf of myself and my wife, Patty, our hearts go out to Chris' wife and her family. Our Nation will never forget and forever be grateful to Chris' service and for Chris' undying belief in Christ and sharing his testimony. Chris was the kind of humble and kind man who always put the needs of others before himself. Chris continued his passion with his nonprofit, FITCO Cares, which provided inhome fitness equipment to physically and emotionally wounded veterans.

I'd like to say to Chris—which I know he's upstairs listening to us with God and with his Lord—that we are so honored and deeply touched that you gave your entire life for this Nation and that you have set an example for all of us in this House on how to behave. He's an individual, and we say nowadays that we don't have many heroes, but he's a true hero. He's not a pop star. He's not something that is glitter. He did his work and his dedication in silence so that not many people knew until his passing. We all should look to him as a leader and a hero. We're blessed that we had him on the Earth, and one day we'll all see him again.

Mr. NEUGEBAUER. I thank the gentleman.

Another friend of Chris' said:

> You are the definition of a true American hero, but you are also the definition of a true friend. From the late nights to the early mornings, you could always make me laugh. You have ever changed my life and many others. You will forever be missed, but never forgotten. We miss you, brother. Kevin.

Another friend of Chris' is David Feherty. David has been very involved in the Wounded Warrior program and was a friend of Chris'. An excerpt from his email, and I think he's talking to all of us:

> So think upon this tonight as you lay yourselves down to rest, and be thankful for the life and service of Chris Kyle, whose spirit lives on in the lives of those who were lucky enough to have known that sweethearted, straight-shooting Texas prince. May he rest in peace, and our sorrow turn quickly to happy memories. David Feherty.

It is now my pleasure to recognize a fellow Texan who also served our Nation in the Navy, Mr. OLSON.

Mr. OLSON. I thank my colleague from Lubbock, the 19th Congressional District.

I rise today to pay tribute to a fellow swabbie, a fellow squid, and a fellow sailor, Navy Chief Petty Officer Chris Kyle, an elite retired Navy SEAL who was much more than the sum of his parts. Chris Kyle lived his life the way he died—in defense of our country and helping his fellow man in their time of need.

Assigned to SEAL Team 3, Sniper Element Charlie platoon within the Naval Special Warfare Command, and with over four tours of duty, Chris served in every major battle of Operation Iraqi Freedom. His service and sacrifice on behalf of America is well known.

What is lesser known is his humanity as a devoted husband and a loving father. He was a decorated Navy hero with a bright future ahead of him. He was on track to become a master chief petty officer, maybe even the master chief petty officer for the whole United States Navy, the first time a SEAL would hold that title. But he stepped away from that career to devote his time to a higher priority—to his children and his wife.

He was active in helping sailors and other veterans with their transition back to civilian life. Chris also paired with FITCO Cares Foundation, a nonprofit organization which created the Heroes Project.

FITCO Cares provides free in-home fitness equipment, programs, personal training, and life coaching to any veteran with disabilities, Gold Star families—those are families who lost a loved one in combat—or those suffering from post-traumatic stress disorder. He was always willing to lend a helping hand.

Today, Texas honors our native son, Chris Kyle. As someone who wore the same uniform, I am deeply proud of his commitment to God, family, and our country. He was an American patriot, a defender of liberty, a husband, and a father. A grateful Nation says good-bye to a man taken from this Earth much too soon.

May God bless Chris Kyle's wife, Taya, his children, his family, and all who loved him. I'm sure that in heaven, Chris Kyle is watching over his family and us.

Chris, I wish you fair winds and following seas.

If Chris were here today, I'd thank him for the gift he gave me and my wife, Nancy. When I took off in my P–3 Orion, I knew that if I were shot down and fortunate enough to survive the crash, Chris Kyle would come get me and take me home from wherever I was in the world, regardless of the challenges. We lost an American hero.

Chris Kyle, I salute you.

Mr. NEUGEBAUER. One of the things that Chris liked was he liked law enforcement people. He had a great deal of respect for them, and they knew that, that he had respect for them. What Chris knew was, just like he put himself in harm's way on a daily basis, that our first responders, our policemen and our sheriffs and those State troopers, that they put their lives on the line for our country and for our citizens as well.

This is a letter from Dan Parker. He is a law enforcement officer.

□ 1550

He says:

> I first met Chris in 2010, at a ranch in Texas. I was told just before I would meet him of the truly incredible deeds that he was involved in during the war in Iraq as a soldier and a sniper, and that he was a former SEAL. Being a law enforcement sniper, I was really looking forward to meeting him and was unsure of what to expect.
>
> What I found was a great man who was truly humble, down to Earth, and was a lot of fun to be around. I also found that Chris truly loved his country and that he'd sacrificed much for it and did not consider himself any type of hero, but only doing his job with his God-given talents.
>
> Chris also made it very clear he felt a deep sense of responsibility to help any veteran or law enforcement officer he could.

I now want to recognize Mr. BARTON again for some remarks.

Mr. BARTON. Well, thank you, Congressman NEUGEBAUER. I think we have spent a good bit of our time extolling the virtues and honors of Chris Kyle and the other gentleman who was murdered, Mr. Littlefield.

I want to take a minute to brag on you a little bit. Most people don't have a very high opinion of the U.S. Congress. Luckily, they think higher of their own Congressman.

I think we should acknowledge how hard you've worked to help the family in this time of need, since you knew the family personally. You intervened with the Pentagon if the family wanted to try to bury Kyle at Arlington Cemetery. I know you've personally interacted with the Governor and his staff down in Austin, my staff, obviously, since they're my constituents.

You've gone above and beyond the normal requirements of a Congressman to reach out and help because you feel that commitment personally and professionally, and I want to commend you.

I also want to ask a question that I think you know the answer to. I have heard and read that an education fund has been established for Kyle's children. Is that true?

Mr. NEUGEBAUER. I believe that is correct. The gentleman is correct.

Mr. BARTON. So that being the case, it's certainly appropriate to honor the past. But part of his legacy are his children, and I would encourage anyone who wishes to get the address or the email and make a contribution so that the Nation shows its respect for his service by making sure that his children have the education that this country is capable of providing.

I would also encourage anybody who lives near their families to reach out and touch them personally. I plan to go by and see both the widows of the two gentlemen who were killed and see if I can be of personal assistance.

And then the last thing, obviously, we're here to honor somebody who was exceptional, in Chris Kyle. But as we speak, there are hundreds, if not thousands, of Chris Kyles on duty right now, protecting us in Afghanistan and ready to serve and ready to rescue. All of our servicemen and -women, we should thank them when we see them.

We should show their families here at home we support their service, and we should dedicate ourselves today to making sure that our Armed Forces have the best equipment, the best training, and, if necessary, the best rescue operations, and their families get the very best while they're serving

their country, because we're here in freedom because of the Chris Kyles and all that they've done and continue to do.

And, again, I just want to thank you, Congressman, for your effort in this and organizing this and all you have done to try to help the family. You are truly a gentleman and honorable in every sense of the word.

Mr. NEUGEBAUER. I thank the gentleman.

I want to read a few more of these emails I got. And I'm reading excerpts of them. And one of the things I'm going to do is put all of these in the RECORD so that the kindness that a lot of people have shown, and their love for Chris, can be reflected in our CONGRESSIONAL RECORD.

This is from Elizabeth Robinson, and she says:

> I only knew Chris from a little under 3 years, but in that time he stood up for me in one of my most confusing moments, gave me encouragement that helped push me into one of my toughest physical trials, and entertained many a moment in the office with his fun banter and laughs. He was a hero of such a grand scale, but that heroism trickled into the everyday through his shining character that made everyday encounters with him special.

I think that's one of the things about Chris that most of us will miss is Chris's sense of humor. He had a great sense of humor. As I said, he didn't take himself seriously, and his sense of service.

This is from Nathan Kirk:

> I move forward with sadness, but equally with the confidence in knowing that the path to healing is through service to others, as evident by the life of Chris Kyle.
>
> I will never fail you, Chief.
>
> Semper Fi.

This is from Tommy Hicks:

> Chris was a good father, a husband, a friend to many. But through his service to our country in the Navy and after, impacted many others, more than he would ever imagine. He is the man everyone strived to be, a man who every American should want their son to be, a man to whom everyone owes a debt. May his memory be served for generations as a role model to the youth of America.

I'm going to close out our time by reading something that I think exemplifies Chris, and it was a big part of his life, and I think it also says what Chris's code in life was, and that is the Navy SEAL creed. It goes like this:

> In times of war or uncertainty, there is a special breed of warrior ready to answer our Nation's call. A common man with uncommon desire to succeed.
>
> Forged by adversity, he stands alongside America's finest special operation forces to serve his country, the American people, and to protect their way of life.
>
> I am that man.
>
> My Trident is a symbol of honor and heritage. Bestowed upon me by the heroes that have gone before, it embodies the trust of those who I have sworn to protect. By wearing the Trident, I accept the responsibility of my chosen profession and way of life. It is a privilege that I must earn every day.
>
> My loyalty to country and team is beyond reproach. I humbly serve as the guardian of my fellow Americans, always ready to defend those who are unable to defend themselves. I do not advertise the nature of my work, nor do I seek recognition in my acts. I voluntarily accept the inherent hazards of my profession, placing the welfare and the security of others before my own.
>
> I serve with honor on and off the battlefield. The ability to control my emotions and my actions, regardless of circumstance, sets me apart from other men.
>
> Uncompromising integrity is my standard. My character and my honor are my steadfast. My word is my bond.
>
> We expect to lead and to be led. In the absence of orders I will take charge, lead my teammates and accomplish the mission. I will lead by example in all situations.
>
> I will never quit. I persevere and thrive on adversity. My Nation expects me to be physically harder and mentally stronger than my enemies. If knocked down, I will get back up every time. I will draw on every remaining ounce of strength to protect my teammates and to accomplish our mission. I am never out of the fight.
>
> We demand discipline. We expect innovation. The lives of my teammates and the success of our mission depend on me, my technical skill, my tactical proficiency, and my attention to detail. My training is never complete.
>
> We train for war and we fight to win. I stand ready to bring the full spectrum of combat power to bear in order to achieve my mission and the goals established by my country. The execution of my duties will be swift and violent when required, yet guided by the very principles that I serve to defend.
>
> Brave men have fought and died building the proud tradition and feared reputation that I'm bound to uphold. In the worst of conditions, the legacy of my teammates steadies my resolve and silently guides my every deed.
>
> I will not fail.

I think that sums up the life of Chris Kyle.

□ 1600

I will personally miss him, and my thoughts and prayers go out to Taya and the family. We're going to miss Chris. But I think what Chris' friends would say and what Chris would say is: If I made an impact in your life, go out and impact somebody else's life.

May God bless Chris Kyle, may God bless you, and may God bless the United States of America.

GENERAL LEAVE

Mr. NEUGEBAUER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the subject of my Special Order.

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

There was no objection.

Throughout his life, Chris Kyle struggled to put his responsibilities to God, Country, and Family into the proper order. God was always first, but he often debated where Country and Family belonged. But through all of his life, he never once put himself ahead of any of those three things. He personified the best traditions not just of the American military and the SEAL community, but of American citizenship. He was truly a warrior in every facet of life.

There are many ways you can describe Chris—hero, SEAL, father, husband—but I think for most who knew him the most powerful way would be the simplest: Friend.

My friendship with Chris began when I was privileged to work with him on American Sniper, the story of his life and (some) of his heroic exploits. Though perhaps unlikely, the professional relationship between a Texas good ol' boy and a hard-bitten New York native quickly blossomed into a true friendship.

Of my many memories of Chris, perhaps this one sums up the kind of man he was: on the morning of Hurricane Sandy, as I was going out to check on the damage to our house the neighbors, I received a text message from him asking if I was OK and if needed anything. Even though he was over two thousand miles away, I knew that if I asked for help he would have thrown a bag in the back of his pickup and driven up within the hour.

It was that kind of spirit, in everything he did, that made Chris a great warrior, a great SEAL, and a great American. I am grateful to have known him.

—Jim DeFelice

Chris Kyle was a man who set his own standards. He believed in hard work and he believed in generosity. He did not believe in a free ride and he did not believe in taking credit for the work of others. He was gracious in his dealings with the public and expected nothing in return.

Chris Kyle was humble and determined to be the best at whatever he set his heart to do. He clearly set his heart to being the best Navy SEAL he could be. As a warrior, he allowed his heart to harden in the face of adversity in order to do the work necessary to protect his brothers in arms. As a warrior he also made a choice to be a man whose children and wife would know him more as a man than a warrior. He chose to be available for ball games, nighttime prayers and dropping the kids off for school. He tirelessly devoted his time to his community and would not accept payment for anything he did in support of his hometown.

When veterans asked for help, or wanted to meet him, Chris made time for them. When children needed him, he made time for them. The week before he died, his wife was marveling at how he could make time for so many different aspects of his work while making time for his family and still squeezing in time for children and veterans in need. He shrugged and let his simple reply speak volumes about his character, ''Kid and vets, right babe?''. Chris was working hard juggling many different things to make a living for his family. He worked hard mostly because he had already made the decision to give away more money than he had earned in his lifetime in order to support the fallen. ''Kids and vets, right babe?''

Chris Kyle was a man like no other. If we can take away anything from his life it would be: live your dreams, make your family a priority even when you are working hard, be patriotic, and take care of kids and vets.

—Anonymous

Chris Kyle is an America Hero that will be sorely missed by his brothers in arms, the great state of Texas and the entire United States of America. For the last week we have mourned his death but I ask you to take joy in his life. To truly appreciate the time he was here with us. And may we continue Chris's legacy of service unto others and support our wounded veterans and those battling with PTSD. Thank you to everyone for their support and prayers. God bless America.

—Anonymous

Chris was a true American hero having devoted his adult life to serving his country in

combat as a member of the U.S. Navy SEALs and in training our military and law enforcement personnel after leaving the Navy. Chris was also an extremely devoted family man—a wonderful husband and loving father. He gave so much of his time to charitable causes that assisted military personnel and their families and died while trying to help struggling service member. We are all saddened by his tragic death. America lost one of its finest sons and a true patriot.

—Steven Young, Craft International's CEO

I met Chris just a couple weeks after he arrived in Dallas from San Diego in 2009. I remember hearing stories about him and not knowing what to expect. I found him to be a genuine person. He could kick the tar out of just about anyone but that's not what impressed me. It wasn't the stories from Ramadi that impressed me, it was seeing him with his family and his friends. He was very appreciative of his friends and family. He never hesitated to thank me for the smallest of gestures. We were lucky to have him fighting for us, risking his life for us, and being our friend. About two months ago I emailed him and told him we've got to get a beer soon. It was Thanksgiving, then Christmas, then New Years, Shot Show. . .etc. We never could pin down a date. I wish I could grab another beer with him and just sit back to talk about our kids, what the Cowboys will do this fall, and when we were going to shoot together again. I'll miss times like you see in the attached photo, throwing my arm around him with a joking threat to choke him out, jeans, boots, and cold beer.

—Jeff Staubach

Chris Kyle was a normal Texas boy, had a normal education and entered into ranching, considered to me a normal Texas profession, but he was to go on to become anything but normal.

I once asked Chris why he chose the SEALS and he told me it was because he had been told it was the hardest to get into and that typified the Chris Kyle we all knew. Chris would hit any challenge head on and never flinched from hard work and his unselfish devotion to those around him. It was an inspiration to see.

Chris always had a mischievous twinkle in his eye and loved to play pranks, laugh and enjoyed life as I have rarely seen but there was another side to Chris that few saw. Chris never truly cared about how successful he was at his chosen profession, he cared deeply about this country, what it stands for and mostly for the fellow soldiers he believes he couldn't save. Chris agonized over this subject many times and it was never far from his thoughts as he settled back into being a husband, loving father and came to terms with not being the tip of the spear anymore, a subject all professionals struggle over. Chris's answer was to join a fellow sniper and form a company designed to pass on their wealth of experience to those who follow and who now stand in harms way.

—Mark Spicer

Chris, you are the definition of a True American Hero, but you are also the definition of a True friend! From the late nights to the early morning you could always make us laugh! You have for ever changed my life and many others. You will be forever missed but never forgotten!

We miss you Brother!!!!

—Kevin

Everyone fortunate enough to call themselves Americans should mourn the passing of one of our country's greatest sons, Chris Kyle, for he represented everything that is good about our nation and for that matter, our species. The single greatest threat to mankind's survival on this planet is now and always has been the violent intolerance of those whose religious beliefs differ from those of others. Chris Kyle put himself in harms's way in order to defend our basic human right to evolve as a species, from those who consider teaching their children to commit suicide to be part of the same process.

Every time Chris Kyle squeezed his trigger, he served to create a safer environment in which we who choose to be tolerant of others, to be kind to others, and to simply try to do the next right thing can co-exist in peace. Sadly mankind finds itself now at a tipping point which most seem to have chosen to ignore, presumably in the hope that it will just sort itself out without the help of men like Chris Kyle. Well people, go luck to all of us with that one, for without such help and the strength of the armed forces of the United States and her allies our children are surely destined to fall victims to the vilest cruelties of our enemies, who would keep their own people so ignorant that they fear for their own lives daily.

So think upon this tonight as you lay yourselves down to rest, and be thankful for the life and service of Chris Kyle, whose spirit lives on in the lives of those who were lucky enough to have known that sweethearted, straight-shooting Texan prince. May he rest in peace, and our sorrow turn quickly to happy memories.

—David Feherty

A tribute to a true American Hero that I call a friend.

I first met Chris in 2010, at a ranch in Texas. I was told just before I meet him of the truly incredible deeds that he was involved in during the Iraq War as a soldier and sniper and that he was a former SEAL. Being a law enforcement sniper I was really looking forward to the meeting but was unsure of what to expect. What I found was a great man that was very humble, down to earth and a lot of fun to be around. I also found that Chris truly loved this country and had sacrificed much for it and did not consider himself any type of hero but was only doing his job with his God given talents. Chris also made it very clear he felt a deep sense responsibility to help any veteran or law enforcement officer he could.

Chris is gone now due to doing what he felt he had a duty to do. I would like to encourage everyone to keep the memory of Chris Kyle alive and do anything you can to honor him by doing whatever you can to help this countries honored veterans that have given so much and received so little in return. Our veterans are hero's in my eyes and I know Chris felt the same way.

Chris, I will miss you brother and only wish we could have had more time together before the Lord took you home.

—Dan Parker, Texas Law Enforcement Officer

I only knew Chris for a little under 3 years, but in that time he stood up for me in one of my most confusing moments, gave me encouragement that helped push in one of my toughest physical trials, and entertained many a moment in the office with his fun banter and laughs. He was a hero on such a grand scale, but that heroism trickled into the everyday through his shining character that made everyday encounters with him special. Whether he was cranking up the treadmill as I ran, telling me he'd beat up my ex boyfriend for being mean, or telling hilarious stories in the Craft conference room I'll never forget how Chris knew a million different ways to elicit a smile. You'd think meeting such a man as Chris with his reputation and history would make people nervous, but within minutes someone who just met him would be smiling and at ease. Even the times of frustration were colored in such a memorable light by his personality. In a world full of double standards, muddled meaning and confusion, his direct manner was refreshing. I loved being in his presence not because he was a hero or a celebrity, but because he was as genuine a person as you can find today.

—Elizabeth Robinson

After having attended the services yesterday for Chris, I owe him yet another ''thank you.''

The first ''thank you'' is the obvious one that we all owe to him; his military service to the nation in his unrelenting determination to his duties as a SEAL.

The second ''thank you'' is more personal, and that is the ''thank you'' I owe Chris for giving me a chance when he brought me onboard to his company. To me this is very important, as after having not one, but two ''medical discharges'' from the military, both non-combat related and not allowed to carry on with my brothers; I felt like a failure as a man at the resultant outcome of both of my enlistments. Chris looked beyond this and never made me feel less for my limited service versus his own extraordinary accomplishments and provided an opportunity to serve along side of him in a new and noble mission in the service to our military and law enforcement men and women, and treated me with nothing but equality and respect at all times along the way.

The third ''thank you'' is in the honor it was to stand with his family, brother SEALs and friends, and salute this man goodbye. As I walked within the line that followed him off the field, I was overwhelmed by grief with more than just the fact that we all had lost an American Hero, but that we had lost a bright shining example of a truly great human being in terms of compassion, generosity, and selfless service to his family, friends, fellow veterans and a nation.

I move forward with sadness, but equally with the confidence in knowing that the path to healing is through the service to others, as evident by the life of Chris Kyle.

''I will not fail you Chief.''

Semper Fi

—Nathan Kirk Merithew—USMC

I was fortunate to have met Chris when he moved back to Texas in 2009 Chris was immediately a presence in my life. His character and sense of loyalty and duty was something I admired and appreciated. He was great to my family, and role model for me and my brother.

Chris was a good father, husband and friend to many. But through his service to our country in the Navy and after, impacted many others—more than he would ever imagine.

He is the man everyone should strive to be. A man who every American should want their son to be. A man to whom everyone owes a debt. May his memory be served for generations as a role model to the youth of America.

Chief Kyle, thank you for your friendship, your service, and the impact you did have on so many of us. You made Texas, the United States, and the world a better place. We will make sure your legacy lives longer than the rest of us.

—Tommy Hicks

Randy, thank you for pushing this in Congress. As you know, when Chris retired from an 11–yr career on Seal Team 3, he was the most lethal sniper in US military history with 255 confirmed kills (DOD made him take the number down to 150 as the prior US

record holder was Carlos Hathcock or White Feather in Vietnam with 90). You may wish to include these numbers or not but this is for your information. Chris lived with me and my family for 6 months while his wife and kids prepared and sold their home in Coronado California before they moved to Texas. Chris was born in Hamilton, Texas and was essentially back home when this tragedy took place. He became a best-selling author and decided early to donate the proceeds of the book to the 3 families of team members he had lost while on Seal Team 3. Little did he know that it would be his family needing it the most.

On Saturday, February 2, 2013, Chief Chris Kyle (USN), Craft International LLC's President and the author of the best-selling book, American Sniper, and a friend were killed on a gun range in Glen Rose, Texas. Chief Kyle, a former Navy SEAL, served four Combat tours in Operation Iraqi Freedom and elsewhere. For his bravery in battle, he was awarded two Silver Stars, five Bronze Stars with Valor, two Navy and Marine Corp Achievement Medals, and one Navy and Marine Corps Commendation. After retiring from the Navy, Chief Kyle founded Craft International LLC, a military and law enforcement training company, and was involved in numerous charities, including cofounding FITCO Cares Foundation, and other charitable events benefiting wounded and disabled servicemen and women returning from combat.

—J. Kyle Bass

Yesterday, I had the privilege of witnessing the outpouring of support for Chief Petty Officer Chris Kyle as he was escorted to his final resting place in Austin, Texas. 200 miles of support. Patriot Guard Riders leading the way. Thousands of people standing in the cold and rain. Flags flying at every turn. Banners and signs with heartwrenching messages of love and support lining the streets and being hung from freeway overpasses. Veterans raising their arms to salute a hero, their eyes filled with tears, as the procession passed.

The outpouring of support online was no different. Thousands of people from all over the country who wanted to be there, whose hearts ached to be there, gathered as well. Pictures and videos poured in from all along the 200-mile route. As items were posted, people commented and shared and talked about how they were feeling, how they were touched, how they were watching and listening through tears. It was both a heartbreaking and heartwarming journey.

I never knew Chris, but his life affected me in profound ways; ways I almost hesitate to share because they are so deeply personal. Chris was a patriot. Not a fair-weather patriot, a standing up and speaking out for what he believed in, knocked down and dragged through the mud, ''I am never out of the fight'' patriot. His passion for his country and his belief in what he stood for were unshakeable.

I admire Chris, not just for being the warrior he was, but for the man he was. The way he believed in his wife, Taya, when she did not yet believe in herself, and honor his greatest honor was being a father to his two children, is a tribute to the rare, beautiful gift that love is, and the joy it brings to our lives. I love the way he teased he family and friends. The way he reached out to others who were in pain. The way he not just shared, but *lived,* his faith.

I believe Chris represents the best in all of us. He exuded the highest ideals. He believed in his country and in his fellow man. He showed us what we are capable of as, individuals, and more importantly, what we are capable of as a nation. What overwhelmed me most yesterday is still what overwhelms me today, and that is how We Stood Together. We stood together for Chris, but more importantly, we stood together for what he believed in. We stood together for our country and for one another. I will carry that moment with me all the days of my life.

May God bless Chris Kyle, his family, and the United States of America

Thank you.

—Anne M. Stratford, Michigan

With the untimely and unfortunate death of Chris Kyle the world witnessed the coming together of a cross section our Country's people that one never would have placed on the same stage. Military hero's honoring one of their own; family mourning the loss of their rock; a beautiful, smart and strong wife holding it together and providing the stability and comfort for her adoring two young children.

The world has just begun to hear from Chris Kyle. He has made a difference.

God rest his soul and bless his wife Taya and the children.

—Ron Lusk

I want to note how profoundly sad and sorry I am at the passing of a great American, Chris Kyle, just a few days ago. So many of you on my personal list knew him well. For those who didn't, Chris Kyle was many things: America's most accomplished military sniper, a Navy SEAL, and a selfless servant of our nation at war. You may have heard he was murdered in a terrible fashion in my own hometown of Glen Rose, Texas. It was a sad end for a good man, and it recalls to mind the epitaph given by Thucydides:

''The whole earth is the tomb of heroic men: and their story is not graven on their clay, but abides everywhere without visible symbol—woven into the stuff of other men's lives.''

The work of Chris Kyle is indeed ''woven into the stuff of [our] lives,'' as we prosper, live, and love, in the liberty he defended. It is in his memory, and so many others who fought and died before him, that this work, the work of defending freedom, must continue.

Our prayers are with his family and friends.

—Brooke L. Rollins, President and CEO, Texas Public Policy Foundation

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It is not often you see the very best of the United States on display: too often, a problem postponed is considered a problem solved. Yet from time to time the citizens of that nation will do something to remind you of its greatness.

This past Monday afternoon, in Dallas, I can confidently say I did indeed see the very best of the United States on display as I joined seven thousand others to pay tribute to an extraordinary person. As a friend who was also there observed:

I don't think an assemblage of so many bronze and silver stars has ever honour one of their own and while we think of Chris as our friend and our hero, he was truly a hero's hero.

The thing that resonated most with us on Monday afternoon at Cowboys Stadium was not his heroism nor his decorations, it was his personality and his selflessness for his teammates and especially for his children. While I sent out several copies of Chris book, American Sniper, in my November 2012 booklist I did not realize that 100% of the proceeds were going to the families of team members who did not make it back from Iraq.

—James Aitken

TRIBUTE TO CHRIS KYLE

(By Kevin ''Dauber'' Lacz)

Of what is a legend forged?
Is a legend born of a practiced skill or a cold lethality?
Is it bred by tests of physical strength, overcome and surmounted?
Does it exist because of records broken, distances conquered, or kills acumulated?
Is a legend made by numbers in a desert, a tally kept neatly on a papers in an office?
Can a legend be worn like a trident?
No. This is not the stuff of legends.
A legend is made by a man with immeasurable courage and uncommon valor.
It lives in the heart of the bravest of men—a heart the size of Texas.
A legend is forged by a man who would lead when others would follow, would risk gladly his safety if only to serve God, country, and family.
A legend becomes, through the blood of a man shed generously and willingly in defense of the greatest nation on Earth.
A legend grows through a man's unfathomable love for his wife, his son, and his daughter.
A legend spreads as a man's generosity, warmth, and infallible friendship reach out and engulf all those he touches.
A legend endures.
A legend is forever so long as a man's memory lives on in the hearts of his Brothers, his family, and all those who loved him.
A legend lives on.

Chris Kyle's legend lives on in my own heart—the heart of his SEAL Brother, his pupil, and his friend. His legend survives in the memory I keep and pass to my son, as Chris joins the ranks of our nation's finest heroes and warriors. So long as there are men willing to defend the helpless, to hunt down and destroy evil, and to love their God, families, neighbors, and country, Chris Kyle can never die.

Chris, it was an honor to serve with you. It was a greater honor that you called me friend. Your legend lives on in me.

—Kevin ''Dauber'' Lacz

Mr. FLORES. Mr. Speaker, on February 2 America lost Naval Chief Petty Officer Christopher Scott Kyle in a tragic shooting.

Chief Kyle was a true Texan who grew up learning the cowboy ways in central Texas. After a riding injury to his arm, his future in the rodeo was lost. Kyle went on to pursue his other dream and joined the military. He served in the Navy for 10 years most notably as a Chief Petty Officer in the Navy SEAL's. Assigned to SEAL team 3 as a sniper, he served 4 tours in "Operation Iraqi Freedom." At the time of his tragic death, he was helping two fellow veterans cope with post-military life as he did with many other veterans.

During his 10 years of service to our country, Chief Kyle earned many awards and decorations. He earned two Silver Stars, five Bronze Stars with Valor, two Navy and Marine Corps Achievement Medals, and one Navy and Marine Corps Commendation. Kyle's achievements and ferocity earned not only the respect of his fellow service men and women, but the enemy as well.

On February 12, Chief Petty Officer Chris Kyle was laid to rest at the Texas State Cemetery in Austin, Texas. Thousands lined the streets and highways to pay their respects and honor the service and sacrifice of Chief Kyle as his funeral procession traveled 200 miles from Midlothian to Austin.

On that day, we laid this American hero to rest. Our thoughts and prayers are with the family and the many friends of Chief Kyle. He

will forever be remembered as an outstanding sailor, husband, and father. We thank him and his family for their service and sacrifice for our country.

His sacrifice reflects the words of Jesus in John 15:13, ''Greater love hath no man that this, that a man lay down his life for his friends.''

God bless our military men and women, and God bless America.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to honor an American hero, Chief Petty Officer Chris Kyle.

Eleven days ago, Chief Kyle was taken away from all of us while doing what he did best—helping others, especially fellow veterans.

During his four tours in Iraq, Chief Kyle served in every major battle of Operation Iraqi Freedom. His skill as a sniper became legendary among Americans and insurgents alike. He was given the nickname ''the devil of Ramadi'' by the insurgents and a $20,000 bounty was placed on his head.

By the time Chief Kyle left the Navy in 2009, he had made 160 confirmed kills, more than any other U.S. military sniper in history.

Chief Kyle returned home to Midlothian, Texas in 2009 to be with his wife, Taya Kyle, and their two young children.

Chief Kyle continued protecting his fellow warriors through the creation of the Fitco Cares Foundation, which raised awareness and money to help veterans overcome post-traumatic stress disorder.

In 2012, Chief Kyle's, American Sniper, was published. Though his book became a best seller, he never received money from it. Instead, he used the proceeds for the families of two friends and fellow SEALs.

Most notable of all, Chief Kyle was a man who loved his family deeply, watched over his friends, and did all he could to protect and help those close to him.

I offer my condolences to the family and friends of Chris Kyle and offer the thanks of a grateful nation.

Mr. MARCHANT. Mr. Speaker, I rise today with a heavy heart after the loss of an American hero. I was saddened last week to learn about the tragic death of Chris Kyle, a former Navy SEAL, decorated Iraq war veteran and valuable member of the North Texas community. Mr. Kyle was a native Texan and received numerous awards and decorations throughout his four tours of duty in Iraq, including two Silver Stars, five Bronze Stars with Valor, and two Navy and Marine Corps Achievement Medals.

Upon his honorable discharge in 2009, Mr. Kyle returned home to North Texas and began focusing his attention on helping other veterans cope with the physical and emotional struggles of life after deployment. Whether he was in combat or in the community, Mr. Kyle was always dedicated to providing support for his fellow service members. His death is truly a significant loss, not only for North Texas, but for the country as a whole. I ask my colleagues to join me in mourning the passing of this selfless American hero and to continue to send thoughts and prayers to his family and loved ones.

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor the life of native Texan, Chief Petty Officer Christopher Scott Kyle, a Navy SEAL and a true American hero.

Chris Kyle grew up in Odessa, Texas and as a young child, was taught to shoot by his father. He went on to use those skills in defense of our nation as a SEAL in the U.S. Navy. Chief Kyle served in every major battle of Operation Iraqi Freedom during his four tours in Iraq. During his time in Iraq, he was shot twice and involved in several IED explosions, and was awarded for his distinguished service both the Bronze and Silver Star medals several times.

After being honorably discharged from the Navy in 2009, this devoted family man to wife, Taya, and their two children, settled in Midlothian, Texas to run Craft International, a firm that provides law enforcement training and security protection. Determined to help his fellow soldiers, Chris helped create the Fitco Cares Foundation, which provides support and encouragement to veterans in need.

The untimely death of this American patriot and military hero is a devastating loss—not just for his precious family, but for his fellow veterans, his community and the entire nation. We grieve for his wife, and children, who must go on without his presence. We lament that his good works are left unfinished. And we mourn for the lives who have been robbed of ever knowing him and benefitting from his faith, encouragement, and tenacity.

Mr. HENSARLING. Mr. Speaker, my prayers today are with the family and loved ones of Chief Petty Officer Chris Kyle. I was deeply saddened to learn of the tragic shooting of two men, including Chief Petty Officer Kyle, that took place in Erath County, Texas on February 2nd. A Navy SEAL, Chief Petty Officer Kyle earned distinction for his actions in battle during several tours of duty in Iraq, and is renowned as the most lethal sniper in American military history. Chief Petty Officer Kyle—by all accounts, a devoted father and husband—committed his life after serving to assisting his fellow veterans.

I join the citizens of a grateful nation in honoring Chief Petty Officer Kyle and all of our current and former military personnel for their valiant service. As the son, grandson, and brother of veterans, I deeply appreciate the brave men and women who have sacrificed to make our country and the world a better, safer place to live. President Calvin Coolidge once said, ''The nation which forgets its defenders will itself be forgotten.'' I agree, and will do my utmost to make sure that our defenders, such as Chief Petty Officer Kyle, are remembered.

Mr. SESSIONS. Mr. Speaker, it is with a heavy heart that I rise today in honor and in memory of former U.S. Navy SEAL Chris Kyle. Chris was senselessly killed on Saturday, February 2, 2013, along with a fellow veteran at a gun range 50 miles southwest of Fort Worth, Texas.

Chris was a true patriot who served our country with distinction and honor. Born in Odessa, Texas, Chris joined the United States Navy in 1999, after being initially rejected due to an arm injury sustained during his time as a professional bronco rodeo rider. Following his initial training, Kyle was assigned to the illustrious SEAL Team 3, where he participated in every major battle of Operation Iraqi Freedom. For his bravery, he was awarded two Silver Stars, five Bronze Stars with Valor, two Navy and Marine Corps Achievement Medals, and one Navy and Marine Corps Commendation. Additionally, Kyle is credited with sniping more than 160 insurgents throughout his four deployments, making him one of the most lethal snipers in the history of the United States military.

After completing his combat duty in 2009, Chris continued to serve not only his country but also the unit he loved so much—the Navy SEALs—as well as fellow veterans of all branches struggling to cope with the effects of serving their country in wartime. Chris authored the Naval Special Warfare Sniper Doctrine—the first Navy SEAL sniper manual—and became chief instructor training Naval Special Warfare Sniper and Counter–Sniper teams. In 2011, Chris paired with FITCO Fitness to establish the FITCO Cares Foundation Heroes Project to help disabled or struggling veterans improve their lives. Chris knew that his experiences as a SEAL and the challenges he faced upon returning home could best be channeled into helping fellow veterans and their families who have given so much to ensure our safety and our freedom.

Sadly, Chris, along with his friend and fellow veteran, Chad Littlefield, died senselessly Saturday while trying to help another fellow veteran. While we may never be able to make sense of this terrible tragedy, today, we remember the sacrifice of these two brave men, who were not only heroic in their defense of this nation, but were also heroic here at home as they attempted to better the lives of their returning comrades.

Chris Kyle was deeply committed to serving both his country and his fellow veterans and will always be remembered as one who placed honor and duty above his own personal interest and safety. I am humbled by his service and dedication to not just the SEALs, but to his country, his fellow veterans, his community, his friends and his family. His sacrifice exemplifies that set forth in John 15:13, ''Greater love has no one than this, than to lay down one's life for his friends.''

May the peace of God be with those they loved and those who loved them and sustain them through this time of sorrow.

□ 1610

APPOINTMENT OF MEMBERS TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces, without objection, that the Speaker's appointment of members of the Permanent Select Committee on Intelligence on February 8, 2013, is made notwithstanding the requirement of clause 11(a)(4)(A) of rule X; and the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2013, and notwithstanding the requirement of clause 11(a)(1)(C) of rule X, of the following Members of the House to the Permanent Select Committee on Intelligence:

Mr. THOMPSON, California
Ms. SCHAKOWSKY, Illinois
Mr. LANGEVIN, Rhode Island
Mr. SCHIFF, California
Mr. GUTIERREZ, Illinois
Mr. PASTOR, Arizona
Mr. HIMES, Connecticut

RECESS

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

Accordingly (at 4 o'clock and 13 minutes p.m.), the House stood in recess.

□ 1919

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NUGENT) at 7 o'clock and 19 minutes p.m.

REGARDING COMPOSITION OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that, notwithstanding the requirement of clause 11(a)(1) of rule X, the Permanent Select Committee on Intelligence be composed of not more than 21 Members, Delegates, or the Resident Commissioner.

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

There was no objection.

APPOINTMENT OF MEMBER TO PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. The Chair announces, without objection, the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2013, and notwithstanding the requirement of clause 11(a)(1)(C) of rule X, of the following Member of the House to the Permanent Select Committee on Intelligence:

Ms. SEWELL, Alabama

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 273, ELIMINATION OF 2013 PAY ADJUSTMENT, AND FOR OTHER PURPOSES

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 113–9) on the resolution (H. Res. 66) providing for consideration of the bill (H.R. 273) to eliminate the 2013 statutory pay adjustment for Federal employees, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

Mr. WOODALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 14, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

267. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Alpha-Cypermethrin; Pesticide Tolerances [EPA-HQ-OPP-2010-0234; FRL-9376-1A] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

268. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Styrene-2-Ethylhexyl Acrylate Copolymer; Tolerance Exemption [EPA-HQ-OPP-2012-0456; FRL-9367-2] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

269. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Flint Hills Resources Pine Bend [EPA-R05-OAR-2011-0328; FRL-9774-4] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

270. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Texas; Beaumont/Port Arthur Ozone Maintenance Plan Revision to Approved Motor Vehicle Emissions Budgets [EPA-R06-OAR-2012-0435; FRL-9775-2] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

271. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley United Air Pollution Control District [EPA-R09-OAR-2012-0614; FRL-9771-3] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

272. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Pyrrolidone, 1-ethenyl-, polymer with ethenol; Tolerance Exemption [EPA-HQ-OPP-2012-0789; FRL-9376-1] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

273. A letter from the Acting Secretary, Department of Commerce, transmitting the Department's report on Foreign Policy-Based Export Controls for 2013; to the Committee on Foreign Affairs.

274. A letter from the Acting Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

275. A letter from the Acting Secretary, Department of Commerce, transmitting a certification of export to China; to the Committee on Foreign Affairs.

276. A letter from the Secretary, Department of Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 13566 of February 25, 2011; to the Committee on Foreign Affairs.

277. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Foreign Affairs.

278. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the former Liberian regime of Charles Taylor that was declared in Executive Order 13348 of July 22, 2004; to the Committee on Foreign Affairs.

279. A letter from the Honorary Secretary, Foundation of Japanese Honorary Debts, transmitting the 218th petition to the Prime Minister of Japan; to the Committee on Foreign Affairs.

280. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Free Trade Agreement-Columbia [FAC 2005-65; FAR Case 2012-012; Item III; Docket 2012-0012, Sequence 1] (RIN: 9000-AM24) received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

281. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Extension of Sunset Date For Protests of Task and Delivery Orders [FAC 2005-65; FAR Case 2012-007; Item II; Docket 2012-0007, Sequence 1] (RIN: 9000-AM26) received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

282. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Prohibition on Contracting with Inverted Domestic Corporations [FAC 2005-65; FAR Case 2012-013; Item I; Docket 2012-0013, Sequence 1] (RIN: 9000-AM22) received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

283. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-65; Introduction [Docket: FAR 2013-0076, Sequence 1] received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

284. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on the Paul Coverdell National Forensic Science Improvement Grants Program, managed by the Office of Justice Programs' National Institute of Justice, pursuant to Public Law 90-351, section 2806(b); to the Committee on the Judiciary.

285. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the annual report entitled, ''Prioritizing Resources and Organization for Intellectual Property Act of 2012''; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 66. Resolution providing

for consideration of the bill (H.R. 273) to eliminate the 2013 statutory pay adjustment for Federal employees, and for other purposes (Rept. 113–9). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROGERS of Michigan (for himself and Mr. RUPPERSBERGER):

H.R. 624. A bill to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. LOBIONDO (for himself and Mr. PALLONE):

H.R. 625. A bill to amend chapter 178 of title 28 of the United States Code to permit during a 4-year period States to enact statutes that exempt from the operation of such chapter, lotteries, sweepstakes, and other betting, gambling, or wagering schemes involving professional and amateur sports; to the Committee on the Judiciary.

By Mr. PALLONE (for himself and Mr. LOBIONDO):

H.R. 626. A bill to amend title 28 of the United States Code to exclude the State of New Jersey from the prohibition on professional and amateur sports gambling to the extent approved by the legislature of the State; to the Committee on the Judiciary.

By Mr. PAULSEN (for himself, Ms. KAPTUR, Mr. KIND, and Mr. REICHERT):

H.R. 627. A bill to provide for the issuance of coins to commemorate the 100th anniversary of the establishment of the National Park Service, and for other purposes; to the Committee on Financial Services.

By Mrs. NAPOLITANO (for herself, Mr. BARBER, Ms. BROWNLEY of California, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Mr. CONYERS, Mr. COURTNEY, Ms. DEGETTE, Mr. ELLISON, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HINOJOSA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. LEE of California, Mr. LOEBSACK, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BEN RAY LUJÁN of New Mexico, Mrs. MCCARTHY of New York, Ms. MOORE, Mrs. NEGRETE MCLEOD, Mr. PASTOR of Arizona, Mr. PERLMUTTER, Mr. PETERS of Michigan, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUSH, Mr. SCHIFF, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Mr. SIRES, Ms. SLAUGHTER, Mr. THOMPSON of California, Mr. TONKO, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VELA, Ms. VELÁZQUEZ, Ms. WATERS, and Mr. WALZ):

H.R. 628. A bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY (for herself, Ms. CHU, Ms. CLARKE, Ms. ESHOO, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HAHN, Mr. HONDA, Ms. LEE of California, Mrs. CAROLYN B. MALONEY of New York, Ms. MOORE, Mrs. NAPOLITANO, Mr. POLIS, Mr. RANGEL, Mr. VARGAS, and Ms. WATERS):

H.R. 629. A bill to provide protections against violence against immigrant women, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO:

H.R. 630. A bill to recalculate and restore retirement annuity obligations of the United States Postal Service, eliminate the requirement that the United States Postal Service pre-fund the Postal Service Retiree Health Benefits Fund, place restrictions on the closure of postal facilities, create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES (for himself and Mr. TAKANO):

H.R. 631. A bill to amend title 10, United States Code, to provide requirements for the contents of the Transition Assistance Program, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETRI (for himself, Mr. GENE GREEN of Texas, Mr. ROE of Tennessee, and Mr. AMODEI):

H.R. 632. A bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses; to the Committee on Education and the Workforce.

By Mr. CHAFFETZ (for himself, Mr. LABRADOR, and Ms. LOFGREN):

H.R. 633. A bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. GRIMM (for himself, Mr. PETERS of Michigan, Mr. AUSTIN SCOTT of Georgia, and Mr. MCINTYRE):

H.R. 634. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE (for himself, Mr. TIPTON, Mr. YOUNG of Alaska, Mr. FORBES, Mr. HARRIS, Mr. HALL, Mr. MARCHANT, Mr. WILSON of South Carolina, Mr. FLORES, Mr. GOHMERT, Mr. WESTMORELAND, Mr. CONAWAY, Mr. RAHALL, Mr. JONES, Mr. GOSAR, and Mr. POSEY):

H.R. 635. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to enter into contracts with community health care providers to improve access to health care for veterans in highly rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CONNOLLY (for himself, Mr. CUMMINGS, Ms. NORTON, Mr. CONYERS, Ms. HAHN, Mr. ANDREWS, Mr. PRICE of North Carolina, Mr. PERLMUTTER, Mr. CICILLINE, Mr. VAN HOLLEN, Mr. BERA of California, Mr. ISRAEL, Ms. TSONGAS, Mr. THOMPSON of California, Ms. GABBARD, Mr. DEFAZIO, Mr. LOEBSACK, Mr. OWENS, Mr. BEN RAY LUJÁN of New Mexico, Mrs. KIRKPATRICK, Mr. MORAN, Mr. LYNCH, Ms. EDWARDS, Ms. SCHWARTZ, Ms. SHEA-PORTER, Mrs. CAROLYN B. MALONEY of New York, Mrs. CAPPS, Ms. BONAMICI, Mr. KILDEE, Ms. PINGREE of Maine, Mr. RAHALL, Mrs. BUSTOS, Ms. ESTY, Ms. KUSTER, Mrs. MCCARTHY of New York, Mr. RUPPERSBERGER, and Mr. PETERS of California):

H.R. 636. A bill to prohibit Members of Congress from receiving any automatic pay adjustments through the end of the One Hundred Thirteenth Congress; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself and Ms. LOFGREN):

H.R. 637. A bill to provide for a legal framework for the operation of public unmanned aircraft systems, and for other purposes; to the Committee on the Judiciary.

By Mr. FLEMING (for himself, Mr. SIMPSON, Mr. YOUNG of Alaska, Mr. JONES, Mr. FRANKS of Arizona, Mr. GOHMERT, Mr. MCCLINTOCK, Mr. POSEY, Mr. THOMPSON of Pennsylvania, Mr. AMODEI, Mrs. BLACKBURN, and Mr. SOUTHERLAND):

H.R. 638. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to require that any new national wildlife refuge may not be established except as expressly authorized by statute; to the Committee on Natural Resources.

By Ms. ROYBAL-ALLARD:

H.R. 639. A bill to reform immigration detention procedures, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 640. A bill to require the Secretary of Homeland Security to strengthen student visa background checks and improve the monitoring of foreign students in the United States, and for other purposes; to the Committee on the Judiciary.

By Ms. BORDALLO (for herself and Mr. WILSON of South Carolina):

H.R. 641. A bill to amend title 32, United States Code, to codify the National Guard State Partnership Program regarding the funding sources for and purposes of the program and specifying certain limitations on the use of such funding; to the Committee on Armed Services.

By Mr. BURGESS:

H.R. 642. A bill to make clear that an agency outside of the Department of Health and Human Services may not designate, appoint, or employ special consultants, fellows, or other employees under subsection (f) or (g) of section 207 of the Public Health Service Act; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 643. A bill to provide that no Federal or State requirement to increase energy efficient lighting in public buildings shall require a hospital, school, day care center, mental health facility, or nursing home to install or utilize such energy efficient lighting if the lighting contains mercury; to the

Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNEY (for himself, Mr. ANDREWS, Mr. CARTWRIGHT, Mr. DENT, Mr. FITZPATRICK, Mr. GIBSON, Mr. HOLT, Mr. LOBIONDO, Mr. MEEHAN, Mr. RUNYAN, and Ms. SCHWARTZ):

H.R. 644. A bill to direct the Secretary of the Interior to establish a program to build on and help coordinate funding for restoration and protection efforts of the 4-State Delaware River Basin region, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. BUTTERFIELD, Mr. JOHNSON of Georgia, Mr. MEEKS, Mr. CONYERS, Ms. NORTON, Mr. ELLISON, Ms. SCHAKOWSKY, Mr. MICHAUD, Ms. EDWARDS, Mr. DANNY K. DAVIS of Illinois, Mr. HOLT, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. DINGELL, Mr. SERRANO, Mr. RANGEL, Ms. LEE of California, Mr. LARSEN of Washington, Ms. BASS, Mr. FARR, Mr. HONDA, Mr. TAKANO, Ms. SHEA-PORTER, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 645. A bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions; to the Committee on Financial Services.

By Mr. COHEN:

H.R. 646. A bill to amend title 11 of the United States Code to provide additional protections for debtors from discrimination by private employers, and for other purposes; to the Committee on the Judiciary.

By Mr. CRENSHAW (for himself, Mr. VAN HOLLEN, Mrs. MCMORRIS RODGERS, Mr. SESSIONS, Mr. RUNYAN, Mr. MICA, Ms. TSONGAS, Mr. COFFMAN, Mr. ROE of Tennessee, Mr. COOPER, Mr. MORAN, Mr. HARPER, Mr. CONNOLLY, Mr. SARBANES, Ms. CLARKE, Mr. LARSEN of Washington, Mr. GERLACH, Mr. LARSON of Connecticut, Mr. CARSON of Indiana, Mr. TONKO, Mr. CICILLINE, Mr. RYAN of Ohio, Mr. YOUNG of Florida, Mr. HOLT, Mrs. CAPPS, Mr. BACHUS, Mr. MCGOVERN, Ms. BONAMICI, Mr. MATHESON, Mr. MILLER of Florida, Mr. NUNNELEE, Mr. STIVERS, Mr. WOMACK, Ms. HERRERA BEUTLER, Mr. JOHNSON of Ohio, Mrs. DAVIS of California, Mr. COURTNEY, Mr. KING of New York, Mrs. HARTZLER, Mr. MCKINLEY, Mr. SMITH of New Jersey, Mr. VELA, Mr. WOLF, Mrs. CAPITO, Mr. YARMUTH, Ms. BROWNLEY of California, Mr. YODER, Mr. ROONEY, Mr. MARCHANT, Mrs. BROOKS of Indiana, Ms. NORTON, Mrs. BACHMANN, Mr. HONDA, Mr. MEEHAN, Mr. BENISHEK, Mr. POE of Texas, Mr. WELCH, Mr. WALBERG, and Mr. DEUTCH):

H.R. 647. A bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEUTCH:

H.R. 648. A bill to amend the Federal Election Campaign Act of 1971 to require the Federal Election Commission to establish and operate a website through which members of the public may view the contents of certain political advertisements, to require the sponsors of such advertisements to furnish the contents of the advertisements to the Commission, and for other purposes; to the Committee on House Administration.

By Mr. DEUTCH (for himself, Ms. KAPTUR, Ms. SCHAKOWSKY, Ms. PINGREE of Maine, Mr. CICILLINE, and Mr. LANGEVIN):

H.R. 649. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, to provide for cash relief for years for which annual COLAs do not take effect under certain cash benefit programs, and to provide for Social Security benefit protection; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDWARDS (for herself, Ms. SCHAKOWSKY, Mr. RANGEL, Ms. LEE of California, Mr. CONYERS, Mr. HASTINGS of Florida, Ms. LINDA T. SÁNCHEZ of California, Mr. CLEAVER, Mr. GRIJALVA, Mr. LEWIS, Mr. JOHNSON of Georgia, Ms. MCCOLLUM, Ms. PINGREE of Maine, Mr. RUSH, Mr. HONDA, Ms. DELAURO, Mr. ENYART, Mr. NADLER, Mr. BRADY of Pennsylvania, Ms. WASSERMAN SCHULTZ, and Mrs. NEGRETE MCLEOD):

H.R. 650. A bill to amend the Fair Labor Standards Act of 1938 to establish a base minimum wage for tipped employees; to the Committee on Education and the Workforce.

By Mr. ELLISON (for himself, Ms. SCHAKOWSKY, and Mr. MORAN):

H.R. 651. A bill to modify provisions of law relating to refugee resettlement, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOWDY:

H.R. 652. A bill to amend the Foreign Assistance Act of 1961 to limit assistance to countries that engage in certain discriminatory religious, educational, or freedom of movement practices; to the Committee on Foreign Affairs.

By Mr. AL GREEN of Texas (for himself and Mr. BRADY of Pennsylvania):

H.R. 653. A bill to direct the Election Assistance Commission to carry out a pilot program under which the Commission shall provide funds to local educational agencies for initiatives to provide voter registration information to secondary school students in the 12th grade; to the Committee on House Administration.

By Mr. HARPER (for himself, Mr. MATHESON, Mr. MCKINLEY, Mr. WESTMORELAND, Mr. JONES, Mr. NUNNELEE, Mr. FORTENBERRY, and Mr. THOMPSON of Mississippi):

H.R. 654. A bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JOYCE (for himself, Ms. FUDGE, and Ms. KAPTUR):

H.R. 655. A bill to authorize States to use assistance provided under the Hardest Hit Fund program of the Department of the Treasury to demolish blighted structures, and for other purposes; to the Committee on Financial Services.

By Mr. JOYCE (for himself, Ms. FUDGE, and Ms. KAPTUR):

H.R. 656. A bill to provide $4,000,000,000 in new funding through bonding to empower States to undertake significant residential and commercial structure demolition projects in urban and other targeted areas, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LABRADOR (for himself, Mr. AMODEI, Mr. COSTA, Mr. GOSAR, Mr. MCCLINTOCK, Mrs. NOEM, Mr. THOMPSON of Pennsylvania, Mr. TIPTON, Mr. SIMPSON, and Mr. WALDEN):

H.R. 657. A bill to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA (for himself, Mr. JORDAN, and Ms. KAPTUR):

H.R. 658. A bill to authorize and request the President to award the Congressional Medal of Honor to Arthur Jibilian for actions behind enemy lines during World War II while a member of the United States Navy and the Office of Strategic Services; to the Committee on Armed Services.

By Mr. LATTA (for himself and Mr. PASCRELL):

H.R. 659. A bill to amend title 5, United States Code, to reform the provisions of law commonly referred to as the ''Hatch Act''; to the Committee on Oversight and Government Reform.

By Ms. LEE of California:

H.R. 660. A bill to amend the Public Health Service Act to create a National Neuromyelitis Optica Consortium to provide grants and coordinate research with respect to the causes of, and risk factors associated with, neuromyelitis optica, and for other purposes; to the Committee on Energy and Commerce.

By Ms. LEE of California (for herself, Mr. MORAN, Mrs. LOWEY, Ms. DELAURO, Mr. QUIGLEY, Mr. FARR, Ms. PINGREE of Maine, Ms. MCCOLLUM, Mr. PRICE of North Carolina, Mr. HONDA, Mr. SCHIFF, Mr. SERRANO, Ms. ROYBAL-ALLARD, and Mr. FATTAH):

H.R. 661. A bill to repeal certain impediments to the administration of the firearms laws; to the Committee on the Judiciary.

By Mr. LUETKEMEYER (for himself, Mr. KING of Iowa, Mr. LATTA, Mrs. BLACK, Mr. MCCLINTOCK, Mr. GRAVES of Missouri, Mrs. LUMMIS, Mr. DUNCAN of South Carolina, Mr. HUELSKAMP, Mrs. WAGNER, Mr. WESTMORELAND, Mr. LONG, Mr. POSEY, Mr. BROUN of Georgia, Mr. NUGENT, Mr. DUNCAN of Tennessee, Mr. KINGSTON, Mr. MCKINLEY, and Mr. STOCKMAN):

H.R. 662. A bill to prohibit United States contributions to the Intergovernmental Panel on Climate Change and the United Nations Framework Convention on Climate Change; to the Committee on Foreign Affairs.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 663. A bill to adjust the boundary of the Carson National Forest, New Mexico; to the Committee on Natural Resources.

By Mr. MAFFEI (for himself, Mr. HANNA, Ms. SLAUGHTER, Ms. EDWARDS, Mr. VAN HOLLEN, Mr. SARBANES, Mr. CUMMINGS, Mr. HIGGINS, Mr. TONKO, Mr. RANGEL, Ms. CLARKE, Mr. MEEKS, Mr. JEFFRIES, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Mr. RUPPERSBERGER, Mr. DELANEY, Ms. LEE of California, Ms. MOORE, and Mr. CLAY):

H.R. 664. A bill to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. PALLONE, Mr. SMITH of New Jersey, Mr. GUTIERREZ, Ms. BORDALLO, and Mr. HOLT):

H.R. 665. A bill to allow certain Indonesian citizens to file a motion to reopen their asylum claims; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Ms. HANABUSA, Mr. BEN RAY LUJÁN of New Mexico, Mr. GRIJALVA, Mr. KILDEE, Mr. PALLONE, Ms. MOORE, Mr. BECERRA, Ms. TSONGAS, Mr. FALEOMAVAEGA, and Ms. MCCOLLUM):

H.R. 666. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Natural Resources.

By Mr. MCCARTHY of California (for himself, Mr. CALVERT, Mr. SMITH of Texas, Mr. ROHRABACHER, Mr. PALAZZO, Mr. HALL, Mr. MCKEON, Mr. JORDAN, and Mr. SCHIFF):

H.R. 667. A bill to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range; to the Committee on Science, Space, and Technology.

By Mr. MESSER (for himself, Mr. YOUNG of Indiana, and Mr. MULVANEY):

H.R. 668. A bill to amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes; to the Committee on the Budget.

By Mr. PALLONE (for himself and Mr. KING of New York):

H.R. 669. A bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; to the Committee on Energy and Commerce.

By Mr. PIERLUISI (for himself, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. GRAYSON, Mr. GRIJALVA, Ms. BORDALLO, Mr. FALEOMAVAEGA, Mrs. CHRISTENSEN, Mr. SERRANO, Ms. VELÁZQUEZ, and Ms. NORTON):

H.R. 670. A bill to amend part B of the title XVIII of the Social Security Act to apply deemed enrollment to residents of Puerto Rico and to provide a special enrollment period and a reduction in the late enrollment penalties for certain residents of Puerto Rico; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE of Maine (for herself, Mr. MICHAUD, Ms. TSONGAS, Mr. LARSEN of Washington, Mr. MCGOVERN, Mrs. CAPPS, Mr. GRIJALVA, Mr. RUSH, Mr. HONDA, Mr. LEWIS, Ms. BROWNLEY of California, and Ms. SHEA-PORTER):

H.R. 671. A bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RAHALL:

H.R. 672. A bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. CHABOT, Mr. CONNOLLY, Mr. LANCE, Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, Mr. BILIRAKIS, Mr. WEBER of Texas, and Mr. DUNCAN of South Carolina):

H.R. 673. A bill to continue restrictions against and prohibit diplomatic recognition of the Government of North Korea, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLAN (for himself, Mr. GRIJALVA, Ms. BORDALLO, Mrs. NAPOLITANO, Mr. YOUNG of Alaska, and Mr. MARKEY):

H.R. 674. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System; to the Committee on Natural Resources.

By Ms. SCHAKOWSKY:

H.R. 675. A bill to extend protections to part-time workers in the areas of employer-provided health insurance, family and medical leave, and pension plans; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, House Administration, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. NADLER, Ms. SCHAKOWSKY, Ms. PINGREE of Maine, Mr. GRIJALVA, Mr. ELLISON, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TAKANO, Ms. NORTON, Ms. LOFGREN, Mr. RANGEL, Ms. MOORE, Ms. CHU, Mr. AL GREEN of Texas, Mr. FARR, Mr. MCGOVERN, Mr. WELCH, Ms. CLARKE, Ms. LEE of California, Mr. NOLAN, Mr. POCAN, Mr. DOYLE, Mr. ENGEL, Mr. GUTIERREZ, Ms. WILSON of Florida, Mr. COHEN, Ms. EDWARDS, Mr. MCDERMOTT, Mr. CLAY, Mr. HUFFMAN, Ms. ROYBAL-ALLARD, Mr. CUMMINGS, Mr. YARMUTH, Mr. GEORGE MILLER of California, Mr. HONDA, Mrs. CHRISTENSEN, and Mr. RUSH):

H.R. 676. A bill to provide for comprehensive health insurance coverage for all United States residents, improved health care delivery, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself, Ms. FUDGE, Ms. MOORE, Mr. GIBSON, and Mr. SCHWEIKERT):

H.R. 677. A bill to exempt inter-affiliate swaps from certain regulatory requirements put in place by the Dodd-Frank Wall Street Reform and Consumer Protection Act; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON (for himself, Mr. GOSAR, Mr. COSTA, Mr. MCCLINTOCK, Mr. SMITH of Nebraska, Mr. AMODEI, Mr. CRAMER, Mrs. LUMMIS, and Mr. COFFMAN):

H.R. 678. A bill to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes; to the Committee on Natural Resources.

By Mr. WALZ (for himself, Mr. RUNYAN, Mr. DENHAM, Mr. HUNTER, Mr. LATHAM, Mr. MATHESON, and Mr. RAHALL):

H.R. 679. A bill to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; to the Committee on Veterans' Affairs.

By Ms. WILSON of Florida (for herself, Mr. GARAMENDI, Ms. KAPTUR, Ms. CHU, Mr. GRIJALVA, Ms. WATERS, Ms. BROWN of Florida, Mr. RANGEL, Mr. MEEKS, Ms. EDWARDS, Mr. CONYERS, Mr. RUSH, Ms. LEE of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MORAN, Mr. CICILLINE, Mr. PETERS of Michigan, Ms. CASTOR of Florida, Mr. ELLISON, Mr. BUTTERFIELD, Mrs. CHRISTENSEN, Mr. HASTINGS of Florida, Mr. LEWIS, Mr. DEUTCH, Mr. CUMMINGS, Mr. DIAZ-BALART, Mr. AL GREEN of Texas, Ms. BASS, Mr. CARSON of Indiana, Mr. CONNOLLY, Ms. HAHN, Mr. NADLER, Mr. LARSON of Connecticut, Mr. HOLT, Mr. COOPER, Mr. THOMPSON of Mississippi, Ms. DELAURO, Ms. SEWELL of Alabama, Ms. JACKSON LEE, Mr. GRIMM, Mr. CLAY, Mrs. CAROLYN B. MALONEY of New York, Mr. ROONEY, Mrs. NEGRETE MCLEOD, Ms. MOORE, Ms. MCCOLLUM, Mr. DANNY K. DAVIS of Illinois, Ms. ROS-LEHTINEN, Mr. DEFAZIO, Ms. ROYBAL-ALLARD, Mr. HONDA, Mr. FATTAH, and Ms. NORTON):

H.R. 680. A bill to require State child welfare agencies to promptly report information on missing or abducted children to law enforcement authorities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF (for himself, Mr. HURT, and Mr. CONNOLLY):

H.R. 681. A bill to amend title 5, United States Code, to provide that Washington's Birthday be observed on February 22, rather than the third Monday in February, of each year; to the Committee on Oversight and Government Reform.

By Mr. BENTIVOLIO:

H.J. Res. 27. A joint resolution proposing an amendment to the Constitution of the United States prohibiting the Federal Government from using the power of taxation to compel someone to engage in commercial activity; to the Committee on the Judiciary.

By Mr. PALAZZO:

H.J. Res. 28. A joint resolution proposing an amendment to the Constitution of the United States to limit the power of Congress to impose a tax on a failure to purchase goods or services; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN:

H. Con. Res. 13. Concurrent resolution expressing the sense of the Congress that the United States Fish and Wildlife Service should incorporate consideration of global warming and sea-level rise into the comprehensive conservation plans for coastal national wildlife refuges, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIMM (for himself, Mr. MEEHAN, Mr. WAXMAN, and Mr. ISRAEL):

H. Con. Res. 14. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Mr. BECERRA:

H. Res. 64. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Mr. ROYCE (for himself and Mr. ENGEL):

H. Res. 65. A resolution condemning the Government of North Korea for its flagrant and repeated violations of multiple United Nations Security Council resolutions, for its repeated provocations that threaten international peace and stability, and for its February 12, 2013, test of a nuclear device; to the Committee on Foreign Affairs.

By Mrs. CHRISTENSEN:

H. Res. 67. A resolution expressing the need to raise awareness and promote capacity building to strategically address the lionfish invasion in the Atlantic Ocean; to the Committee on Natural Resources.

By Mrs. CHRISTENSEN:

H. Res. 68. A resolution expressing support for the goals and ideals of National Marine Awareness Day; to the Committee on Natural Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. UPTON introduced a bill (H.R. 682) for the relief of Ibrahim Parlak; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROGERS of Michigan:

H.R. 624.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make all laws necessary and proper for executing powers vested by the Constitution in the Government of the United States, as enumerated in Article I, Section 8, Clause 18 of the United States Constitution

By Mr. PALLONE:

H.R. 626.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. PAULSEN:

H.R. 627.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. ''The Congress shall have Power . . . to coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;''

By Mrs. NAPOLITANO:

H.R. 628.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

By Ms. SCHAKOWSKY:

H.R. 629.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DEFAZIO:

H.R. 630.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. FLORES:

H.R. 631.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. PETRI:

H.R. 632.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution

By Mr. CHAFFETZ:

H.R. 633.

Congress has the power to enact this legislation pursuant the following:

Article I, Section 8, Clauses 4 and 18 to the U.S. Constitution.

By Mr. GRIMM:

H.R. 634.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. PEARCE:

H.R. 635.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. CONNOLLY:

H.R. 636.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1

By Mr. POE of Texas:

H.R. 637.

Congress has the power to enact this legislation pursuant to the following:

Fourth Amendment to the United States Constitution

By Mr. FLEMING:

H.R. 638.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 4, Section 3, Clause 2 of the U.S. Constitution, which states ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

By Ms. ROYBAL-ALLARD:

H.R. 639.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. BILIRAKIS:

H.R. 640.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States, which grants Congress the power to provide for the common Defense of the United States, and Article I, Section 8, Clause 18 of the Constitution of the United States, which provides Congress the power to make ''all Laws which shall be necessary and proper'' for carrying out the constitutional powers vested in the Government of the United States.

By Ms. BORDALLO:

H.R. 641.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 16

By Mr. BURGESS:

H.R. 642.

Congress has the power to enact this legislation pursuant to the following:

The attached legislation falls within the authority of Congress to pass legislation related to interstate commerce, an enumerated power given to the legislative branch pursuant to Article I, Section 8, clause 3, which states that Congress shall have the Power . . . ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.'' Moreover, Congress' authority to pass legislation related to the federal employees hired to carry out laws passed pursuant to an enumerated power is found in the Necessary and Proper Clause, Article I, Section 8, clause 18, which grants Congress the Power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. BURGESS:

H.R. 643.

Congress has the power to enact this legislation pursuant to the following:

The attached legislation falls within the authority of Congress to pass legislation related to interstate commerce, an enumerated power given to the legislative branch pursuant to Article I, Section 8, clause 3, which states that Congress shall have the Power . . . ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. CARNEY:

H.R. 644.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and Article IV, section 3 of the Constitution of the United States.

By Mr. COHEN:

H.R. 645.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power to regulate foreign and interstate commerce) of the United States Constitution.

By Mr. COHEN:

H.R. 646.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4 of the Constitution

By Mr. CRENSHAW:
H.R. 647.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the U.S. Constitution
By Mr. DEUTCH:
H.R. 648.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 4, Clause 1 of the US Constitution
The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but Congress may at any time make or alter such Regulations, except as to the Place of choosing Senators.
By Mr. DEUTCH:
H.R. 649.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 as interpreted by Steward Machine Company v. Davis and by Helvering v. Davis (''general welfare'' and general taxation).
By Ms. EDWARDS:
H.R. 650.
Congress has the power to enact this legislation pursuant to the following:
Article. I. Section 1.
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.
By Mr. ELLISON:
H.R. 651.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 4 of the United States Constitution and its subsequent amendments.
By Mr. GOWDY:
H.R. 652.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1: ''Congress shall have power to . . . provide for the common defense and general welfare of he United States. . .''
By Mr. AL GREEN of Texas:
H.R. 653.
Congress has the power to enact this legislation pursuant to the following:
The Constitutional authority to enact this legislation can be found in:
Commerce Clause (Art. 1 sec. 8 cl. 3)
Necessary and Proper Clause (Art. 1 sec. 8 cl. 18)
By Mr. HARPER:
H.R. 654.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18
By Mr. JOYCE:
H.R. 655.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.
By Mr. JOYCE:
H.R. 656.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.
By Mr. LABRADOR:
H.R. 657.
Congress has the power to enact this legislation pursuant to the following:
Article 4, Section 3, Clause 2
By Mr. LATTA:
H.R. 658.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clauses 13 and 14
The Congress shall have the Power To provide and maintain a Navy; and to make Rules for the Government and Regulation of the land and naval Forces.
By Mr. LATTA:
H.R. 659.
Congress has the power to enact this legislation pursuant to the following:
Amendment I to the United States Constitution, which states ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.
By Ms. LEE of California:
H.R. 660.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Ms. LEE of California:
H.R. 661.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. LUETKEMEYER:
H.R. 662.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill is based is Congress's power under the Spending Clause in Article I, Section 8 of the Constitution.
By Mr. BEN RAY LUJÁN of New Mexico:
H.R. 663.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. MAFFEI:
H.R. 664.
Congress has the power to enact this legislation pursuant to the following:
Section 1 and Clause 18 of Section 8 of Article 1 of the United States Constitution.
By Mrs. CAROLYN B. MALONEY of New York:
H.R. 665.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 4, which reads: To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.
By Mr. MARKEY:
H.R. 666.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.
By Mr. McCARTHY of California:
H.R. 667.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2 of the Constitution.
By Mr. MESSER:
H.R. 668.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1, which provides that, ''The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States,'' and Article 1, Section 9, Clause 7, which provides that, ''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''
Section 1105(a) of Title 31, United States Code, requires the President to submit to Congress the Administration's annual budget request and stipulates the contents of that submission. It is within the Constitutional Authority of Congress to provide oversight and guidance on these requirements.
By Mr. PALLONE:
H.R. 669.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18
The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. PIERLUISI:
H.R. 670.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and to make rules and regulations respecting the U.S. territories, as enumerated in Article IV, Section 3, Clause 2 of the Constitution.
By Ms. PINGREE of Maine:
H.R. 671.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of Section 8 of Article I of the Constitution
By Mr. RAHALL:
H.R. 672.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of Section 8 of Article I of Constitution
By Ms. ROS-LEHTINEN:
H.R. 673.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution
By Mr. SABLAN:
H.R. 674.
Congress has the power to enact this legislation pursuant to the following:
Under Article I, section 8, clause 3 and Article IV, section 3, clause 2 of the Constitution.
By Ms. SCHAKOWSKY:
H.R. 675.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. CONYERS:
H.R. 676.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. STIVERS:
H.R. 677.
Congress has the power to enact this legislation pursuant to the following:
The bill is enacted pursuant to the power granted to Congress under Clause 3 of Section 8 of Article I of the United States Constitution.

By Mr. TIPTON:

H.R. 678.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2, U.S. Constitution.

By Mr. WALZ:

H.R. 679.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

To make Rules for the Government and Regulation of the land and naval Forces.

By Ms. WILSON of Florida:

H.R. 680.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. WOLF:

H.R. 681.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Mr. UPTON:

H.R. 682.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 of the United States Constitution: The Congress shall have Power to establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Mr. BENTIVOLIO:

H.J. Res. 27.

Congress has the power to enact this legislation pursuant to the following:

Article. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

By Mr. PALAZZO:

H.J. Res. 28.

Congress has the power to enact this legislation pursuant to the following:

The legislation would limit the power of Congress to tax as stated in Article 1 Section 8:

The Congress shall have the power to lay and collect taxes''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added ts public bills and resolutions as follows:

H.R. 11: Mr. RUIZ, Mr. VELA, Mr. DAVID SCOTT of Georgia, Mr. VISCLOSKY, Mr. COOPER, and Mr. CUELLAR.

H.R. 35: Mr. BENISHEK and Mr. GOHMERT.

H.R. 36: Mr. HECK of Nevada, Mr. WILSON of South Carolina, Mr. STIVERS, Mr. LONG, Mr. WALDEN, Mr. ROE of Tennessee, and Mr. MARCHANT.

H.R. 45: Mr. POE of Texas, Mr. WENSTRUP, Mr. BARR, and Mr. BROUN of Georgia.

H.R. 54: Mr. LOEBSACK.

H.R. 89: Mr. SABLAN.

H.R. 107: Mr. NUNNELEE.

H.R. 129: Ms. SLAUGHTER and Mrs. DAVIS of California.

H.R. 147: Mr. BARR.

H.R. 149: Mr. GOODLATTE.

H.R. 163: Mr. PETERS of Michigan.

H.R. 164: Mr. AMODEI, Mr. BENTIVOLIO, Mr. CHABOT, Mr. WITTMAN, and Mr. POSEY.

H.R. 176: Mrs. ROBY

H.R. 180: Mr. LOBIONDO.

H.R. 183: Mr. BUCSHON.

H.R. 185: Mr. HINOJOSA and Mr. SAM JOHNSON of Texas.

H.R. 227: Mr. CICILLINE, Mr. HASTINGS of Florida, Ms. ROYBAL-ALLARD and Mr. GUTIERREZ.

H.R. 239: Mr. YOUNG of Indiana, Mr. RIBBLE, and Mr. WITTMAN.

H.R. 258: Ms. BROWNLEY of California, Mr. BUCHANAN, and Mr. LIPINSKI.

H.R. 261: Mr. CICILLINE.

H.R. 262: Ms. HAHN.

H.R. 273: Mr. MCCLINTOCK.

H.R. 282: Mr. GARDNER, Mrs. LUMMIS, Mr. ROE of Tennessee, Mr. BENTIVOLIO, Mr. COLE, Mrs. BLACKBURN, Mr. DESANTIS, Mr. LAMBORN, and Mr. LAMALFA.

H.R. 301: Mr. BRIDENSTINE and Mr. POE of Texas.

H.R. 320: Mr. LOWENTHAL, Ms. WATERS, Ms. CLARKE, Mr. MICHAUD, Ms. BORDALLO, Mr. HINOJOSA, and Mr. SIRES.

H.R. 332: Mr. WAXMAN, Mr. COURTNEY, and Ms. BONAMICI.

H.R. 333: Mr. MICHAUD, Mr. COHEN, Mrs. DAVIS of California, Mr. JOHNSON of Georgia, Mr. DAVID SCOTT of Georgia, Mrs. BEATTY, Mr. NUGENT, Mr. BACHUS, and Mr. LOBIONDO.

H.R. 334: Mr. LUCAS.

H.R. 366: Ms. BROWNLEY of California, Mr. REICHERT, Mr. SCHOCK, Mr. RUNYAN, Mr. OWENS, Mr. TIPTON, Ms. LEE of California, Mr. LOEBSACK, Mr. PETERS of Michigan, Mr. PASCRELL, Mr. ROSS, Mr. KLINE, Ms. TITUS, Mr. GEORGE MILLER of California, Mr. DEFAZIO, Mr. LIPINSKI, Mr. BRALEY of Iowa, and Mr. BARLETTA.

H.R. 370: Mr. NUNNELEE.

H.R. 383: Mr. SCHRADER and Mr. YOHO.

H.R. 404: Mr. VAN HOLLEN and Ms. BASS.

H.R. 411: Ms. LEE of California, Ms. BROWNLEY of California, and Mr. JONES.

H.R. 427: Mr. FARR, Mr. VARGAS, Mr. ELLISON, and Mr. POCAN.

H.R. 445: Mr. BARLETTA, Mr. GRAVES of Missouri, Mr. MCKINLEY, Ms. SCHWARTZ, and Mr. MARINO.

H.R. 460: Mr. DEUTCH and Mr. HOLT.

H.R. 483: Mr. BARR, Mr. CRAMER, Mrs. ELLMERS, Mr. PITTS, Mr. WESTMORELAND, Mr. YODER, Mr. GRAVES of Missouri, and Mr. JOYCE.

H.R. 492: Mr. GRAVES of Georgia, Mr. GOSAR, and Mr. BUCSHON.

H.R. 497: Mr. GENE GREEN of Texas.

H.R. 501: Mr. MORAN and Mr. HASTINGS of Florida.

H.R. 512: Ms. NORTON, Mr. GRIJALVA, and Mr. HONDA.

H.R. 518: Mr. POCAN, Ms. MCCOLLUM, and Ms. BROWNLEY of California.

H.R. 519: Ms. DELAURO, Ms. DEGETTE, Mr. TONKO, Ms. ESHOO, Mr. CARSON of Indiana, Mrs. CAROLYN B. MALONEY of New York, Ms. SCHWARTZ, Mrs. DAVIS of California, Mr. FARR, Mr. LOWENTHAL, Mr. ISRAEL, Mr. HIGGINS, Mr. BLUMENAUER, Mr. PASCRELL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, Mr. MICHAUD, and Ms. CHU.

H.R. 523: Mr. AMODEI and Mr. WITTMAN.

H.R. 540: Mr. JOHNSON of Ohio and Mr. RANGEL.

H.R. 543: Mr. LOBIONDO, Mr. RIBBLE, and Mr. MAFFEI.

H.R. 557: Mr. POE of Texas, Mr. WALDEN, Mr. NUNNELEE, and Mr. GOSAR.

H.R. 569: Mr. LOBIONDO, Mr. HANNA, Mr. MICHAUD, and Mr. JONES.

H.R. 570: Mr. LOBIONDO.

H.R. 574: Mr. TONKO, Mr. ENYART, and Mr. DAVID SCOTT of Georgia.

H.R. 578: Mr. LUCAS and Mr. PALAZZO.

H.R. 580: Mr. COLE and Mr. WILSON of South Carolina.

H.R. 581: Mr. TIBERI.

H.R. 582: Mr. JORDAN, Mr. MCCAUL, Mr. GOSAR, and Mr. SENSENBRENNER.

H.R. 607: Mr. WILSON of South Carolina, Mr. MCKEON, Mr. RODNEY DAVIS of Illinois, and Mr. WITTMAN.

H.R. 609: Mr. GEORGE MILLER of California and Mr. ELLISON.

H.R. 612: Mr. WESTMORELAND.

H.R. 621: Mr. OLSON.

H.J. Res. 25: Mr. POCAN.

H.J. Res. 26: Mr. MASSIE.

H. Res. 19: Mrs. LOWEY and Ms. HAHN.

H. Res. 30: Mr. NADLER, Mr. ELLISON, Mr. HIGGINS, Mr. CAPUANO, Mr. CLAY, Mr. VELA, Mrs. BUSTOS, Mr. SCHRADER, Mr. MURPHY of Florida, Mr. FOSTER, Mr. GENE GREEN of Texas, Ms. DEGETTE, and Mr. WELCH.

H. Res. 47: Mr. HONDA and Mr. HOLT.

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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

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Senate

The Senate met at 10 a.m. and was called to order by the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota.

PRAYER

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

Let us pray.

Architect of the universe, before the mountains were formed and the hills were born and the Earth received its frame, You are God. You fill the universe with the mysteries of Your power, and we are in awe of Your handiwork.

Inspire our Senators to unite with You in the great cause of bringing healing to our Nation and world. May they sense Your presence continually, think of You consistently, and trust You constantly, receiving Your divine guidance for the path ahead. Lord, inspire them to think imaginatively about how to do Your will on Earth even as it is done in Heaven. We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HEIDI HEITKAMP 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, February 13, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HEIDI HEITKAMP, a Senator from the State of North Dakota, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. HEITKAMP 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. Madam President, following leader remarks, the Senate will be in morning business. The Republicans will control the first 30 minutes and the majority will control the second 30 minutes.

We will seek an agreement for the consideration of the nomination of Senator Hagel to be Secretary of Defense during today's session.

In addition, sometime this afternoon, we hope to have a vote on the Kayatta nomination to be a circuit court judge for the First Circuit.

VISION OF FAIRNESS

Mr. REID. Madam President, last night the President of the United States laid out an agenda to strengthen the middle class and expand upon our economic progress. He outlined an agenda that will restore the core value that makes this Nation great: fairness.

Senate Democrats stand ready to work with the President to make this vision—a vision in which every American shares the prosperity as well as the responsibility—a reality. President Obama's agenda calls for commonsense investments in our future, investments which will breathe new life into a struggling middle class, investments which will make America a magnet for jobs and manufacturing once more, investments which have been deferred for too long due to the worst recession since the Great Depression.

The President's plan will give American manufacturers the support they need to thrive, while ending giveaways to companies that ship jobs overseas. His plan will create jobs building world-class roadways, railways, and bridges which our economy may rely upon tomorrow.

The plan will prepare current and future workers to compete in a global economy by making K–12 schools the best in the world again and college affordable for every graduate. His plan will break our addiction to foreign oil and encourage investments in reliable energy, a change which will be good for the environment and for the economy.

As he said last night, it will be done without adding a single penny to the deficit. These investments in a strong middle class are not just right for our country, they are right for our economy as well. Our efforts to restore prosperity will mean little unless Congress acts immediately to deal with arbitrary, across-the-board spending cuts set to take effect.

If the looming sequester strikes, 70,000 young children would be kicked off Head Start and 10,000 teaching jobs would be at risk. The Small Business Administration will be forced to reduce loan guarantees to small businesses by up to $540 million. Democrats believe we should replace this harsh austerity with a balanced approach that targets wasteful spending, tax loopholes, and asks the wealthiest among us to contribute a little more to reduce the deficit.

The American people know we can't cut our way to prosperity. They agree. We can't ask the middle class to bear the burden of the entire deficit reduction. Later this week Democrats will release a plan to avert the so-called sequester.

Republicans say they agree the deep cuts they voted for will be damaging to

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

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our economy and to national security. Republicans would rather cut Medicare, education, and medical research than close a single wasteful tax loophole or ask a single millionaire to contribute a little more. The Republicans should stop protecting millionaires, billionaires, and wealthy corporations and start working with us to pass an alternative to these terrible cuts that protect the middle class. We want to start to do something to begin changing this so we protect the middle class. We must not jeopardize the progress of the last 4 years.

Even though our work to restore economic prosperity must continue, we should take pride in the 35 months of private sector job growth and 6.1 million new American jobs. Imagine how many more jobs could be created with just a little cooperation from our Republican colleagues.

Now our friends across the aisle have another opportunity to engage constructively. They have a second chance to work with Democrats to rebuild the middle class by investing in that which in the past has made Americans strong—world-class roads, bridges, dams, peerless schools, industrial factories, and creative entrepreneurs who are the best in the world.

President Ronald Reagan, in his first address of a joint session of Congress, spoke of these building blocks of prosperity. Ronald Reagan said:

> Substance and prosperity of our Nation is built by wages brought home from the factories and the mills, the farms, and the shops. They are the services provided in 10,000 corners of America: the interest on the thrift of our people and the returns for their risk-taking. The production of America is the possession of those who build, serve, create, and produce.

He didn't say the substance of our Nation is built on profits gleaned from shipping jobs overseas. He didn't say the prosperity of America is the possession of investment banks or wealthy oil companies alone. Rather, he said, our substance and prosperity are earned in factories, mills, farms, and shops. The rewards belong to all those who build, serve, create, and produce—not only to the few strong enough or rich enough to take for themselves.

It is time to return to those roots. It is time to remember fairness is not just a principle for which to strive but a powerful engine of growth and prosperity for all Americans.

RECOGNITION OF THE MINORITY LEADER

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

STATE OF THE UNION

Mr. MCCONNELL. I would like to say a word about last night's State of the Union. To me, at least, the occasion cried out for bold and courageous leadership from a reelected President who has run his last campaign. It called for a President who was willing to stare down America's challenges, reject the easy choices, and step outside his political comfort zone to unite a deeply divided public behind a common goal.

Sadly, history will record no such moment. An opportunity to bring together the country instead became another retread of lip service and liberalism.

For a Democratic President entering his second term, it was simply unequal to the moment. Following 4 years of this President's unwillingness to challenge liberal dogma, we have more of the same. The President spoke about energy infrastructure but didn't even mention the Keystone Pipeline. He chose the Nation's biggest stage to promote something that is inefficient and costly, such as solar panels, instead of something that is proven, reliable, and domestically produced, such as coal.

He advocated tax reform but mostly as a way to increase the size of government, not as a way to increase our competitiveness. He spoke of workers' minimum wages instead of their maximum potential.

In short, with the exception of his impressive delivery and trademark style, last night's speech was pedestrian, liberal boilerplate that any Democratic lawmaker could have given at any time in recent memory. Gun control, cap and trade, tax increases, and spending programs are exactly what we have come to expect from a liberal President who seems perfectly content to preside over a divided country and a stagnant economy.

Of course, everyone recognizes the President is a very good campaigner. We all acknowledge his skill in that area. He will be doing more of that today down in North Carolina.

A State of the Union Address should be about something bigger. Instead of dividing Americans, it should unite them. Instead of inflaming passions, it should show what is possible when the two parties actually work together.

I am glad he mentioned things such as expanding trade opportunities with Asia and Europe. That is an area where we can cooperate, and I look forward to working with colleagues from both parties to do just that.

Overall, I am disappointed. I am especially disappointed he chose not to seriously address the transcendent issue of our time, which is finding a way to control our spiraling debt before it controls us. If we don't do that, we will not be able to leave our children the kind of country our parents left us; that is, a goal all of us should share.

Take the Obama sequester as just one example. The President had a chance last night to offer a thoughtful alternative to his sequester, one that could reduce spending in a smarter way. That is what Republicans have been calling for all along, and it is the kind of thing the House has already voted to do not once but twice. We want to work with him to actually make that happen.

Instead we just heard gimmicks and tax hikes, just one more plan from the President that is designed to fail so he can blame others when it does fail. It is too bad for the country. It truly is.

The American people, in their collective judgment, decided to send divided government to Washington. I am sure the President wishes that weren't so, but it is the reality, and Americans look to him to use forums such as the State of the Union to bring people together and get things done with the government we have, not the one the President wishes he had. That is what Ronald Reagan did, and he accomplished great things. President Clinton was able to get quite a bit done with divided government too.

Why is it this President can't seem to demonstrate the same kind of leadership? He says he wants balance—balance. His approach so far has been anything but. Just as ''investment'' has become a Washington code word for more spending, ''balance'' has now become a code word for my way or the highway.

Remember, the President already received the additional revenue he wanted in January. He didn't agree to a single cut in spending then, just revenue. Obviously, the balanced thing to do now would be to look at cuts. Last night the President didn't propose any real cuts; he just demanded more and more taxes. With a $16 trillion debt, he actually called for more spending too, although he didn't say how he would pay for it or even how much it would cost. Pretend, for a moment, the Republicans agreed to go along with all those taxes and all that spending. What do you think he would demand the next time and the time after that? Of course, more taxes and more spending. And we all know Washington uses tax increases to fund even more spending on things such as robosquirrels and Solyndra, not to reduce the deficit. That is what history shows us. It is how we got in this mess in the first place.

So we are not going to play the Washington game. The stakes for American families are too high to keep taking the easy way out, with more taxes and more wasteful spending. Republicans believe taking on this massive burden of debt should be more important in this town than winning the next election. That is why we need commonsense reforms, such as a balanced budget amendment. All Republicans support it, and Democrats should too. But we won't get anywhere as a nation if the President refuses to lead. We just can't. So the question is, Will he lead or will he continue this endless campaign?

I want to end on a positive note, so I would like to point out that there were areas of agreement last night, and I particularly appreciated the President's reference to Burma. And Senator RUBIO did a great job with the Republican address. I hope the President

will actually listen to some of the things Senator RUBIO said, and I hope he will come back to Congress with some different ideas. We can get important things done in his second term, and if he is ready to come to the center, to the political center, we will.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to peak therein for up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes.

Mr. MCCONNELL. 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. JOHANNS. Madam 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.

(The remarks of Mr. JOHANNS pertaining to the introduction of S. 317, S. 318, S. 319, and S. 320 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. JOHANNS. Madam President, 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. CORNYN. Madam 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.

A CASE OF AMNESIA

Mr. CORNYN. Madam President, after listening to President Obama's State of the Union speech last night, I was left scratching my head. Essentially, the President wants us to pretend the last 4 years never happened. He wants us to pretend his economic policies have delivered a strong recovery from the recession of 2008; he wants us to pretend his administration has made real progress on reducing the national debt; and he wants us to pretend that more taxes, more spending, and more debt are the key to middle-class prosperity. In other words, the President is hoping we all have a case of amnesia.

He wants us to forget about $5.8 trillion in new debt that was racked up during his first term—$5.8 trillion. He wants us to forget our gross national debt is now larger than our entire economy—100 percent of our gross domestic product. He wants us to forget the debt is projected to grow even further, to $26 trillion, by 2023; and he wants us to forget his health care bill will increase taxes by $1 trillion over the next 10 years. He wants us to forget America's credit rating has been downgraded for the first time in our history.

He also wants us to forget we have been suffering through the weakest economic recovery since the Great Depression, as well as the highest, longest period of high unemployment since the Great Depression.

He wants us to forget that nearly 4 out of every 10 unemployed Americans have been jobless for at least 6 months. He wants us to forget that the average family median income has fallen by nearly $2,500 since the official end of the recession. He wants us to forget that the cost of health insurance for the average American family has increased by more than $2,300. And he wants us to forget that as part of the fiscal cliff negotiation, the payroll tax went back up, taking an additional bite out of the check of middle-class workers.

Last night President Obama said we should ask ourselves three questions every day—those of us with the privilege of serving here in the Nation's Capital in the Congress and in the administration. He said: No. 1, how do we attract more jobs to our shores? No. 2, how do we equip people with the skills they need in order to get those jobs? And No. 3, how do we make sure hard work leads to a decent living? I may have my differences with President Obama on a number of policies, but I actually think those are really good questions.

If the President is truly serious about finding the answers to those questions, this may not surprise my colleagues, but he need look only to the model reflected in my home State of Texas.

I ask unanimous consent to have printed in the RECORD an article entitled ''The Texas Growth Machine'' at the end of my remarks.

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

(See exhibit 1.)

Mr. CORNYN. The fact is our State relies on a simple economic model the Federal Government could emulate if it would like to have similar positive results: lower taxes, limited government, sensible regulations, and progrowth energy policies.

I know the occupant of the chair comes from a State that I believe is the second largest producer of oil and gas in the country—second only to Texas—and I know the Presiding Officer has seen the economic engine that is created when we unleash our potential when it comes to our energy resources. These are policies that recently helped Texas turn a $5 billion deficit during the recession into an $8.8 billion surplus. These are the policies that made our State a robust engine of job creation that is attracting Americans from all across the country. The total number of jobs in Texas since 1995 has grown at the rate of 32 percent. When we compare that with the rate of growth of jobs in America nationwide, we see it is 12 percent—32 percent to 12 percent. That is not an accident.

Texas is also a leader in the creation of high-paying jobs. Between 2002 and 2012, our State accounted for close to one-third of all U.S. private sector job growth in industries that pay more than 150 percent of the average wage, even though we have only 8 percent of America's total population.

Last night the President talked about, How do we get middle-class wages up? His prescription was an increase in the minimum wage, but I say why don't we look at ways to achieve a maximum wage by creating private sector, high-paying, good jobs, as we have been successful in doing in Texas and as a few other States have done as well.

After 4 years of trillion-dollar deficits and historically high unemployment—right now our unemployment rate is roughly 7.9 percent, but that doesn't really account for all of the people who have since given up looking for work, and it is estimated that more than 20 million Americans either are out of work or they are working part time when they would like to work full time, but they can't find those kinds of jobs.

I believe it is time for the President and this Congress to try a new approach. The great thing about our system of government—of shared sovereignty between the States and the National Government—is that we have essentially laboratories of democracy all around our country where we can try different things to see what works and what does not work. I only hope the President and Congress will look at those places around the country where the policies actually work in creating jobs and economic growth.

I believe it is time for the President to embrace policies that will encourage private entrepreneurship, private sector job creation, income growth, and greater domestic energy production. In short, it is time for him to embrace the Texas model.

EXHIBIT 1

THE TEXAS GROWTH MACHINE

(By Wendell Cox)

The American economy has had little to cheer about since the 2008 financial meltdown and the resulting recession. Recovery has been feeble, and many states continue to struggle. One bright spot in the general gloom, however, is Texas, which began shining long before 2008. Not only has Texas created jobs at a stunning rate; it has also—pace critics like the New York Times's Paul Krugman—created lots of good jobs. Indeed, the rest of the nation could turn to the Lone Star State as a model for dynamic growth, as a close look at employment data shows.

The first thing to point out is that Texan job creation has far outpaced the national average. The number of jobs in Texas has grown by a truly impressive 31.5 percent since 1995, compared with just 12 percent nationwide, according to Bureau of Labor Statistics data. Texas has also lapped California, an important economic rival and the only state with a larger population. The Texas employment situation after the financial crisis was far less spectacular, of course, with the number of jobs growing just 2.4 percent from 2009 through 2011. But that was still six times the anemic 0.4 percent growth rate of the overall American economy.

The National Establishment Time-Series (NETS) Database, which provides detailed information on job creation and loss for firms headquartered in each state, can tell us more about Texas's employment growth. NETS data are divided into two periods—the first from 1995 to 2002, the second from 2002 to 2009. During the 2002–09 period, small businesses of fewer than ten employees were the Texas employment engine, adding nearly 800,000 new jobs; of those, about three-quarters were in firms with two to nine employees. Larger Texas companies—those with 500 or more employees—lost a significant number of jobs over this span, and medium-size firms likewise shrank, trends that also showed up on the national level.

Bureau of Labor Statistics data shows that many of the new Texas jobs paid well. Indeed, Texas did comparatively better than the rest of the United States from 2002 through 2011. For industries paying over 150 percent of the average American wage, Texas could claim 216,000 extra jobs; the rest of the country added 495,000. In other words, the Lone Star State, with 8 percent of the U.S. population, created nearly a third of the country's highest-paying positions. Texas also added 49,000 positions paying 125 percent to 150 percent of the U.S. average; the rest of the country lost 174,000 jobs in that category. Two sectors in which Texas employment did particularly well during the same period were natural-resource extraction (in fact, the state gained 80 percent of all new jobs in the country in that field) and professional, scientific, and technical positions. Both job categories boast average wages far higher than the national overall average. As happens whenever an economy grows, Texas also added hundreds of thousands of positions in food services, health care, and other lower-paid fields, in addition to the more lucrative jobs. Texas did lose 10,000 construction jobs, but that was a modest downturn, in light of the massive national slowdown in building caused by the crisis of 2008.

Vital to the economic health of Texas is that people are moving to its cities in droves. In 2011, Houston surpassed Philadelphia in population and became the country's fifth-biggest metropolitan region, with 6.1 million people. Dallas-Fort Worth, with 6.5 million, was already the country's fourth-biggest. The two cities trail only New York City, Los Angeles, and Chicago, marking the first time that a single state has had two metros in the country's top five since the Census Bureau began designating these areas a century ago. Meanwhile, of all metropolitan areas in the country with more than 1 million residents, the fastest-growing from 2010 to 2011 was Austin.

Though the national downturn has slowed job creation in Texas's cities, they're still adding jobs, sometimes briskly, unlike many other American metropolitan regions. Austin's strong information-technology sector and government-related work (the city is Texas's state capital) helped propel 4.3 percent job growth from 2009 through 2011 (and 15.3 percent growth from 2002 through 2009). The number of jobs in McAllen, which benefits from increased trade with Mexico under the North American Free Trade Agreement, grew 3.7 percent. Job growth in economically diverse Houston has matched or exceeded the state rate since 1995.

What accounts for the resilience of the Texas economy, which has outperformed the rest of the country not only over the long term but during the Great Recession as well? A pro-business climate has unquestionably been a substantial advantage. In its annual ranking of business environments, Chief Executive has named Texas the most growth-friendly state for eight years in a row. (California has been last for the same eight years.) The reasons included low taxes and sensible regulations; a high-quality workforce (Texas ranked second only to Utah in that category in 2012); and a pleasant living environment (an eighth-place finish, slightly below sixth-place Florida but, perhaps surprisingly, far better than 28th-place California).

Part of the explanation for the high living-environment score is doubtless Texas's low cost of living. In 2011, the U.S. Bureau of Economic Analysis put Texas's ''regional price parity,'' a measurement of the price level of goods in an area, at 97.1, a bit lower than the national level of 100 and far lower than the California level of 114.8. Adjusted for cost of living, Texas's per-capita income is higher than California's and nearly as high as New York's. Factor in state and local taxes, and Texas pulls ahead of New York.

More than three-quarters of the cost-of-living difference between Texas and California can be explained by housing costs. Texas mostly dodged the real-estate bubble of the 2000s: the affordability of houses in large metro areas spiked in America as a whole but rose only modestly in Texas. A major reason that Texas real estate is so affordable is that the state lacks the draconian land-use restrictions that drive California housing prices into the stratosphere. The affordable housing attracts both people and businesses. Since 2000, 1 million more people have moved to Texas from other states than have left.

All these considerations suggest that Texas is poised for further growth. And a final reason for Texans to be optimistic is that a major expansion of the Panama Canal will be completed in 2014. That could bolster the Lone Star State's success by rerouting Asian commerce from West Coast ports to Texas alternatives, which are closer to the nation's major markets.

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

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

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

FOR-PROFIT COLLEGES

Mr. DURBIN. Madam President, the President's State of the Union Address is an annual event where each President comes forward, talks about the agenda, the plans, and what we hope to achieve in Washington during the course of the next year.

There were many elements in the President's State of the Union Address last night. There was one in particular I was struck by. He talked about establishing a college scorecard. He talked about the challenges families are facing across America paying for college education. It has become an enormous expense. It is the fastest growing debt in America—$1 trillion in student loan debt.

Sadly, many students are getting in too deeply. They are getting too far in debt, and they may not be able to get a job to pay it back. Many students are defaulting on those loans because they don't have an income. Sometimes their parents help them go to college and sign the papers. Sometimes the efforts to collect the money go beyond the defaulting student to the parents—in fact, sometimes to grandparents.

There was a case reported of a grandmother who wanted to help her granddaughter, so she signed the student loan application. The granddaughter didn't get a job, perhaps didn't finish school. There came a time when, in collecting the student loan, they actually garnished the Social Security check of the grandmother. That is the most extreme case I have heard.

When it comes to indebtedness and student loan default, there are different categories of debt. Some students are lucky and don't have to borrow a penny. Most do, and those who borrow money, we find, borrow the lowest average amount from public universities—community colleges and public schools. Next come private universities and then a special category—the for-profit colleges. This is an incredible industry of which most Americans are not aware.

When we think of for-profit schools, we should remember three things, three numbers. Twelve percent of students coming out of high school go to for-profit schools. The biggest ones, the most well-known schools, include the University of Phoenix, DeVry University, and Kaplan University. There are a number of names which, when we hear them, we say: I have heard a lot about those. They advertise a lot.

Twelve percent of the students coming out of high school go to those for-profit schools. However, those for-profit schools receive 25 percent of all of the Federal aid to education—12 percent of the students, 25 percent of the Federal aid. Why? Because they are expensive. For-profit schools are very expensive, and the tuition is high. So a student, to be able to go there, may qualify for a Pell grant, which is an actual grant of money for students from low-income families. Then, for loans beyond that—and it turns out that 25 percent of all of the Federal aid to education goes to for-profit colleges that have 12 percent of the students.

That is not the most important number to remember—not 12, not 25, but

this final number: 47 percent of all the student loan defaults come out of for-profit schools, which means that students who start at those schools either don't finish and then can't pay back their loans or finish and can't find a job to pay back their loans. For-profits schools, 47 percent of the student loans default.

The stories are heartbreaking. Imagine, 19, 20, 21 years old, papers are being shoved across the desk in the financial office at a for-profit school, and a student is basically told: Well, you can start school next week; all you have to do is sign up for these loans.

What is a student to think? I have been told my whole life to go to college. Mom and dad are counting on me to go to college. This is the way to get a good job. I will sign up. I want to start.

What the student doesn't know is whether that school is worth the money. How could they know? I think back to those days when I started college. I hate to go back that far in time, but I didn't know whether borrowing $1,000 in those days was a good idea or a bad idea. I knew a lot of my fellow students were borrowing. But now students are getting in much more deeply. It isn't just $1,000 or $5,000 or even $10,000. At the end of the day, it turns out to be much, much more.

I have come to the floor a number of times to tell the stories about these for-profit schools to warn students and their families to be careful. Some of these schools are good; many of them are awful—just plain awful.

Last night the President said he wanted to create a college scorecard. I want to hear more. I hope there will be a scorecard and a Web site, maybe, where students—high school students or others across America—can take a look at every college opportunity, not just their pretty catalogs or their great Web sites but to find out how many of these students who graduate from this college actually get a job, and those who get a job, how much do they actually get paid. Of the students who borrow money to go to this college, how much do they borrow? How many of them fail to make the payments on their student loans later in life?

Oh, there is one important thing I left out. Here is what you are going to learn about loans to students. They are different than other types of loans. You see, if I decide to buy a home and a car and a boat and then lose my job and go broke and cannot pay them back, under the most extreme cases I can go to court and put all my debts on the table in front of a judge and say: Here is all the money I owe and here is all the money I have. I do not know where to turn—and go through something called bankruptcy.

In bankruptcy, the judge says: Well—let's say you have $10,000 in the bank and you owe $50,000. You are going to lose your $10,000. You cannot pay back the $50,000, but you no longer have an obligation to pay it. You are judged bankrupt. You start over, wipe the slate clean.

Not a lot of people do that, but when things get really bad, they have to. Guess what. When it comes to student loans, they are not dischargeable in bankruptcy. The debt that a 19-, 20-, and 21-year-old student signs up for is a debt for life. They pay it back forever—until it is paid. So these are serious debt obligations, and it is hard to imagine that many young people without a great deal of life experience really know what is too much debt, really know whether that school is any good.

Let me tell you a story of one student.

Ramon Nieves attended the American Intercontinental University, a for-profit college owned by Career Education Corporation. Like many who attend for-profit colleges, Ramon was the first person in his family to go to college. The recruiters at these for-profit schools look for these students.

Without guidance from his family—a family that had no experience with college—he trusted the school when they advised him about student loans. He said the school just told him to sign his name. That is all he had to do. They never explained the difference between the kinds of loans that students could take out; that there are government loans, Federal loans, and then there are loans from private financial institutions. He was never told what his balance would be—how much he owed—or what he could expect his monthly payments to be when it was all over.

He signed up. He wanted to get started with college. And he kept signing and signing, semester after semester, year after year, until he graduated. He graduated from this for-profit school with $90,000 of debt—$90,000.

He works several jobs, almost 80 hours a week, so he can pay his monthly student loan payments, which are $1,000 a month, right off the top.

His student debt is a constant burden for him and his family. He owns a home, and he thinks he is going to lose it because of the student loans. He decided to try to file for bankruptcy because he was in debt so deeply, but he learned the hard way that the bankruptcy court cannot help him when it comes to student loans.

Ramon says he wishes he had not gone to college at all; that he was better off before he got that deeply in debt. Now he is at a community college—a community college—trying to get an education because the $90,000 in the for-profit college turned out to be a waste of time. He is now where he should have started.

Students who are not sure, start at a community college. You are near home. You can commute. They offer a lot of options. They are not expensive. You will learn a lot about yourself, about your education, and your dreams by sitting in those classrooms and going through community college courses. After a year or two, if it sounds right and feels good for you, it is time to move on to another college or university, and you will move on to that third year of college without a lot of debt. Start at a community college.

Ramon ended up at a community college finally trying to get the education the for-profit school failed to give him. He says he wishes he had known that at the beginning—starting at that community college instead of the American Intercontinental University. Then, he says, he would have received the same education but without $90,000 of debt.

Why does he have so much debt? According to a recent committee report in the Senate, the American Intercontinental University costs 250 times more than a nearby community college—250 times more.

Federal student aid cannot cover the tuition costs, so students are forced to turn from Federal student aid, government loans, which are low-interest loans, to private student loans, which are high-interest loans. Some students do not know, as they are sitting there, the differences between a 3.2-percent annual rate of interest and an 18-percent annual rate of interest, and that can be the difference between a government loan and a private loan.

To put it in shorthand from someone who has paid off loans, the higher the interest rate, the more your monthly payment is going to the bank rather than reducing the amount of money you owe.

Federal student aid cannot cover the tuition costs. The private loans are signed up for, and they do not come with any consumer protections. Government loans do. Government loans allow you to consolidate. Sometimes they take into consideration the job you end up with in life. Sometimes there is forgiveness of government student loans. It is a much more flexible, low-cost program than private student loans.

Sometimes students will need private student loans, but for-profit colleges are using these private student loans for another important reason to them. For-profit colleges encourage students to take out private loans, at least in part, because private loans allow these schools to continue to get more Federal funds. It is a complicated formula, but in order to get the maximum amount of Federal dollars, the for-profit schools push kids into private loans even when they are still eligible for the better government loans.

The rule I am talking about is the 90/10 rule which requires for-profit colleges to receive at least 10 percent of their revenues from sources other than the Federal Government—10 percent of their revenues from sources other than the Federal Government.

If you took the Federal money we send to for-profit schools in America—roughly $32 billion a year—if you took that money and translated it into a Federal budget, for-profit colleges in America would be the ninth largest Federal agency—$32 billion going to this sector of the economy.

When they push the kids into the private loans that are not as good, not as generous, much more expensive, that covers the 10 percent they have to come up with in real money as opposed to government money. It means that 90 percent of the revenue of these extremely profitable schools comes right out of the Federal Treasury.

Even though for purposes of this rule Federal revenue includes only funds from the Department of Education's Federal student aid programs—GI bill funds, for example, are not even considered Federal funds—many for-profit schools are close to 90 percent of their revenue coming from the Federal Government. If you add in GI bill funds, sometimes it is closer to 100 percent.

Where is the accountability? If these schools are dragging kids deeply into debt, if the kids are defaulting at rates twice as fast and twice as serious as those going to public and private schools, where is our responsibility? How is a student—a high school student in Illinois or in North Dakota—supposed to know whether that Web site about that college is true?

How would they know when that school says ''we are accredited,'' that the accreditation is phony? Most of these for-profit schools belong to an organization that accredits all the schools that are for-profit schools. They take care of one another. They ignore the obvious when these schools are failing the students and their families.

The Federal aid is keeping the doors open for these for-profit schools. Can we afford that? Can we afford to get students across America deeply into debt for a largely worthless education? Do we have that much money sloshing around here in Washington when it comes to helping students get through school?

That is why the President's statement last night about student debt, about the rising college costs, and a scorecard for colleges and universities is right spot on. It is time we tell families across America the truth about colleges and universities, and it is time for those same colleges and universities to wake up to a reality. The reality is the sky is not the limit when it comes to the cost of higher education.

I have talked to a number of them—respected institutions—that give good degrees, good diplomas, and I have told them the same thing: You just cannot keep raising the cost of higher education. Middle-income families, working families do not have a chance. Madam President, $20,000, $30,000, $40,000 a year to go to school? It is just something that ordinary families cannot even consider.

Congress needs to act now to stop this for-profit school industry from exploiting students and their families and taxpayers. Why we are spending so much money—money we can no longer afford—to subsidize these highly profitable schools is beyond me. I cannot explain it.

These schools that leave these kids high and dry break my heart. Every time I fly out to O'Hare Airport, on the Kennedy Expressway in Chicago, right before I get to the Cumberland exit, I look up at one of these office buildings, and up there in big, bold letters is ''Westwood College.'' Wow, the campus of Westwood College.

I know a little bit about that college. I have met students who have gone to that college, and let me tell you, I want to put a sign right under there that says, ''Please Avoid This Ripoff.''

A young lady who went to Westwood College testified in Chicago. She watched a lot of shows on TV about forensic criminal investigation, and she wanted to get into criminal investigation. She signed up at Westwood College. It took her 5 years to finish.

When she finished, she had a debt of $90,000. But she wanted a degree in law enforcement. She wanted to be on CSI in the real world. Guess what happened. She went to every law enforcement agency in the Chicagoland area, and they pushed it back and said: Westwood is not a real college. You have wasted your time—5 years—and your money.

Here she sits now living in her parents' basement at a time in life when she thought she would be starting her own career, her own life. What is she doing? She is paying back a loan for a worthless education from Westwood College.

I have been after these folks for a long time. They exploit these kids day in and day out. Sadly, we subsidize them. We send them millions of dollars in Federal funds to continue this exploitation of students.

This has to come to an end. This is not the kind of thing we need to encourage if America is going to have well-educated and trained students so they have good lives and America continues to prosper.

One of my colleagues, Senator TOM HARKIN of Iowa, has been a leader on this issue. As chairman of the HELP Committee, he has had hearings on for-profit schools, and I commend them to anyone interested in this subject. Take a look at TOM HARKIN's hearings. I could go on for a long time—TOM could too—about the schools across America that are exploiting students.

We owe it to the students to tell them the truth. We owe it to their parents. And we beg teachers and high school counselors and others, who really care about young people: Look long and hard at these for-profit schools before you recommend them to a student.

I encourage all my colleagues to take a look at legislation that TOM HARKIN and I have introduced. We are trying to drop the Federal subsidy to these for-profit schools just a small bit. It will be hard to do. These for-profit schools are pretty powerful in Washington. But if we are going to do our job to protect families and students across America—following the President's lead from his State of the Union address to make sure we are sensitive to student loans, student indebtedness, that we hold colleges and other training institutions accountable for what they are doing to and for students—it is time for us to turn the page and join the President.

The President's speech last night is a challenge to all of us on both sides of the aisle, both sides of the Rotunda, to take this student debt crisis seriously.

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

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that at 2 p.m. today the Senate proceed to executive session to consider Calendar No. 8, the nomination of William J. Kayatta, to be circuit judge for the First Circuit, with 30 minutes for debate, equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; the motion to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order; that President Obama be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

STATE OF THE UNION REACTION

Mr. COATS. Madam President, last night President Obama had the opportunity to present to the American people a plan envisioned for how he plans to strengthen the state of our Union.

While I am pleased he finally turned his focus back to the ongoing jobs crisis in our country, I was left feeling disappointed and frustrated that the President continued to call for higher taxes to pay for more and more government spending.

I don't believe the President acknowledges—or at least he didn't last evening—the seriousness of our debt and fiscal crisis. We are nearly $16.5 trillion in debt, and $6 trillion of that

debt is from the President's spending over the last 4 years—and he now has 4 more years to go.

Yet rather than tell the American people specifically how he will reduce this unsustainable debt, he once again pulled out the same tired playbook and made it clear his basic fiscal plan is ever higher taxes. It's almost an obsession with tax hikes and telling the American people: You are just not taxed enough, when we are practically taxed to death. When you add not just the Federal but the State and the local and the sales and the excise and gasoline and the entertainment and all the other taxes that American people pay in their daily lives, it cuts into their paycheck in a very significant way each week. The real question is, Is the solution to our problems more taxes on the American people?

Mr. President, you got your taxes in the fiscal cliff debate. You had campaigned for this and you won the election. These tax levels were going to expire and hit every American with a massive tax increase. We clawed back a significant amount of that to protect the majority of Americans. But you got your taxes, Mr. President. Now is the time to address the other side of the so-called balanced approach that you have been promising: spending reductions.

Sadly, last night gave us no indication that the President is committed to leading on this critical issue and fixing our economy and, more important, getting more people back to work.

Instead of detailing a plan to reduce the record-high debt, he outlined a liberal laundry list of new government programs and initiatives. I could almost hear the sound of a cash register in the background—ka-ching, ka-ching, ka-ching—with every new program he put forward.

Some of these ideas were worthy ideas, but we cannot afford them. How are we going to pay for them? What is the result? The President said in a most disingenuous way that none of these initiatives would add a dime to the already unsustainable debt. If they do not add a dime to the debt and you are proposing all kinds of programs that are going to cost a lot of money, there is only one way you can pay for them, and that is to raise taxes—either that or to continue to borrow money and put us in an ever-deeper hole of debt, more obligated to our creditors with each day that goes by.

Hoosiers and Americans across the country are taxed enough. Washington cannot keep asking hard-working Americans to dig deeper and pony up more money so that the Federal Government can spend more. The American people no longer are falling for that. Hoosiers tell me they want to do their part to restore the fiscal health of this country. They want to do their part to help America become a better place and a more prosperous nation for their children and their grandchildren. They are willing to step up and do what it takes to help. But Hoosiers and the American people are not willing to be enablers to Washington's spending addiction. They want to see their lawmakers and this administration reform the outrageous, out-of-control spending, not continually call for higher taxes to pay for greater spending coming out of Washington.

I have to say I was somewhat encouraged that the President mentioned he was willing to make modest reforms to programs like Medicare. Both Republicans and Democrats, including the President, agree that Medicare, Medicaid, and Social Security represent the biggest portion and ever-growing percentage of government spending. The nonpartisan Congressional Budget Office recently reported that spending on Medicare, Medicaid, and Social Security and the interest on the debt for that spending will consume 91 percent of all Federal revenues in 10 years. That, then, takes all the wind out of our sails in terms of those necessary functions of the Federal Government, such as preparing adequately for our national security and defense and a number of other things the Federal Government is involved in that are essential functions. But with mandatory spending eating up, in 10 years, 91 percent of all we take in, we still are not going to have the ability to pay for those programs.

With 10,000 baby boomers retiring every day, we know the status quo is unsustainable. We cannot afford to continue the way we are. These programs are in jeopardy. We are not trying to take away the programs, we are trying to save the programs. They are in jeopardy, though, if we do not take steps now to structure them in a way that will control costs and preserve benefits for current and future recipients.

Hard-working Hoosiers and millions of Americans have spent a lifetime paying into these programs, and they rely on the health and security benefits they receive from them. But these benefits will not last if we ignore the facts about the current fiscal status and insolvency these programs are careening toward and do nothing. I was glad the President at least acknowledged that we need to make modest reforms. I think we can do that.

The reason we are dealing with this across-the-board sequester and the reason we are talking about potential cuts that have to be made is we have not had the courage and the will to stand up and recognize and acknowledge that it is the mandatory spending reforms that will put us in a place of fiscal health so we can continue the effective and essential functions of the Federal Government.

According to the International Monetary Fund, to cover current obligations for Social Security, Medicare, and Medicaid, our younger generation—our young people—will either have to pay 35 percent more taxes and receive 35 percent lower benefits. Those are the facts. Do the math, do the arithmetic. This is not ideological. This is not Republicans versus Democrats, liberals versus conservatives. This is pure numbers, pure math. It is an unsustainable course, and it is going to result in a massive decrease in benefits for those who pay into those programs over a lifetime or a massive increase in taxes on those who have to have that deducted from their paychecks and put into these programs in order to keep them solvent.

We have to deal with that problem and deal with it now. We should have been dealing with it years ago. We have seen this train wreck coming, and it is getting ever closer. Now it is time for the President, having recognized the need to address this issue—now is the time that he needs to show the American people he is willing to lead, not from behind but from the front, and offer a specific plan to reform and strengthen our health and retirement security programs.

The President said the sequester—the across-the-board cuts where everyone gets nicked—is a terrible idea. It is his terrible idea, and it is not the best way to address our spending plight. It is not the best way to deal with this because it basically assumes that every program is of equal value, that what is spent to provide security for the American people by having an adequate and strong military is at the same level as some program that has been proven years ago to be totally dysfunctional and efficient. But they would both get cut.

I will be laying out a number of things, as others have—like Senator COBURN to highlight some of those programs that need to be reevaluated. Not that we think all of these ought to be eliminated or trimmed or that they don't fall into an essential category in terms of the role of the Federal Government but there are several programs that nonpartisan agencies, such as the General Accounting Office, or even the President's own Office of Management and Budget have recommended, are not worthy of the support they receive because they are not an essential function or they are even dysfunctional programs altogether.

We do not have to delve into the across-the-board sequester, which we have no choice but to do now because we failed to live up to what we needed to do—and I will be talking about that later, as I said.

I urge us to focus on fixing the country's fiscal health. We do not do that by raising taxes, we do it by enacting broad spending reforms. We do it by reducing our debt. We do it by creating a budget so we can live within our means. And we do it by promoting growth, growing our economy. A growing economy can solve a lot of problems and get a lot of people back to work. This is how we strengthen America, and this is how we get Americans back to work.

It is time we get to work and accomplish this task that lies before us now,

not later—no more deferrals, no more pushing it down the road. It is time to step up now, as the President said, putting the interest of our country ahead of our own personal political interest, rising above the political to do what is right for America.

That is the challenge, and, Mr. President, we need your leadership.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. 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. VITTER. Madam President, I ask unanimous consent to enter into a colloquy with my Republican colleague from Alabama, as well as any other Members who may join us.

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

IMMIGRATION POLICY

Mr. VITTER. Madam President, Senator SESSIONS and I take to the floor to talk about immigration, which is obviously a very important and very hot topic. The first point I would like to make is just a simple statement and suggestion. There has been a lot of activity and a lot of discussion about immigration in the Senate and in the Congress and Washington, DC. If we merely listen to a lot of beltway, so-called mainstream reporting about this, they would give the impression that there is near universal consensus around a model we have tried before, which is a so-called comprehensive approach.

First, I don't think there is anything near universal agreement. I don't think there is consensus. I think there are real questions and concerns among many of us in the Senate and in Congress but, much more importantly, in America and the real world.

I think those fundamental concerns come down to one thing; that is, we have tried this so-called comprehensive approach before. We have tried proposals that marry an immediate amnesty with promises of enforcement. That model has not worked before. In fact, it has failed miserably.

The most notable example was major immigration legislation in 1986. It was the same model. It had comprehensive and immediate amnesty with promises of enforcement. There were promises that we will have to do this just once, never have to look back, and the problem will be solved. Of course, the problem was not solved. It didn't even just continue. The problem has quadrupled.

The amnesty did happen immediately. As soon as the bill passed, that virtually and immediately kicked in. The promises of enforcement were just that, promises. Those promises were not kept, and as a result what happened with that model? The problem of 3 million illegal aliens didn't go away and was not solved once and for all. It quadrupled and became the present problem of 11 or 12 million—or more—illegal aliens. That is the fundamental concern I have with most of the so-called comprehensive proposals being put forward. That is the fundamental concern of Louisianans I talk to every day.

We want to solve the problem. We don't want to perpetuate it, much less quadruple it. I think it is important to discuss alternative, more effective, more workable approaches. I have several ideas about what those approaches might look like, and, in fact, I am introducing a package of immigration bills today. I will talk about that further, but I certainly want to recognize and thank my good friend and colleague, Senator SESSIONS from Alabama, for joining me on the Senate floor today.

Mr. SESSIONS. I thank the Senator for his leadership and in-depth study and knowledge about how these laws are working—and really not working—in America today.

I just left a hearing in the Judiciary Committee. The chairman of that committee, Senator LEAHY, basically said—referring perhaps to me—they want enforcement first, but it seems they don't have any interest in amnesty—or words to that effect. I would say the American people's view is exactly the opposite. What the American people have been asking for and what they are afraid of is that we will have a deal like 1986 where the amnesty provisions become law and were immediately applied, but the promises of enforcement never occurs. So I believe that is a danger again.

It feels to me so much like 2007 when I, Senator VITTER, and others engaged and asked tough questions about the legislation which really resulted in its failure because it would not have done what the authors of it said it would do. So for 30 or 40 years the American people have said: End the lawlessness. That is what they have asked of us first. They will work a way to be compassionate if the lawlessness has ended, but that has not happened.

In fact, in a number of ways we have gone in the opposite direction. Improvement has occurred at the border in real numbers because over the last several years—before President Obama took office—we agreed to increase the number of Border Patrol agents. With the help of Senator VITTER, I forced through legislation to build a fence. I am sure Senator VITTER remembers that debate.

Now everybody talks about how we have a fence, and they are bragging about it. It is only 36 miles of the real fence we asked for. I am sure the Senator from Louisiana remembers how they opposed every foot of it and how they resisted it in every way possible. They didn't favor adding border agents. There was a vote for border agents—and I remember speaking about it—but they never produced the money. So we authorized border agents. People said they were for border agents, but they would not vote for the money to support that. We had a big discussion and debate about that, and eventually we added some border agents. That has helped, but the problem is not fixed.

Internally, this administration has systematically dismantled enforcement inside the United States. Chris Crane, who is head of the Immigration and Customs Enforcement Union, is a marine and a great guy. The ICE union has unanimously voted no confidence in John Morton, the head of the ICE Department. They have sued the ICE Department because Morton blocked them from doing their sworn duty to enforce the law.

Today I asked Crane if he had ever met with Secretary Napolitano. Chris testified about the bad morale that ICE agents have. A little over a year ago I asked Secretary Napolitano about the bad morale that ICE agents have. Crane said he had never met her and has never shaken hands with her. At this point, we don't have the kind of commitment in law enforcement that I think gives the American people confidence that we are moving forward on the right path.

Finally, I would just share with the Senator that I do think that means this is no sure thing. People are awfully confident that as long as some big names are on the bill, it is just going to pass. I am not confident that is so.

Mr. VITTER. I thank the Senator, and I certainly agree. Again, the fundamental issue is, Is the model that has been tried before really going to work—an immediate amnesty with promises of enforcement? Unfortunately, history is littered with examples of that exact model failing and those promises of enforcement never being kept.

What do I mean by that? I mentioned 1986, which is the biggest historical example: An immediate amnesty where we are going to get serious about enforcement, we will never have to look back, and we will have to do this once. We will solve the problem.

Of course, it didn't solve the problem; it quadrupled the problem. There were 3 million illegal aliens back then. There are 11 to 12 million illegal aliens now. There have been promises of a U.S.-VISIT Program with an entry-and-exit system to track everyone entering the country and making sure they exit in time. That was first promised back in 1986. Ten years later, in 1996, Congress passed another act to require a fully integrated entry-exit system with full implementation by 2005. Guess what. 2005 has come and gone. It has been 30 years since that initial promise was made. We still don't have an operational and effective U.S.-VISIT system.

My colleague from Alabama mentioned another glaring example: the

Secure Fence Act of 2006, which we actually passed in legislation. The Secure Fence Act of 2006 promises to achieve operational control for the entire border. It defined ''operational control'' as ''the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.'' We have not achieved that.

In fact, we are so far from that goal, DHS has had to weaken the definition so it only now talks about effective operational control. They had to stick the word ''effective'' in there because we never had operational control. Who knows exactly what that means, but GAO tried to define and tried to measure it in a recent report.

In their recent report they found that only 44 percent of the southern border was under any sort of operational control. Only 15 percent of that is under full operational control. Even if we use the loosey-goosey word ''effective,'' we have less than one-half of the border under that control. More than one-half of the border is under what they call managed control, which often means no control. It means a lot of almost fully unfettered, illegal crosses.

Now we come to today with this debate, and the new promise: If you just give us immediate amnesty, we are going to have this enforcement. We promise, we promise, we promise. Again, we are concerned that we are reliving history in a negative way.

For instance, when the Gang of 8 declares they ''will ensure . . . a successful permanent reform to our immigration system that will not need to be revisited,'' that sure sounds like 1986, with this one fix that we will never have to look back. But, of course, we are looking back because the problem has grown. It is interesting to note that the very day after the Gang of 8 announcement, there was even disagreement between some of the gang members regarding what they announced and what they promised.

Many of the Republican members of that Gang of 8 emphasized that enforcement has to happen; otherwise, nothing else is triggered. Yet on the other side of the political spectrum, Senator SCHUMER—also a member of that Gang of 8—walked back any commitment to fully secure enforcement before citizenship happened. He said: ''We're not using border security as an excuse or a block to the path to citizenship.''

So there we have it. After the announcement, there is apparent inconsistency about how serious they are about ensuring enforcement, and that is the fundamental question. I think that is a very legitimate concern given the past history.

We have proposed a different path forward with a targeted, step-by-step approach to prove to ourselves and the American people that we are serious about these enforcement and related reforms, to do those, and to have them working before we move on anything else.

Today I am introducing a series of bills that fall into that targeted, step-by-step approach. I do not use the word ''comprehensive'' because I think that word is a negative. It is targeted, and it is step by step. I will outline those bills in a minute.

Again, I certainly want to thank and recognize the Senator from Alabama.

Mr. SESSIONS. Would the Senator from Mississippi say the enforcement of immigration laws is an area—based on the Senator's experience in Congress, in the House and in the Senate—where the difference between the promises of what is going to happen and what actually happens is greater than almost any other issue we have dealt with, where people are promising this and only delivering something else?

Mr. VITTER. Absolutely. Unfortunately, that is the history, tried and true: lots of promises. No single major promise has been kept. Whether it is the fence, whether it is the US-VISIT Program, whether it is the overall promise of enforcement in 1986, none of those promises has been kept.

Mr. SESSIONS. According to some news reports—to follow up on the point the Senator made about sending two messages, one promising the people one thing and the other telling special-interest groups another thing—one report said Democratic Senators have assured immigration activists that the so-called enforcement trigger is just a ''talking point'' to give Republicans, who are supporting this scheme, this plan, as cover and there will not ever be an impediment to the achievement of amnesty. Does that make the Senator from Mississippi uneasy, that people who are supposed to be speaking in good faith, telling their Republican colleagues and the American people they have a plan that is going to guarantee enforcement while they are telling, apparently, the activists something quite different?

Mr. VITTER. That makes me very nervous and very uneasy. It is exactly what Senator SCHUMER said the very next day after the announcement: ''We're not using border security as an excuse or a block to the path to citizenship.''

Mr. SESSIONS. In other words—well, the words Senator SCHUMER is saying are quite plain. I have a great deal of respect for him. I know he wants to accomplish something valuable here. But it does seem to me he is saying, Well, if enforcement doesn't occur, we promise there will be a trigger and there will be no amnesty unless enforcement occurs; but if we get there and enforcement doesn't occur, you are still going to get your amnesty.

Mr. VITTER. That is what it sounds like to me. It sounds to me as though the trigger is meaningless. The amnesty and even full citizenship—to me, amnesty is any legal status, but they are actually talking about a path to full citizenship will happen ultimately, no matter what on the enforcement side.

Mr. SESSIONS. I will conclude and yield to my esteemed colleague to lay out some ideas he has to actually improve enforcement so that if we get to the point where we can achieve a legal system that operates effectively in America, we will know it when it happens. We can get there. Without some of these provisions Senator VITTER will recommend, I am confident we will not get there. If people won't support these kinds of provisions, then it raises questions about whether they are serious about their promises to end the lawlessness.

I just left a Judiciary Committee hearing. Mr. VARGAS testified, who was here apparently illegally, came at the age of 12. I asked him: Should a good Nation have a legal system that has clear laws, clear policies, and those laws are in force? And he said yes. So there is nothing wrong, nothing immoral, nothing unconstitutional for the American people to say we should have a lawful system of immigration. Everybody is not able to come. You have to wait in line and wait your turn and meet the qualifications before you come. And if you try to enter illegally, there will be consequences. There is nothing immoral about that. It is only common sense. It is only the right thing to do.

I thank the Senator from Mississippi for his work on this and the ideas he will be presenting to us.

Mr. VITTER. I thank the Senator from Alabama for his leadership on this issue and on the Judiciary Committee.

There is, Madam President, an alternative way forward, a positive, productive way forward, a targeted, step-by-step approach that is appropriate, particularly given all the broken promises of the past.

The American people need to be convinced, and who can blame them? Again, the landscape of this issue is littered with utterly broken promises. We need to rebuild that trust and rebuild that confidence, and we can only do that in a targeted, step-by-step way.

I don't claim to have all the answers, but I am introducing today seven bills—actually, six bills, and I am joining Senator GRASSLEY as a coauthor of a seventh bill—that would be important parts of this targeted, step-by-step approach. Let me briefly mention what those seven bills are.

First of all, the STEM Jobs Act of 2013. This would make up to 55,000 visas available to qualified immigrants whom we need in this economy—well educated, qualified. We have jobs here ready for them, and it would be an enormous economic boost. They would have a doctorate degree in the field of science, engineering, technology, or math from a U.S. doctoral institution and would have taken all doctoral courses in the STEM field while in the United States. We train, we educate

those superqualified folks all the time and then, all too often, we send them back to their native countries and don't allow them to remain here to get on a pathway to citizenship and to contribute, as they would, to our economy.

A child tax credit law. This would amend the IRS Code to simply put in place significant identification requirements for the child tax credit to require taxpayers to provide that valid ID, to cut out what is admitted to be rampant fraud in the system. The IRS itself and its inspector general office have said there is at least $1.3 billion of fraud a year in the child tax credit. These checks from the taxpayer, actual checks going out to illegal recipients who do not qualify under the law, in some cases, dozens, allegedly, at a single address, a single family, are clearly fraud. We must meet some basic requirements to cut out that fraud. The IRS itself, under this administration, has asked for those tools. We should give them those tools under this child tax credit legislation.

Sanctuary cities reform would prohibit appropriated funds from being used in contravention of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986. I am joined by Senator GRASSLEY and Senator FISCHER in that legislation.

Too many jurisdictions in the United States are self-proclaimed sanctuary cities. By doing that, they are in contravention of Federal immigration law when they say they will not cooperate in the enforcement of that law in any way. That is unacceptable, and those cities should not get appropriated funds.

E-Verify I mentioned is an initiative and legislation by Senator GRASSLEY. I am proud to join him as a coauthor. I am an original cosponsor of that bill. It would take the present E-Verify system and make it mandatory and expand it so that is our workforce system of enforcement. E-Verify works. The problem is it is a pilot. It is not mandatory and it is not broad enough. We need to broaden and make mandatory that workable E-Verify system.

The Voter Integrity Protection Act would amend the INA to make voting in a Federal election by an alien who is unlawfully in the United States an aggravated felony, which makes it a deportable offense. If a person is illegally participating in our elections, that is a serious offense to any democracy. That should be a deportable offense.

The Birthright Citizenship Act would also amend the law to consider a person born in the United States ''subject to the jurisdiction'' of the United States for citizenship only if the person is born through at least one parent who is a U.S. citizen or national or a lawful permanent resident alien in the United States or an alien performing active service in the U.S. Armed Forces. Right now it is, in my opinion, an accident of history and a mistake that any child physically born here, even of two parents here illegally and improperly, automatically becomes a U.S. citizen. Virtually no other country in the world has this rule. This reform would simply amend U.S. law to have the same basic rule as virtually every other country in the world I am aware of. A person doesn't automatically become a citizen just because they are physically born here; at least one parent has to have that legal status.

Finally, US-VISIT reform, finally, after decades of promises, after decades of broken promises, to require that the US-VISIT system—the biometric border check-in/check-out system first required in 1996 that is well past its implementation date of 2005—be finished, be done, be fully in place before any of these other triggered aspects of so-called comprehensive reform happen. On that reform, I am proud to be joined by Senator SESSIONS and Senator LEE as coauthors.

Again, I am introducing these six bills today. I am also an original cosponsor of Senator GRASSLEY's E-Verify bill, a seventh bill. I think this is a targeted, step-by-step approach which is the right alternative to so-called comprehensive reform, which historically means immediate amnesty married to promises of enforcement that never happen, that never fully materialize.

I urge my colleagues to look hard at these measures and hopefully support some or all of them. I urge them even more to go back home and listen to their constituents, to listen hard at the neighborhood coffee shop and the town-hall meetings, because I think these sorts of concerns, as Senator SESSIONS and I have expressed today, are the core concerns, the core questions of a great majority of the American people.

Thank you, Madam President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

NOMINATION OF WILLIAM J. KAYATTA, JR., TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT

The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order, the Senate will proceed to executive session and consider the following nomination, which the clerk will report.

The bill clerk read the nomination of William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided and controlled in the usual form.

The Senator from Maine.

Ms. COLLINS. Mr. President, I am delighted to rise in strong support of the confirmation of William Kayatta of Maine to serve on the U.S. Court of Appeals for the First Circuit.

Mr. Kayatta was originally nominated to this position more than 1 year ago. He was approved by the Judiciary Committee on a bipartisan vote last April. Unfortunately, despite his exceptional qualifications, his nomination was stalled by election-year politics. That is finally behind us, and I am pleased the President renominated Mr. Kayatta in January.

I wish to thank the chairman of the Judiciary Committee, my colleague from Vermont Senator LEAHY; the ranking member Senator GRASSLEY; and, indeed, all the members of the Senate Judiciary Committee for acting promptly and positively in favor of Mr. Kayatta's renomination.

Let me also express my gratitude to the two leaders, Senator REID and Senator MCCONNELL, for moving his nomination so quickly to the Senate floor.

Mr. Kayatta is an attorney of exceptional intelligence, extensive experience, and demonstrated integrity. I cannot tell you how highly regarded he is in Maine's legal circles. In fact, if you ask virtually any attorney, judge, prosecutor, law professor or anyone involved in the legal profession in Maine, they will tell you the President could not have made a better choice than Bill Kayatta. He graduated magna cum laude from both Amherst College and Harvard University Law School, where he served as a member of the Law Review.

After graduating from law school, Mr. Kayatta clerked for the chief judge of the U.S. Court of Appeals for the First Circuit, Frank Coffin. It is a wonderful symmetry that he now, assuming the confirmation goes well this afternoon, will be joining the court for which he clerked many years ago.

In 1980, he joined the prestigious law firm of Pierce Atwood in Portland, ME, where over the subsequent 32 years Bill specialized in complex civil litigation at both the trial and appellate levels. Bill Kayatta has served as chairman of both the Maine Professional Ethics Commission, the Maine Board of Bar Examiners, and as president of the Maine Bar Association.

In 2002, Mr. Kayatta was inducted into the American College of Trial Lawyers, and in 2010 he was elected by his peers to the college's board of regents.

Mr. Kayatta has simultaneously maintained a very substantial pro bono practice. In the year 2010, he received the Maine Bar Foundation's Howard H. Dana Award for career-long pro bono service on behalf of low-income Mainers.

In 2011, the U.S. Supreme Court appointed him as a special master in Kansas v. Nebraska and Colorado, an original water rights case. That too is an indication of the Court's confidence in Mr. Kayatta's legal abilities.

Finally, Mr. Kayatta has earned the American Bar Association's highest rating: ''unanimously well-qualified,'' reflecting the ABA's assessment of his credentials, experience, and temperament.

Mr. Kayatta's impressive background makes him eminently qualified for a seat on the First Circuit. His 30-plus years of real-world litigation experience would bring a valuable perspective to the court.

The First Circuit has only six authorized judgeships, the fewest of any circuit. It acutely feels any vacancy that arises. The First Circuit has not been at full strength since January 1, 2012, when Judge Kermit Lipez took active senior status. Now the circuit's caseload must be distributed among just five judges who continue to do their best to provide the timely and measured justice for which the First Circuit has long been known.

The State of Maine is very proud of its history of providing superb jurists to the Federal bench. I am confident William Kayatta will continue in that fine tradition, and I urge my colleagues to join me in voting for his confirmation, a vote that is long overdue but has finally arrived.

Again, I wish to thank the chairman of the Judiciary Committee, the ranking member, and the two leaders, Senator REID and Senator MCCONNELL, for moving this important nomination to the Senate floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the senior Senator from Maine for her kind words, and I would note both for William Kayatta and for the people of Maine she has fought long and hard for this nomination. She did last year and she has this year. I am glad we are going to be finally voting on it because every time I would meet her anywhere in the halls or anywhere else it would be: What about Kayatta? She knows he, of course, had my strong support, as did another New Englander, former Justice and now judge, David Souter. I am sorry it has taken so long.

I look at a nominee like this, where the senior Senator from Maine, Ms. COLLINS, her former colleague, Senator Snowe, and now her current colleague, Senator KING, have all supported this person from Maine. In the past, especially with somebody extraordinarily well qualified, as he is, a nomination like that would be out of the committee and off the floor within a week. We have to go back to those times.

If we have a contentious nominee, if we have somebody who needs to be debated, let's debate them. But when we have a person strongly supported by their home State Senators and who has the advantage of being highly qualified by anybody's standards—Republican, Democrat, or anybody else—then they ought to get a vote.

It makes no sense for Senate Republicans to have stalled nominations like that of William Kayatta, but this is their track record and their pattern over the last 4 years. Senate Republicans used to insist that the filibustering of judicial nominations was unconstitutional. The Constitution has not changed, but as soon as President Obama was elected they reversed course and filibustered President Obama's very first judicial nomination. Judge David Hamilton of Indiana was a widely-respected 15-year veteran of the Federal bench nominated to the Seventh Circuit and was supported by Senator Dick Lugar, the longest-serving Republican in the Senate. They delayed his confirmation for 7 months. Senate Republicans then proceeded to obstruct and delay just about every circuit court nominee of this President, filibustering 10 of them. They delayed confirmation of Judge Albert Diaz of North Carolina to the Fourth Circuit for 11 months. They delayed confirmation of Judge Jane Stranch of Tennessee to the Sixth Circuit for 10 months. They delayed confirmation of Judge Ray Lohier of New York to the Second Circuit for 7 months. They delayed confirmation of Judge Scott Matheson of Utah to the Tenth Circuit and Judge James Wynn, Jr. of North Carolina to the Fourth Circuit for 6 months. They delayed confirmation of Judge Andre Davis of Maryland to the Fourth Circuit, Judge Henry Floyd of South Carolina to the Fourth Circuit, Judge Stephanie Thacker of West Virginia to the Fourth Circuit, and Judge Jacqueline Nguyen of California to the Ninth Circuit for 5 months. They delayed confirmation of Judge Adalberto Jordan of Florida to the Eleventh Circuit, Judge Beverly Martin of Georgia to the Eleventh Circuit, Judge Mary Murguia of Arizona to the Ninth Circuit, Judge Bernice Donald of Tennessee to the Sixth Circuit, Judge Barbara Keenan of Virginia to the Fourth Circuit, Judge Thomas Vanaskie of Pennsylvania to the Third Circuit, Judge Joseph Greenaway of New Jersey to the Third Circuit, Judge Denny Chin of New York to the Second Circuit, and Judge Chris Droney of Connecticut to the Second Circuit for 4 months. They delayed confirmation of Judge Paul Watford of California to the Ninth Circuit, Judge Andrew Hurwitz of Arizona to the Ninth Circuit, Judge Morgan Christen of Alaska to the Ninth Circuit, Judge Stephen Higginson of Louisiana to the Fifth Circuit, Judge Gerard Lynch of New York to the Second Circuit, Judge Susan Carney of Connecticut to the Second Circuit, and Judge Kathleen O'Malley of Ohio to the Federal Circuit for 3 months.

The nonpartisan Congressional Research Service has reported that the median time circuit nominees have had to wait before a Senate vote has skyrocketed from 18 days for President Bush's nominees to 132 days for President Obama's. This is the result of Republican obstruction.

This obstruction is also why a damagingly high level of judicial vacancies has persisted for over 4 years. While such tactics are bad for the Senate, they are also bad for our Nation's overburdened courts. Persistent vacancies force fewer judges to take on growing caseloads, and make it harder for Americans to have access to justice. While they have delayed and obstructed, the number of judicial vacancies has remained historically high and it has become more difficult for our courts to provide speedy, quality justice for the American people. There are today 90 judicial vacancies across the country. By way of contrast, that is more than double the number of vacancies that existed at this point in the Bush administration. The 173 circuit and district judges that we have been able to confirm over the last 4 years fall more than 30 short of the total for President Bush's first term.

Over the last 4 years, Senate Republicans have chosen to depart dramatically from Senate traditions in their efforts to delay and obstruct President Obama's judicial nominations. Until 2009, Senators who filibustered circuit court nominees generally had reasons to do so, and were willing to explain those reasons. When Senate Democrats filibustered President Bush's controversial circuit court nominees, it was over substantive concerns about the nominees' records and Republicans' disregard for the rights of Democratic Senators. On the other hand, Senate Republicans have filibustered and delayed nearly all of President Obama's circuit court nominees even when those nominees have the support of their Republican home State Senators.

At the end of each calendar year, Senate Republicans now deliberately refuse to vote on several judicial nominees who could and should be confirmed in order to consume additional time the following year confirming these nominees. At the end of 2009, they left 10 nominations on the Executive Calendar without a vote. Two of those nominations were returned to the President, and it subsequently took 9 months for the Senate to take action on the other eight. This resulted in the lowest 1-year confirmation total in at least 35 years. For the next 2 years, Senate Republicans left 19 nominations on the Senate executive calendar at the end of each year. It then took nearly half the following year for the Senate to confirm these nominees. Last year they insisted on leaving 11 judicial nominees without action and another four have had hearings but they refused to expedite their consideration. William Kayatta is one of those judicial nominees who should have been confirmed last year.

Until 2009, when a judicial nominee had been reported by the Judiciary Committee with bipartisan support, they were generally confirmed quickly. Until 2009, we observed regular order, usually confirmed nominees promptly, and we cleared the Senate Executive Calendar before long recesses. Until 2009, if a nominee was filibustered, it was almost always because of a substantive issue with the nominee's

record. We know what has happened since 2009. The median district nomination is stalled 4.3 times as long as it took to confirm them during the Bush administration, and the median circuit court nomination is stalled 7.3 times as long as it took to confirm them during the Bush administration. Nor has any other President's judicial nominees had to wait an average of over 100 days for a Senate vote after being reported by the Judiciary Committee.

Senate Republicans have also forced the majority leader to file cloture on 30 nominees, which is already more than 50 percent more nominees than had cloture filed during President Bush's 8 years in office. Almost all of these 30 nominations were noncontroversial and were ultimately confirmed overwhelmingly. Barely 80 percent of President Obama's judicial nominees were confirmed during his first 4 years compared to almost 90 percent of President George W. Bush's first term nominees.

While this is not even close to a full account of the precedents broken in the last 4 years, the record is clear: Senate Republicans have engaged in an unprecedented effort to obstruct President Obama's judicial nominations. Pretending it has not taken place is an insult to the American people. The American people know better. Chief Justice Roberts, in his year-end Report on the Federal Judiciary in 2010 pointed to the ''[P]ersistent problem [that] has developed in the process of filling judicial vacancies . . . This has created acute difficulties for some judicial districts. Sitting judges in those districts have been burdened with extraordinary caseloads . . . There remains, however, an urgent need for the political branches to find a long-term solution to this recurring problem.'' Despite bipartisan calls to address the judicial vacancy crisis, Senate Republicans have continued their obstruction of judicial confirmations.

Today, the Senate is finally being allowed to vote on one of the nominees held over from last year. Judicial vacancies right now stand at 90. And I mention that because during President Bush's entire second term—the 4 years from 2004 through 2008—the vacancies never exceeded 60. I worked very hard to keep the vacancies down, but since President Obama's first full month in office, as far as we can see, there have never been fewer than 60 vacancies, and for much of that time many, many more. This is a prescription for overburdened courts and a Federal justice system that does not serve the interests of the American people. It means people who come to our courts looking for impartial justice can't get it because there are no judges.

This is hurting the integrity of the judicial system. I hear this from judges nominated by Republican Presidents and those nominated by Democratic Presidents. They say these delays politicize the courts and destroy the impartiality the Federal courts have to have.

I commend President Obama for nominating such a diverse group of qualified judges. In his first 4 years, President Obama has appointed as many women judges as President Bush did during his entire 8 years in office. In just 4 years, President Obama has also nominated more African Americans, more Asian Americans, and more openly gay Americans than his predecessor did in 8 years. Americans can be proud of President Obama's efforts to increase diversity in the Federal judiciary and to ensure that it better reflects all Americans.

I hope that this year and over the coming 4 years, Senate Republicans will end their misguided and harmful obstruction and work with us in a bipartisan manner to do what is right for the country. President Obama has nominated qualified, mainstream lawyers, and the Senate should consider them in regular order, without unnecessary delays. That is what we had done for as long as I have served in the Senate, whether the nominations came from a Democratic or a Republican president. We should work together to restore and uphold the best traditions of the Senate.

Last Thursday, the Senate Judiciary Committee reported three judicial nominees, William Kayatta, Robert Bacharach, and Richard Taranto. They are all superbly qualified, consensus nominees. All have received the highest possible rating of unanimously well qualified from the ABA's Standing Committee on the Federal Judiciary, and with last Thursday's Judiciary Committee votes, all have twice now received overwhelming, bipartisan support from members of the Judiciary Committee from both sides of the aisle. All have something else in common too: Their nominations were stalled before the Senate for at least 7 months last year without a vote. That is why they each had to be re-nominated by the President this year.

This is sadly typical of how Senate Republicans have treated President Obama's consensus judicial nominees. Even nominees who are supported by Republican home state Senators and by all the Republican members of the Judiciary Committee are stalled for months for no good reason. They are delaying votes on all nominees, including nominees they support. This is unprecedented.

For example, Senator COBURN said that ''[Judge Bacharach] has no opposition in the Senate. . . . There's no reason why he shouldn't be confirmed.'' That was before Senator COBURN joined a filibuster against voting on his nomination last year. Last year's filibuster of the Bacharach nomination was the first time in the history of the Senate that a circuit nominee reported with bipartisan support had been successfully filibustered. When I say unprecedented, I mean unprecedented.

I am glad that William Kayatta is finally getting a vote. The nominee spent the entirety of his 32-year legal career in private practice in the Portland, ME, law firm Pierce Atwood LLP, where he is currently a partner. Over his career, he has personally argued over three dozen appeals, including two before the United States Supreme Court. He graduated magna cum laude from Harvard Law School, where he served on the Harvard Law Review. Upon graduation, he clerked for Chief Judge Frank Coffin on the U.S. Court of Appeals for the First Circuit, the court to which he is nominated.

William Kayatta has held a prominent leadership role in numerous professional organizations, including serving as the lead investigator for the American Bar Association Standing Committee of the Federal Judiciary during its review of Justice Kagan's nomination to the Supreme Court. He was also appointed by the U.S. Supreme Court to serve as Special Master in an interstate dispute, where he was charged with managing proceedings and submitting a report and recommendation to the Court. The ABA's Standing Committee on the Federal Judiciary unanimously rated Mr. Kayatta well qualified to serve on the First Circuit, its highest possible rating.

While it is good that William Kayatta will finally receive a vote today, it is also well past time for the Senate to vote on Robert Bacharach and Richard Taranto. Perpetuating these vacancies on the Tenth and Federal Circuits, and preventing Judge Bacharach and Mr. Taranto from getting to work on behalf of the American people, does not benefit anyone. The Judiciary Committee has again done its work to vet, consider, and vote on these nominations. It is time that the other two circuit nominees who were renominated and considered again by the Judiciary Committee and again reported to the Senate, be given an up-or-down vote.

The Senate could confirm all three nominees this week. In June 2005, the Senate confirmed four circuit court nominees of a Republican President in just 2 days, including highly controversial nominees such as Janice Rogers Brown to the D.C. Circuit and William Pryor to the Eleventh Circuit. In July 2006, the Senate confirmed Bobby Shepherd to the Eighth Circuit, Neil Gorsuch and Jerome Holmes of the Tenth Circuit within 1 week. There is ample recent precedent for confirming Judge Bacharach and Richard Taranto without further delay. Neither is controversial.

William Kayatta is strongly supported by both of Maine's Senators, Republican Senator SUSAN COLLINS and Independent Senator ANGUS KING. When George W. Bush was President, Senate Democrats worked quickly to hold votes on consensus circuit nominees. According to the nonpartisan Congressional Research Service, half of President Bush's circuit nominees received a confirmation vote within just 18 days of being reported by the Judiciary Committee. Not a single one of

President Obama's circuit nominees has received a vote so quickly. In fact, the median wait time for President Obama's circuit nominees is more than seven times that for President Bush's circuit nominees.

This continued obstruction is one of the reasons we remain so far behind the pace set during President Bush's time in office. By February of President Bush's fifth year, the Senate had confirmed 205 of his circuit and district nominees, and judicial vacancies stood at 40. In contrast, just 173 of President Obama's circuit and district nominees have been confirmed, and the vacancy rate has risen again to 90, or more than 10 percent of the Federal bench. Judicial vacancies are nearly back at historically high levels.

Perpetuating these vacancies on the Tenth and Federal Circuits, and preventing Judge Bacharach and Richard Taranto from getting to work on behalf of the American people, does not benefit anyone. The Judiciary Committee has again done its work to vet, consider, and vote on these nominations. It is time for the Senate to act to confirm them.

I will speak more on nominations as we go along, but I do want to congratulate not only the senior Senator from Maine but also Senator KING and the people of Maine, and the people of the First Circuit. The circuit needs to have its vacancies filled, and I am glad we have such a good person.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I yield back all time on both sides.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

All time having been yielded back, the question is, Will the Senate advise and consent to the nomination of William J. Kayatta, Jr., of Maine, to be U.S. circuit judge for the First Circuit?

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

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 88, nays 12, as follows:

[Rollcall Vote No. 20 Ex.]

YEAS—88

Alexander	Burr	Corker
Ayotte	Cantwell	Cornyn
Baldwin	Cardin	Cowan
Barrasso	Carper	Crapo
Baucus	Casey	Cruz
Begich	Chambliss	Donnelly
Bennet	Coats	Durbin
Blumenthal	Cochran	Enzi
Boxer	Collins	Feinstein
Brown	Coons	Fischer
Flake	Klobuchar	Reid
Franken	Landrieu	Roberts
Gillibrand	Lautenberg	Rockefeller
Graham	Leahy	Sanders
Grassley	Lee	Schatz
Hagan	Levin	Schumer
Harkin	Manchin	Shaheen
Hatch	McCain	Stabenow
Heinrich	McCaskill	Tester
Heitkamp	Menendez	Thune
Heller	Merkley	Toomey
Hirono	Mikulski	Udall (CO)
Hoeven	Moran	Udall (NM)
Isakson	Murkowski	Warner
Johanns	Murphy	Warren
Johnson (SD)	Murray	Whitehouse
Johnson (WI)	Nelson	Wicker
Kaine	Portman	Wyden
King	Pryor	
Kirk	Reed	

NAYS—12

Blunt	McConnell	Scott
Boozman	Paul	Sessions
Coburn	Risch	Shelby
Inhofe	Rubio	Vitter

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Washington.

MORNING BUSINESS

Mrs. MURRAY. 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.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TRIBUTE TO GENERAL CHUCK YEAGER

Mr. MANCHIN. Mr. President, few Americans have helped this great country reach for the stars more than Gen. Chuck Yeager. Long before there were astronauts there was Chuck Yeager, a fearless test pilot, a true aviation pioneer paving the way for America's exploration of the galaxy. But Chuck Yeager's military career involved so much more than just testing cutting-edge aircraft and, as almost everyone knows, becoming the first man to fly faster than the speed of sound. Few Americans have been as unwavering or as relentless as Chuck Yeager in defense of this great country, in war and in peace, from World War II to Vietnam.

He was part of the ''greatest generation'' of Americans, the generation that fought and won World War II and then came home and made America the world's greatest superpower. Among the greatest in that generation was Chuck Yeager.

Today is Chuck's 90th birthday, and I invite the entire Senate to join me in congratulating him. I am so proud of this man. Not only is he a native son of West Virginia but he is also a dear friend of mine. Chuck lives in California now, with his wife Victoria, but he still comes to West Virginia to hunt with me and roam the hills where he grew up.

He also visits the State from time to time to promote the foundation which bears his name, and which supports a scholarship program at Marshall University.

When I was Governor, Chuck and Victoria would sometimes visit Gayle and me at the Governor's Mansion. Some of you know I am a pilot, and during one of his visits to West Virginia I got him to join me on a flight. We were trying out a new airplane for the State. It was a real honor, but it was a little bit daunting, if you will, that I am flying left seat and Chuck is right behind me, evaluating the entire flight. Looking over my shoulder, having the greatest pilot who ever lived sitting there, was something I will never forget.

Some of the story of Chuck's life you probably know and some of it you may not. Chuck grew up in the small town of Hamlin. That is in Lincoln County, WV, so deep in an Appalachian holler that folks there used to say you had to pump in the sunshine. His father Albert Hal worked as a driller in the gasfields. His mother Susie Mae took care of Chuck, his two brothers, and two sisters.

Chuck and his father went hunting and fishing together. Chuck also worked with his father in the oilfields. He was fascinated by the drilling equipment. He liked cars—real fast cars. He especially liked his old man's Chevy truck. He not only drove it, he studied all of its mechanical details. He could basically take it apart and rebuild it.

Looking back, it is not surprising that in the middle of World War II, a patriotic kid from West Virginia who was good with rifles, mechanical equipment, and fast cars enlisted in the U.S. Air Force as an airplane mechanic—his first step toward becoming the single greatest pilot who has ever lived.

A new ''flying sergeants'' program eventually gave him his first chance to fly. Up until that time it was officers only. His first couple training flights didn't go so well. Some people might not know this, but he had to overcome airsickness. Can you believe that Chuck Yeager got airsick? Before long he found a new home in the sky in the cockpit of an airplane.

During World War II, Chuck flew numerous combat missions over Europe and shot down 13 enemy aircraft—5 in 1 mission. He was shot down over German-occupied France in 1944 but escaped capture to fly another day. But

before he could do that, he had to argue his case against being sent home under a no more combat rule. The rule was basically if a pilot was shot down, they could not let them go back, because if they were captured, they could basically tell who the people who saved them were. He pushed his way all the way up the chain of command to Supreme Allied Commander General Dwight D. Eisenhower. Ike ultimately granted Chuck's request to stay with his men.

After the war, Chuck became a test pilot. On October 14, 1947, he did what no man had done before—he broke the sound barrier in the experimental X–1 plane named the ''Glamorous Glennis,'' after his late wife. His fabled flight ushered in a new era of aviation that prepared America for its greatest leap into space and so began the legend of Chuck Yeager.

Tom Wolfe wrote in ''The Right Stuff''—a movie most of us have seen. If you haven't seen it, I suggest you do. Tom Wolfe wrote:

> There were . . . other pilots with enough Pilot Ego to believe that they were actually better than this drawlin' hot dog.

Chuck had a way with words, if you ever have a chance to speak with him.

> But no one could contest the fact that as of that time, the 1950s, Chuck Yeager was at the top of the pyramid, number one among all the True Brothers.

Throughout his long military career, General Yeager flew more than 10,000 hours in more than 330 models of aircraft. In 1966, he flew 127 missions in South Vietnam. He received numerous awards, including the Distinguished Service Medal, the Silver Star, the Bronze Star, the Purple Heart, the Presidential Medal of Freedom, and the special peacetime Medal of Honor. He was the youngest military pilot to be inducted into the Aviation Hall of Fame in 1973.

Chuck officially retired from the Air Force in 1975 but maintained his status as a test pilot for another three decades, occasionally flying for the Air Force and NASA as a consultant.

In 1997, on the 50th anniversary of his historic flight breaking the sound barrier, he again flew past Mach One in an F–15D Eagle named the ''Glamorous Glennis III.'' It was his last official flight with the Air Force. Of course, nothing stops Chuck Yeager. So last October on the 65th anniversary of breaking the sound barrier, he did it again, in another aircraft, at the age of 89.

Whenever he is asked about all his exploits, Chuck says he was just ''doing his job,'' and that all he is he ''owes to the Air Force.'' He has never ever wavered from that.

In his autobiography, he wrote:

> My beginnings back in West Virginia tell who I am to this day. My accomplishments as a pilot tell more about luck, happenstance, and a person's destiny. But the guy who broke the sound barrier was the kid who swam the Mud River with a swiped watermelon, or shot the head off a squirrel before school.

Tom Wolfe believed Chuck Yeager to be the ''most righteous of all possessors of the right stuff.'' Wolfe himself struggled to explain what he meant by ''the right stuff.'' His best explanation was that ''the right stuff'' is that rare, almost indefinable mix of bravery, heroism, hard work, and focus that someone brings to ''a cause that means something to a people, a nation, to humanity, to God.'' That describes Gen. Chuck Yeager as well as anything else I know.

He is a man of extraordinary skill and legendary courage. He has an unparalleled sense of duty and service to his country. He risked his life over and over. He is a great West Virginian. He is a great American. On his 90th birthday he is still, without a doubt, a man with ''the right stuff.''

I wish my dear friend the happiest of birthdays, and I urge every Senator to join me in saluting Gen. Chuck Yeager for his long and courageous service to this great country.

Thank you, General Yeager.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. KING). The Senator from Kansas.

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

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

Mr. ROBERTS. Mr. President, I rise to speak in morning business for such time as I may consume.

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

150TH ANNIVERSARY OF KANSAS STATE UNIVERSITY

Mr. ROBERTS. Mr. President, I rise to commemorate—along with my distinguished friend and colleague Senator JERRY MORAN—the 150th anniversary of Kansas State University—home of the ever-optimistic Wildcats.

Since its beginning—even before Kansas joined the union as a free State—all the way up to today, Kansas State University continues to provide a first-rate education for thousands and thousands of students.

To quote the K-State alma mater lyrics: ''I know a spot that I love full well.'' I—along with more than 200,000 alumni—am proud to call Kansas State University my alma mater, as did my father and also my son.

The year was back in 1858, when Kansas was only a territory—not even a State—that a group of local settlers founded Bluemont Central College. Then, in 1863, only 2 years into statehood, the State legislature and Governor became some of the first to accept the terms and conditions of the Morrill Act, thus creating the land grant system of colleges and universities.

On February 16, 1863, the Kansas State Agriculture College, formally known today as Kansas State University, received a land grant charter and became the first operational land grant institution in the United States. Over the past 150 years, Kansas State University has progressed and expanded to accommodate the students and the people living in the State of Kansas—the people it has served so well.

Today, Kansas State University is comprised of nine academic colleges ranging from liberal arts to veterinary medicine. The university expanded its campus in Manhattan to include an aviation and technology school in Salina and an innovation campus in Olathe, KS. Also, Kansas State University Research and Extension has a presence in every county in Kansas—all 105. These offices are a source of vital information to every farmer and rancher in our State. We are staying true to our land grant roots.

Back in 1863, Kansas State University's first enrollment totaled a mere 14 students. This school year Kansas State University reached a record enrollment of more than 24,000 students. These students hail from all 50 States and over 90 countries. Out of this diverse population, the university has produced industry leaders, heads of States, humanitarians, generals, gifted scientists, and a few public servants.

Kansas State University has received national recognition for the exceptional education it provides students year after year. Kansas State continues to have college programs ranked the best in the Nation. The university has been recognized as a leader among public universities in total number of Rhodes, Truman, Marshall, Udall, and Goldwater Scholars.

I cannot talk about my alma mater without mentioning Kansas State University's athletic program, especially over the recent years. Since its first football game way back in 1883, dedicated fans have been coming to the sports arenas to support our athletes and our team. This intercollegiate athletic program has complemented the education provided by the university and has been a great source of purple pride for both alumni and Kansas.

As Kansas State University looks toward the future, it sets new goals for the institution and for its students. Launched by president Kirk Schulz in 2010, K-State 2025, the university's strategic plan, strives to make Kansas State University a top 50 public research institution within 15 years. Thanks to the work that has been done throughout the past 150 years and the research that continues, I have no doubt Kansas State University is on track to achieve this very important goal.

Throughout this week and weekend, students, staff, alumni, and friends of the university will gather in Manhattan, KS—the ''little apple''—to celebrate the history of Kansas State University.

On behalf of the Senate, it is my honor to congratulate Kansas State

University on its accomplishments over the past 150 years. As the alma mater song says, it is truly ''a spot that I love full well.'' Every man a Wildcat.

I yield to my distinguished friend and colleague, Senator MORAN.

Mr. MORAN. Mr. President, I thank the Senator from Kansas.

There is no K State alumni, no individual from our home State who bleeds the color purple more fervently than the senior Senator from Kansas. It is an honor to join him here today to recognize the significant accomplishments on the 150th anniversary of the first land grant university college in the Nation.

Senator ROBERTS comes to the Kansas State University through his family—his father as well as his son.

I have become acquainted with Kansas State University as a citizen of our State in which we see each and every day the benefits that accrue to the citizens of our State because of the academic research, the education, the extension of education across our State that benefits each and every citizen. So it is with great pleasure that we honor the accomplishments today of this university. It has had tremendous leadership.

In my early days in Congress, President Wefald in many ways created a great opportunity for Kansas State University to excel, to become something different than it had been, to move forward into the future. Now, under the leadership of president Kirk Schulz, his leadership only accelerates the opportunity for Kansas State University to provide new and beneficial services, education, and benefits to the people of our State, to our country, and to students around the globe.

Kansas State University is known for its agricultural background, for its support for that significant industry in our State—farmers and ranchers look to Kansas State University for education and for technical support, and we know of their importance in that No. 1 industry in our State—but, as Senator ROBERTS said, engineering and aerospace; now a campus at Salina, KS, dealing with aviation and avionics, with UAVs moving into the future; a campus in Johnson County, the suburbs of Kansas City, in which additional research in bioscience is being accelerated. So in each and every circumstance, Kansas State University contributes to the economy and well-being of our State and our country.

As a parent, I know Kansas State University. Both our daughters attended Kansas State University, and one remains a student there. I remember the first day I wandered with my 17-, 18-year-old daughter onto campus for a campus tour, and at the end of the day—I will admit we had visited other universities as well, but at the end of the day Kelsey said: Dad, there is no place more welcoming, no place more like home, no place where I feel like a part of a family more than Kansas State University.

That is something I think K State exhibits so well and causes Kansas to be so proud of the Wildcat tradition, which is a sense of family; that we are in it together and people are friends. It is a very comfortable and enjoyable learning environment for students, and we have seen it in our family.

Our youngest daughter followed her older sister to Kansas State University and is now a beginning student at the College of Veterinary Medicine. Another area in which Kansas State University is highly regarded is the study of animal science. K State in Manhattan, KS, is the western border of the animal science corridor, the eastern border being that place that all Kansans, regardless of alma mater, despise—the University of Missouri. So from west to east, the animal science corridor is bounded by the research scientists and educators and the schools that increase the likelihood that Americans are going to have nutrition, be well fed, and have a safe and abundant food supply.

It is an honor to be here to pay tribute to the many leaders at Kansas State University, those who have come before and those who will follow President Wefald and President Schulz to make sure Kansas State University remains that place of higher education and learning in our State but also to make certain Kansas State University in Manhattan, KS, is always that place called home where students from across our State and around the globe feel as though they have found family and a place to learn to improve their lives and to make certain they contribute to the betterment of our world.

It is an honor to be here with one of the most distinguished alumni of Kansas State University, my colleague and friend Senator ROBERTS, to wish Kansas State University many more years of success in providing education to our students and moving our State forward in ways that will benefit not only this generation but those that follow us.

So congratulations, Kansas State University, and happy 150th birthday.

Mr. President, I yield back to the Senator from Kansas.

Mr. ROBERTS. Mr. President, I thank my dear friend and colleague more especially for highlighting what K State is all about, and that is family. If one chooses to attend Kansas State, as many do—many come from small town America, and many come from big cities, but I think they are all struck by the family atmosphere.

The thing I think is rather remarkable, even in having the privilege of talking to some of K State's football team and some of the athletes, both basketball and football—all sports at K State—I am always able to tell the thousands and thousands of fans from K State who know their history, know where they are coming from, and always support them regardless of the outcome. So K State is a family.

K State's legendary coach Bill Snyder, who has achieved miracles on the football field with team after team, always stresses family and togetherness and the proper role of athletics in education.

My son David went to K State, and he fell in love with K State. He didn't have much of a choice as far as I was concerned, but he did really enjoy himself at K State. Basically, I am struck by the fact that many of his friends who are graduates—when that day comes when you graduate or when you leave K State, those generations really stick together, and they are friends for life. It is in that vein that I think the Senator's remarks are certainly right on target.

Mr. MORAN. If the Senator would yield.

Mr. ROBERTS. I would be happy to yield.

Mr. MORAN. Mr. President, Senator ROBERTS raises something that I wish to make clear, which is that Kansas State University has been so kind and so beneficial to our two daughters. While they found it to be home and like family, they have excelled and learned, advanced their lives both personally and professionally in ways that are so important to us as parents. We have nothing but commendation to offer to Kansas State University for the kindness and opportunities they have created for our own daughters as they pursue their goals in life.

So it is a very personal opportunity for me to express this gratitude to Kansas State University for making it so good for the things a mom and dad care so much about. For our two daughters Kelsey and Alex, K State is an important component of their lives, and we are so appreciative of the role that university has played in educating our children.

I yield back to the Senator from Kansas.

150TH ANNIVERSARY OF EMPORIA STATE UNIVERSITY

Mr. ROBERTS. Mr. President, we have a double privilege here today in that we obviously are celebrating Kansas State University being 150, representing 150 years of outstanding academic service to our people, but also Emporia State University is 150 years old at the same time—a rather remarkable achievement. I know we would like to congratulate Emporia State on its 150th anniversary.

Emporia State University is in the beautiful Flint Hills of Kansas, and it is also very dear to my family. My mother attended Emporia State and studied education. She went on to become a teacher. Emporia State is a teacher's university, second to none. But she, in her day and time, spent a lot of time educating Kansas children up in Atchison, KS, and was very much like the other proud and accomplished alumni from Emporia State.

If a person wants to know about education, all they would have to do—as

well as teacher involvement and teacher progress and some of the very serious challenges we face today in education—is stop by Emporia State. They have many fine programs and nothing but the best in terms of graduates who do such a great job.

Throughout the past 150 years, Emporia State has grown to accommodate the needs of the State and the 6,500 students it currently serves. What was once the Kansas State Teaching College, Emporia State has now expanded greatly, offering a wide range of academic programs.

In true Kansas fashion, the university has faced challenges head-on from its earliest days. Adversity is not uncommon. In fact, our State motto is ''to the stars through difficulty.'' But the outstanding faculty and staff have persevered on behalf of their students to provide a quality education, and that continues today with teachers who also provide a quality education. We can't do any better than that. It is with great pride as a Kansan and as a son of an Emporia State graduate that I recognize and congratulate Emporia State University on its 150th anniversary.

I am more than happy to yield to my friend and colleague, Senator MORAN.

The PRESIDING OFFICER (Mr. COONS). The Senator from Kansas.

Mr. MORAN. Mr. President, I thank the Senator for yielding, and I appreciate being recognized.

It is true that our State places a high priority on education—certainly K–12 but also universities, including public, private, community colleges, technical colleges, and today we honor one of those universities in this milestone in its history, Emporia State University, Emporia, KS, on its 150th anniversary.

Benjamin Franklin said, ''Tell me and I forget. Teach me and I may remember. Involve me and I learn.'' Through learning, students' lives have been changed for the better for more than a century at Emporia State University. This is a historic occasion, their 150th anniversary, and I wish to recognize the significant impact Emporia State has had on our State and on our Nation.

In 1863 Emporia State was founded as a school for training teachers. Back then it was known as Kansas Normal School, and in its first year the President and only teacher, Lyman Kellogg, taught 18 students on the second floor of the district schoolhouse. At the university's first commencement on June 28, 1867, President Kellogg presented diplomas to its two graduates, Mary Jane Watson and Ellen Plumb.

In the years that followed, Emporia State was faced with many challenges, including tornadoes, fires, and a lack of funding, but the university survived and continued each and every year to change the lives of the students.

Today 6,500 students from 45 States and 55 countries are enrolled at Emporia State University. Consistently ranked as a tier 1 regional university by U.S. News and World Report, ESU offers students a wide range of academic programs to choose from and the opportunity to participate in more than 130 student organizations.

Emporia State also remains fully committed to its original mission of training teachers through a nationally acclaimed teacher education program. If a person has somebody who made a difference in their life, nobody ever says: It was my Senator. It is not mom and dad. It is a teacher.

Educating teachers is a noble calling. In fact, the Teachers College holds the International Reading Association Award and Certificate of Distinction for the Reading Preparation of Elementary and Secondary Teachers—one of only five programs honored internationally in 2009. In a national study of teacher education programs, Emporia State was named one of only four postsecondary institutions in the Nation to be identified as an exemplary model teacher education program.

I congratulate Emporia State for their success in equipping our Nation's educators. As we know, the work of a teacher impacts the lives of every American now and in the future.

Given Emporia State's long history and dedication to training teachers, the university, as one might expect, now hosts the National Teachers Hall of Fame. Each year five of the Nation's most outstanding educators are recognized and honored for the jobs they do. By recognizing the difference one teacher can make, the National Teachers Hall of Fame works to promote education and inspire a new generation of teachers.

Whether ESU students pursue a career in education or another field, many students who continue their studies will return to ESU for graduate work. Among the Kansas Regents universities, ESU students earn the highest percentage of graduate degrees. On average, one-third of the degrees earned annually are graduate degrees. So whether students leave Emporia with an undergraduate or graduate degree, they are well prepared in the field they have chosen.

Students today are involved in community service, and Emporia State exemplifies that. Students at Emporia State spend much time giving back to the local communities. Students have cared for the elderly, provided food to the hungry, and built homes for the homeless. They have also spent their free time mentoring young students through a program called YouthFriends. Currently, about 50 Emporia State students are involved in volunteer work once a weak with children.

One of the teachers at a local elementary school said this about that program:

> It is great for children to have a young adult role model to look up to. I have two kids in my class who have YouthFriends, and they both have benefited greatly. Their attitudes about school and life have changed for the better.

What a great way to make a difference in the development of lifelong compassion for others.

The alumni of Emporia State University now number more than 75,000 from 50 States and 80 countries, and they are all proud to be called Emporia State Hornets. Alumni from Emporia State have gone on to accomplish great things. Among the many distinguished alumni are Minnie Grinstead, who was the first woman elected to the Kansas State Legislature in 1918, and Robert Mott, a World War II veteran who later helped create National Public Radio.

For the past 150 years, Emporia State has been changing lives. One alumni said this about the impact on her life:

> I was told by a high school guidance counselor that I would never make it in college. ESU gave me an opportunity to ''try.'' Not only did I earn a bachelor's degree, I earned a masters, and Ph.D. Thank you ESU, you changed my life in a positive way!

On this historic anniversary, it is with great pleasure that I join my colleague from Kansas in submitting a resolution to congratulate the students, faculty, alumni, and the new president of Emporia State University for 150 years of excellence in higher education. May the next 150 years be even brighter than the last.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

FISCAL CHALLENGES

Mr. THUNE. Mr. President, I come to the floor today to talk about the fiscal challenges facing this country, and particularly the spending problem we have and how it impacts not only the economy but also the lives of the American people.

Last week, the nonpartisan Congressional Budget Office released the latest Budget and Economic Outlook, which confirmed the threat that long-term fiscal imbalances pose to the Nation's economy. The Congressional Budget Office found that the national debt will climb by $10 trillion, to $26 trillion, over the next 10 years if Federal spending continues on its current trajectory.

Spending on mandatory programs will remain on auto pilot, resulting in high annual deficits. To kind of put things in perspective, if you go back to 2007 and you look at what the Federal Government spent, it was about $2.7 trillion annually. If you look at what the Federal Government spent in fiscal year 2012, which ended September 30 of last year, it was $3.5 trillion, an increase of nearly 30 percent.

Inflation during that same time period was 10.8 percent, meaning that government grew at almost three times

the rate of inflation. Again, I want to emphasize what I think is an important point here, because in the discussion we are having about spending and debt, there is somehow this assertion that has been made that this is not a spending problem, that actually this is more a revenue issue.

Well, again, if you look at what has happened just in the past 5 years, spending has increased nearly 30 percent, Federal spending, or at a rate of almost three times the rate of inflation. So clearly spending has increased dramatically just in the last 5 years. The trend is projected to continue over the next 10 years and beyond, with spending exceeding its historical average over that time period, and then ballooning in the years beyond that.

Such levels of spending will cause the Federal debt to grow, and according to the Congressional Budget Office, ''Such a large debt would increase the risk of a fiscal crisis during which investors would lose so much confidence in the government's ability to manage its budget that the government would be unable to borrow at affordable rates.''

Again, why is this important? Well, obviously, if the deficits continue to continue year after year, adding more and more to the Federal debt, eventually investors are going to lose confidence in our government. They are going to demand a higher return, higher interest rate when we borrow money. That obviously has an impact all across the economy. Because when interest rates go up, everything else that is pegged to it goes up. If you look at middle-class Americans who are trying to borrow money, for example, to buy a home or to get a college education or for a small business to make investments in order to create and expand jobs, the interest rates go up for everyone. Inflation also goes up if the Nation's fiscal challenges are not addressed, meaning that the hard-earned dollars are not going to go as far. That is going to put further pressure on hard-working middle-class families.

The threat of the budget challenges facing this country and our economy is very real, because of this report that came out last week from the Congressional Budget Office. It confirmed we are headed toward Greece if we do not take the steps that are necessary to change the direction we are on.

A lot of that reality, however, unfortunately, is lost on lots of people here in Washington, DC. As I said earlier, there has been this debate about whether we do, in fact, have a spending problem. Over the weekend, the Democratic leader in the House of Representatives, NANCY PELOSI, repeated what has become doctrine to many in the Democratic Party; that is, the idea that the U.S. Government does not have a spending problem.

She said, ''It is almost a false argument to say we have a spending problem.'' This comes from the top Democrat in the House of Representatives. ''It is almost a false argument to say we have a spending problem.'' Well, obviously the White House scrambled quickly the next day to come out: Yes, yes, we know we have a spending problem.

But there is reporting out there that suggests the President of the United States has also made this assertion, that this is not a spending problem. I do not know how you can examine the Federal budget projections and not come to the conclusion that we have a spending problem. It is driving our national debt, a debt that is very harmful to our economy.

You have to look no farther than the Congressional Budget Office report last week to see that this is a spending problem, not a revenue problem, because that same CBO report said that the revenue—money that is raised by the Federal Government—is returning to its historical average of 17.9 percent of GDP. That is the way we have measured the amount of revenue coming into the Treasury as a percentage of our entire economy. You measure that over time, and getting back to the historical average, the 40-year average would be 17.9 percent.

If you look at the year 2015 as a case in point, the revenues get back to 19.1 percent of GDP, which is a 25-percent increase in 2 years, significantly exceeding the historical average. If you look at the 10-year outlook the CBO came up with, they said revenues would average 18.9 percent over the next decade, which is almost a full percentage point more than the 40-year historical average.

The point is this: Revenues are not only at historic levels, will be there by 2015 and stay there for the next decade, but they will exceed the historic average for revenues over the next 10 years. So clearly, what we are talking about here is not a problem of Washington taxing too little, it is a problem of Washington spending too much.

I know that truth is hard and that math is hard to accept for the people who want to grow government, but we absolutely have to govern in reality. What the math shows is that mandatory spending, which as I said is on auto pilot, continues to squeeze the Federal Government and the Federal budget to a point where we are going to face a Greece-style fiscal crisis if Washington continues to punt on the hard decisions that have to be made.

Mandatory spending comprised roughly 60 percent of Federal spending in fiscal year 2012. If you look at the big drivers of mandatory spending, Medicare, Medicaid, and Social Security represented 40 percent of that total, according to the Congressional Budget Office. Congress and the administration have an opportunity in the coming months to reform these entitlement programs not only to get this country back on a more sustainable fiscal track but also to save and protect these programs not only for current retirees but for future generations of Americans as well.

That is why I was disappointed last night that the President, in his State of the Union Address, failed to lay out a plan to address the fiscal challenges our country faces. I hope the President and my colleagues here in the Congress will come to the table and work with us to solve these problems, particularly as we consider ways to address the sequester, the continuing resolution which follows after that, and the fiscal year 2014 budget resolution.

We cannot simply wait and watch these programs crumble under the weight of looming insolvency. We know Social Security operated at a cash deficit in 2010. The Medicare trustees have told us that Medicare will be insolvent by the year 2024 and the HI trust fund actually as early as the year 2016. If we are going to keep the promises we have made to current retirees and to future generations of Americans, we have to make these programs solvent. That means we have to reform them in a way that saves and protects them and makes sure they are fiscally sustainable not only for today but for the future as well.

I have to say, as I listened to the debate about the issues of spending and debt, there is an argument that is made by those on the other side that this is just because of the two wars, and the two wars drove up spending; you know, they were not paid for and that is the reason we have this $16.4 trillion debt. Well, obviously the wars have contributed to that. But if you look at through 2012, that is about $1.4 trillion. Obviously, I would say, to be fair, Republicans have contributed to this as well as Democrats. When Republicans were in charge of the Congress, we did not do a good enough job of keeping spending under control.

But the fact is even if you count in spending on Iraq and Afghanistan, that is about $1.4 trillion. The total debt now, as I said, is over $16 trillion, scheduled to go to $26 trillion 10 years from now. Over the course of the first 4 years of this President's term, his first term in office, the debt has increased almost $6 trillion. So it is hard to feature any objective analysis of these facts and this data and say it was the wars that somehow caused all of this.

Washington has been overspending for a long time. It is high time for those habits to change. If you look at the war that is winding down, the cost of that, the resources we are putting into these conflicts, those dollars are not going to be showing up again as expenditures in the next few years. We still have the Congressional Budget Office telling us at the end of the next decade we will have added an additional $10 trillion to the debt. So clearly that has certainly been a factor, but it has not been the main factor.

There is again no objective analysis that would suggest spending on the wars has been the driving reason for why we are facing the debt crisis we have today. I would simply say too

that when you are in a hole, it is advisable to quit digging.

Obviously, we continue to look at ways to add more and more spending and, therefore, more and more debt. The health care bill is not something anybody on my side here in the Senate supported when it passed in 2009 and early 2010. But that too is going to drive up spending and is going to drive up debt as we head into the future.

You heard from the President last night a whole new series of new spending initiatives, ''investments,'' he called them, in a whole range of areas. As he was sort of laying that out, those of us who were listening to that message were thinking to ourselves: Okay, if you put a calculator on this thing, it keeps going and going and going. Yet the President said we did not need to add a single dime to the deficit. Well, I do not know how anybody could accept that with a straight face. It flat does not pass the smell test.

We have a spending problem here in Washington, DC. The facts bear that out. The revenues are going up. They are going to go up 25 percent, according to the Congressional Budget Office, in the next 2 years. In 2015 they will be at 19.1 percent of GDP, an average we have not seen—or a number we have not seen in a long time. Then they will stay roughly at that for the next decade. This is not a revenue problem. This is not a problem where Washington taxes too little. This is a problem where Washington spends too much.

If you look at the other side of the equation, spending continues to go up as a percentage of GDP. We see a little bit of relief here in the next few years, but then when the cost of the Affordable Care Act starts hitting, when you start seeing the demographics of the country, as they continue to change, if we do not do something to save and protect Social Security and Medicare for future generations, it is going to bankrupt us.

We are headed for a train wreck. We have to do something about that and recognize what that problem is. That problem purely and simply is that Washington spends too much. It is a spending problem. That is why, again, when I heard the top Democrat, the minority leader in the House of Representatives, say over the weekend that it is a false argument to say this is a spending problem, I was shocked, because I think most Americans would argue, as they look at this, and they can do the math, Washington has a very serious spending problem which needs to be addressed. It needs to be addressed sooner rather than later.

I thought the report that came out from the Congressional Budget Office last week was instructive for a number of reasons. It pointed out the impact that debt is going to have as we face this debt crisis in terms of interest rates, in terms of inflation, in terms of loss of jobs, and a more sluggish economy. We know from history that when you get a certain amount of debt, it becomes such a drag on your economy that it reduces economic growth. So we have seen this anemic, sluggish economic growth which is going to be continued now for the foreseeable future. We have slower growth, fewer jobs, massive amounts of debt. Eventually what that is going to mean for the middle-class American is higher interest rates when it comes to buying a home, when it comes to buying a car, when it comes to financing a college education. It is going to mean lower take-home pay when the economy slows down and there is not the demand for workers out there. There are so many adverse impacts on our economy from carrying the kind of debt load we are carrying today. I think we have a responsibility to lead.

I hope the President of the United States will lead on this issue; that he in his budget will put forward the types of remedies that are necessary not only to deal with our short-term crisis in the sequestration but also to put us long term on a sustainable fiscal path by proposing reforms, reforms to these programs that are driving Federal spending, that are going to add massive amounts to our debt over the course of the next decade and beyond, and at the same time look at things we can be doing that would generate economic growth, that would create jobs in this country. Because when the economy is growing and expanding, then all of these other problems look much smaller by comparison.

Republicans here in the Senate are ready to work with the President, work with Democrats.

We are anxious to go to work on entitlement reform to save Social Security and Medicare. We are anxious to go to work on reforming our Tax Code in a way that would unleash economic growth to obtain the robust growth we need in the economy to create jobs and make the debt crisis we face look much smaller by comparison.

I hope in the days ahead the President of the United States, the leadership on Capitol Hill, and the Congress will do what we should have done a long time ago. It is long overdue for action. It is high time that we become busy and do the work of the American people, which is about providing a more secure, prosperous, and a safer, debt-free future for future generations. Anything less is negating or undermining the responsibility we have to the American people.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER (Mr. BROWN). We are not in a quorum call.

Mr. REID. Miracles never cease.

The PRESIDING OFFICER. That is true.

The Senator from Nevada.

Mr. REID. Mr. President, I have spoken with Senator INHOFE, the ranking member of the Senate Armed Services Committee. It is very clear that he and a number of Republicans are not willing to enter into an agreement on the Hagel nomination.

EXECUTIVE SESSION

NOMINATION OF CHARLES TIMOTHY HAGEL TO BE SECRETARY OF DEFENSE

Mr. REID. Mr. President, I move to proceed to executive session to consider Calendar No. 10.

The clerk will report:

The assistant legislative clerk read as follows:

Motion to proceed to the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

The PRESIDING OFFICER. Without objection, the motion to proceed is agreed to.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk and ask the clerk to report.

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

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Barbara Boxer, Al Franken, Christopher A. Coons, Jack Reed, Carl Levin, Kirsten E. Gillibrand, Claire McCaskill, Robert P. Casey, Jr., Richard Blumenthal, Tom Harkin, Dianne Feinstein, Bill Nelson, Jeanne Shaheen, Sherrod Brown.

Mr. REID. This is the first time in the history of our country that a Presidential nominee for Secretary of Defense has been filibustered. What a shame, but that is the way it is.

I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

Mr. REID. I also ask that under the rule the cloture vote will occur on Friday. Membership should plan accordingly.

The PRESIDING OFFICER. The senior Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, now that the nomination of Senator Hagel is before us, I want to begin this discussion and debate with a few remarks about him. The committee approved this nomination and sent it to the floor of the Senate yesterday by a vote of 14 to 11.

Senator Hagel has received broad support from a wide array of senior statesmen, defense, and foreign policy

organizations. At his January 31 nomination hearing before the Armed Services Committee, Senator Hagel was enthusiastically introduced and endorsed by two former chairmen of our committee, chairmen who have huge bipartisan support and respect by everybody in this body and everybody outside of this body who knows them. Those two chairmen are Sam Nunn and John Warner.

Senator Hagel's nomination has been endorsed by five former Secretaries of Defense who served under both Democratic and Republican Presidents: Bob Gates, Bill Cohen, Bill Perry, Harold Brown, and Melvin Laird. He has been endorsed by three former Secretaries of State—Madeleine Albright, Colin Powell, and George Shultz—and by six former National Security Advisers who served in that position for more than 20 years under six of the last seven Presidents.

Let me just share with our colleagues a few of the words of Senator Nunn when he introduced Senator Hagel to our committee:

I believe our Nation is fortunate to have a nominee for Secretary of Defense with the character, experience, courage and the leadership that Chuck Hagel would bring to this position. First, Chuck is acutely aware that even in an age of rapid technological advances, our military capability and effectiveness depend on the quality and the morale of the people who serve our Nation in uniform, as well as the families who support them.

Continuing:

Chuck received two Purple Hearts in Vietnam, and when he returned home he continued to fight for veterans and for Active-Duty military personnel. He knows that our people are our strongest asset. Second, Chuck's experience in Vietnam shaped his life and his perspective. War for Chuck Hagel is not abstraction. I am confident, if confirmed, he will ask the hard and smart questions before sending troops into battle. Chuck Hagel knows the United States has vital interests that are worth fighting for and dying for. He also knows that war should be a last resort and that our Nation must effectively use all of our tools, not limited only to our military, to protect our important and our vital interests.

Senator Nunn continued:

Certainly there is a tension in these values, but it is a tension that we should welcome in the thought process and in the advice that our Secretary of Defense gives to our Commander in Chief and to this Congress.

From our service together on the Defense Policy Board in recent years, I know that Chuck Hagel has a clear world view and that it aligns with the mainstream of U.S. foreign and defense policy, and also with President Obama. Chuck Hagel believes that we must build and preserve America's strength as a force for good in the world. He recognizes that protecting our interests requires strong allies and friends, as well as strong American leadership.

Senator WARNER's extraordinarily powerful and warm comments included as follows:

There is an old saying in the combat army infantry and Marine Corps. ''Certain men are asked to take the point.'' Which means to get out and lead in the face of the enemy. Chuck Hagel did that as a sergeant in Vietnam. If confirmed, Chuck Hagel will do it again. This time not before a platoon but before every man and woman and their families in the Armed Services. He will lead them and they will know in their hearts that we have one of our own.

Senator Hagel has received a letter of endorsement from 11 retired senior military officers who say Chuck Hagel is uniquely qualified to meet the challenges facing the Department of Defense and our men and women in uniform.

He has received a letter of endorsement from nine former Ambassadors who worked with him on Middle East issues. That letter says, in part:

Each of us has known the Senator over the past 20 years and has found him invariably one of the best informed leaders in the U.S. Congress on the issues of U.S. national security. . . . Senator Hagel's political courage has impressed us all. . . . Time and again he chose to take the path of standing up for our nation over political expediency. . . . He has invariably demonstrated strong support for Israel and for a two-state solution and has been opposed to those who would undermine or threaten Israel's security. We can think of few more qualified, more nonpartisan, more courageous, or better equipped to head the Department of Defense.

That is from nine former Ambassadors who worked with Senator Hagel on Middle East issues. Let me read who those Ambassadors are: Nicholas Burns, former Under Secretary of State for Political Affairs, Ambassador to NATO and Greece; Ryan Crocker, former Ambassador to Iraq and Afghanistan; Edward Djerejian, former Ambassador to Israel and Syria; William Harrop, former Ambassador to Israel; Daniel Kurtzer, former Ambassador to Israel and to Egypt; Samuel Lewis, former Ambassador to Israel; William Luers, former Ambassador to Venezuela and Czechoslovakia; Tom Pickering, former Under Secretary of State for Political Affairs, Ambassador to Israel and Russia; and Frank Wisner, former Under Secretary of Defense for Policy and Ambassador to Egypt and to India.

Senator Hagel's nomination has been supported by the major groups of American veterans, including the Veterans of Foreign Wars, the Iraq and Afghanistan Veterans of America, AMVETS, Vietnam Veterans of America, and the American Legion. He has received support from the Military Officers Association of America, Foreign Area Officer Association, and the Non Commissioned Officers Association.

Senator Hagel has been endorsed by numerous newspapers, including USA Today, which stated:

Many of the supposed weaknesses that Republican Senators hammered him on are actually proof that Hagel takes thoughtful positions and doesn't bend easily to pressure.

I would like to read just a few quotes from those organizations of veterans who have endorsed him. The Veterans of Foreign Wars says the following:

It is not the place for America's oldest and largest combat veterans organization to advise or recommend to the President who he should nominate for cabinet positions. However, the Veterans of Foreign Wars of the United States considers Chuck Hagel, twice wounded Vietnam War veteran, war infantryman, and former two-term United States Senator from Nebraska, to be uniquely qualified to lead the Department of Defense.

That is signed by Robert Wallace, who is executive director of the VFW.

The Iraq and Afghanistan Veterans of America wrote the following:

Without Senator Hagel's leadership in Washington, there would not be a post 9/11 GI bill. Senator Hagel has always been a strong advocate for veterans at the Department of Defense. There is no doubt he will continue that legacy. Time and time again, from Vietnam to the VA to the USO, Senator Hagel has answered his country's call to serve, demonstrating courage, character and resolve at every turn. We encourage the Senate to approve his nomination swiftly.

Paul Rieckhoff, Founder and Chief Executive Officer.

The AMVETS National Commander Cleve Geer endorsed President Obama's nomination of Chuck Hagel with the following comments:

AMVETS fully supports President Obama's nomination of Chuck Hagel for the future Secretary of Defense. As a veterans service organization, AMVETS' main mission is to serve as an advocate for veterans, their families and the communities in which they live. I am confident that former Senator Hagel will utilize his experience and understanding of America's military to lead this Nation's troops and the Department of Defense.

The organization votevets.org wrote the following in a petition signed by over 8,000 veterans and military families:

Senator Hagel is a tremendous pick for Secretary of Defense who I know very well, and I have little doubt that he will serve President Obama with distinction both as a voice of reason within the administration and as a faithful advocate for carrying out the policies of the Commander in Chief.

That was signed by John Soltz.

The Military Officers Association of America wrote the following:

While the Military Officers Association of America does not endorse or oppose specific candidates for elected or appointed office, we believe Senator Hagel is certainly a candidate who is fully qualified for appointment to this extremely important position. Our past work with Senator Hagel has been very positive, and we believe that he brings an important sensitivity to the human side of budget and operational considerations. His experience as a combat wounded Vietnam veteran, as deputy administrator of the VA, and his two terms in the Senate provide a range of perspectives that would serve any Secretary of Defense well. We previously recognized Senator Hagel's efforts to protect the interests of military beneficiaries with our Arthur T. Marix Congressional Leadership Award. We do not believe that cabinet nominees should be held hostage to political litmus tests.

That was signed by ADM Norbert Ryan, USN, retired, President of the Military Officers Association of America.

The Non Commissioned Officers Association of the United States wrote the following:

We strongly support the appointment of Chuck Hagel to be Secretary of Defense. His

military service, including being twice wounded in action, has instilled the values of service and personal sacrifice for which he knows well the human cost of war. He has been an advocate for soldiers, Marines, sailors, airmen and coasties to ensure the training and equipage of America's 21st military force coincide with a solid revised defense posture to meet conventional and unconventional world challenges. Senator Hagel has also championed personnel issues relating to combat dwell time, force protection, transition issues, including electronic medical issues, preparation for future employment and training, and veterans benefits, including enhancements to post 9/11 educational benefits. He also recognizes the value and the sacrifice of families of the men and women who serve in this Nation's uniformed services.

That was signed by Richard Schneider, executive director for government affairs.

The Vietnam Veterans of America wrote:

We like Hagel. We think he is a great guy, and having a combat veteran in there would be a good thing.

The American Legion wrote:

Hagel is a long-time member of the Legion. He served right after he returned from Vietnam. He is a long-time advocate for veterans in the VA, and especially for veterans exposed to Agent Orange. Our organization has consulted with him, among others, on various national security matters. Having said that, the American Legion is prohibited by our congressional charter from endorsing any candidate for elected or appointed office.

The Vietnam Veterans Memorial Fund, Jan Scruggs, founder and president, wrote the following:

I first met Mr. Hagel in 1981 when he was the No. 2 man at the Veterans Administration. He had just thrown out of his office some people who were demanding that he stop his support for Maya Lin's design for the Vietnam veterans memorial. His integrity and toughness were impressive then. Both qualities have grown since. Long before he became a Senator, Mr. Hagel was an infantryman in Vietnam. He fought the enemy up close, and he had to put Americans in body bags. I am sure as defense secretary he would not hesitate to use military force aggressively if our Nation or its allies are in danger, yet he knows well that war is terribly unpredictable and needs to be avoided. He has shown some fury at those who have never seen war, but encouraged it during the past decade. This is called courage. He has earned his stripes.

Senator Hagel's credentials are underscored by the service in war and in peace that has been described so eloquently in all those letters from those veterans organizations. As a young man, Senator Hagel enlisted in the Army and served in Vietnam, where he received two Purple Hearts, the Army Commendation Medal, and the Combat Infantryman Badge for his service.

He volunteered to go to Vietnam. He answered the question, where are you, by answering, here I am. Senator Hagel served as Deputy Administrator of the Veterans' Administration during the Reagan administration. He was twice elected to the Senate, where he served on the Foreign Relations and Intelligence Committees.

Since he left the Senate 4 years ago, Senator Hagel has served as chairman of the board of directors of the Atlantic Council. The Atlantic Council counts among its other directors and honorary directors seven former Secretaries of State and four former Secretaries of Defense, along with numerous other senior officials from the administrations of both parties. The Atlantic Council is very much a part of the mainstream of the American foreign policy establishment.

Much of the time and attention at our committee hearing was devoted to a handful of statements Senator Hagel made over the course of his career that raised questions about his views on Israel, Iran, and other issues.

Senator Hagel explained and clarified these things and placed them in context. He apologized for one remark, and told the committee he would say other things differently if he had the chance or was making them over. Senator Hagel was clear in the positions he takes today and that he will take if confirmed as Secretary of Defense. In particular, Senator Hagel stated unequivocally, first:

Iran poses a significant threat to the United States, our allies and partners, and our interests in the region and globally. Iran continues to pursue an illicit nuclear program that threatens to provoke a regional arms race and undermine the global non-proliferation regime. Iran is also one of the main state-sponsors of terrorism and could spark conflict, including against U.S. personnel and interests.

Second, he is ''. . . fully committed to the President's goal of preventing Iran from obtaining a nuclear weapon . . . all options must be on the table to achieve that goal . . .'' and his policy, if confirmed, will be ''one of prevention, not of containment.''

Third, while he believes ''engagement is clearly in our interests,'' ''engagement is not negotiation.'' He stated:

I've never thought engagement is weakness. I never thought it was surrender. I never thought it was appeasement. I think it's clearly in our interest. . . . [G]et the international sanctions behind you, keep military options on the table. If the military option is the only option, it's the only option.

Finally, he said that he is ''a strong supporter of Israel,'' and believes that ''we have a special relationship with Israel.'' If confirmed, he ''will ensure our friend and ally Israel maintains its qualitative military edge in the region, and will continue to support systems like Iron Dome, which is today saving Israeli lives from terrorist rocket attacks.''

Senator Hagel has also recognized the very real risks posed to our national security as a result of the unique budgetary pressure arising out of cuts previously agreed upon by Congress, the budgeting by continuing resolution, and the impending threat of a sequester. Senator Hagel told the committee:

[Sequestration] if allowed to occur, would damage our readiness, our people, and our military families. It would result in the grounding of aircraft and returning ships to port, reducing the Department's global presence and ability to rapidly respond to contingencies. Vital training would be reduced by half of current plans and the Department would be unable to reset equipment from Afghanistan in a timely manner. The Department would reduce training and maintenance for non-deploying units and would be forced to reduce procurement of vital weapons systems and suffer the subsequent schedule delays and price increases. Civilian employees would be furloughed for up to 22 days. All of these effects also negatively impact long-term readiness. It would send a terrible signal to our military and civilian workforce, to those we hope to recruit, and to both our allies and adversaries around the world.

One of our colleagues has alleged that Senator Hagel has failed to provide complete financial disclosure and suggested, despite the admitted lack of evidence of any kind, that Senator Hagel may have received money that ''came directly from Saudi Arabia, came directly from North Korea.'' There is no evidence for that, but that is the kind of innuendo which was made and I believe should not have been made.

As a matter of fact, Senator Hagel has provided the exact same financial disclosure the committee requires of all nominees, including at least the last eight Secretaries of Defense. As required by the Armed Services Committee and by the Ethics in Government Act, he has disclosed all compensation over $5,000 that he has received in the last 2 years. As required by the Armed Services Committee, he has received letters from the Director of the Office of Government Ethics and the Acting Department of Defense General Counsel certifying that he has met all applicable financial disclosure and conflict-of-interest requirements. As required by the Armed Services Committee, he has answered a series of questions about possible foreign affiliations. Among other questions, the committee asked whether, during the last 10 years, the nominee or his spouse have ''received any compensation from, or been involved in any financial or business transaction with, a foreign government or an entity controlled by a foreign government.'' Senator Hagel's answer was, ''No.''

Senator Hagel, like all of our nominees, has undergone a thorough FBI background investigation. Senator INHOFE and I have reviewed the FBI file. The innuendo that Senator Hagel could somehow be hiding the fact he is on the payroll of a foreign power is offensive to those of us who have served with him and beneath the dignity of the U.S. Senate.

I ask unanimous consent to have printed in the RECORD a series of letters in which certain Senators requested certain financial disclosure and the letter with which I responded.

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

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, DC, February 8, 2013.

Hon. JIM INHOFE,
Ranking Minority Member,
Committee on Armed Services, U.S. Senate.

DEAR JIM: I read with some concern a February 6, 2013, letter that you signed with 25 other Republican Senators, demanding that former Senator Chuck Hagel provide additional financial disclosure information in connection with his nomination to serve as Secretary of Defense. This letter appears to insist upon financial disclosure requirements that far exceed the standard practices of the Armed Services Committee and go far beyond the financial disclosure required of previous Secretaries of Defense.

Our committee has a well-defined set of financial disclosure and ethics requirements which apply to all nominees for civilian positions in the Department of Defense. We require each nominee to provide us with the following: a copy of the Nominee Public Financial Disclosure Report required by the Ethics in Government Act—OGE Form 278; a response to a standard committee questionnaire, which includes questions on future employment relationships, potential conflicts of interest, personal financial data, and foreign affiliations; and a formal ethics agreement, which outlines the steps the nominee will take to avoid any potential conflict of interest, including a commitment by the nominee to divest DOD contractor stocks within 90 days of appointment to office, avoid buying DOD contractor stocks while in office, and resign from non-Federal boards and activities.

Before these materials are provided to the committee, they are reviewed by the U.S. Office of Government Ethics (OGE) and the DOD General Counsel's office—both of which are familiar with the unique conflict of interest requirements imposed by our committee—to ensure that the required disclosures of information meet our standards. The leader of each of these offices sends us a letter certifying that the office has reviewed the financial disclosure and determined that the nominee will be in compliance with applicable laws and regulations governing conflicts of interest. Our majority and minority counsels review these materials and work together, through the DOD General Counsel's office, to address any questions that may arise about the completeness of the materials provided or the nominee's compliance with our requirements.

We have applied these disclosure requirements and followed this process for all nominees of both parties throughout the 16 years that I have served as Chairman or Ranking Minority Member of the committee. I understand that the same financial disclosure requirements and processes were followed for at least the previous 10 years, during which Senator Sam Nunn served as Chairman or Ranking Minority Member. During this period, the committee has confirmed eight Secretaries of Defense (Secretaries Carlucci, Cheney, Aspin, Perry, Cohen, Rumsfeld, Gates, and Panetta), as well as hundreds of nominees for other senior civilian positions in the Department.

There are two unprecedented elements to the financial disclosure demanded by the February 6, letter: (1) the disclosure of ''all compensation over $5,000 that [Senator Hagel has] received over the past five years''; and (2) the disclosure of any foreign funding of eight private entities from which Senator Hagel has received compensation since leaving the Senate (including the date, source, and specific amount of each foreign contribution). Each of these demands goes well beyond what the committee has required of any previous nominee.

With regard to the demand that Senator Hagel disclose all compensation over $5,000 that he has received over the past five years, the standard financial disclosure form which the committee requires all nominees to provide calls for the disclosure of all entities from which the nominee has received compensation in excess of $5,000 (including clients for whom the nominee personally provided more than $5,000 in services, even if the payments were made to the nominee's employer, firm, or affiliated business) during the previous two years. The two-year disclosure requirement that has been consistently applied by the committee is established in section 102(b)(1)(A) of the Ethics in Government Act and applies not only to all nominees for Senate-confirmed positions, but also to all candidates for federal elective office.

With regard to the demand that Senator Hagel disclose foreign funding for private entities from which he has received compensation, the February 6 letter asserts that this information is needed because ''If it is the case that [Senator Hagel] personally [has] received substantial financial remuneration—either directly or indirectly—from foreign governments, sovereign wealth funds, lobbyists, corporations, or individuals, that information is at the very minimum relevant to this Committee's assessment of your nomination.''

In fact, the committee questionnaire addresses the issue of foreign affiliations in a manner that is equally applicable to all civilian nominees coming before the committee. Among other questions, the committee questionnaire asks whether, during the last ten years, the nominee or his spouse has ''received any compensation from, or been involved in any financial or business transactions with, a foreign government or an entity controlled by a foreign government.'' Senator Hagel's answer to this question was ''No.''

The demands of the February 6 letter go beyond this standard disclosure regime and would subject Senator Hagel to a different requirement from all previous nominees, under which he alone would be required to somehow ascertain whether certain entities with whom he has been employed may have received foreign contributions. In particular:

Senator Hagel serves without compensation as the Chairman of the Board of Directors of the Atlantic Council—a ''think tank'' that includes among its other Directors and Honorary Directors seven former Secretaries of States and four former Secretaries of Defense. The Atlantic Council's public website provides a diverse list of corporate contributors, including both domestic companies (such as Chevron, General Dynamics, Lockheed, Raytheon, Boeing, Citigroup, Duke Energy, and Exxon Mobil) and foreign entities (such as Polish Telecom, Saab, All Nippon Airways, and the Istanbul Stock Exchange). Over the 16 years that I have served as either Chairman or Ranking Minority Member of the committee, we have considered numerous nominations of individuals who were associated with similar think tanks, universities, and other non-profit entities. Even in the many cases where a nominee received compensation from such a nonprofit entity, we did not require the nominee to disclose the sources of funding provided to the nonprofit entity.

Senator Hagel has also served as an Advisory Board Member, Senior Advisor, Director, Special Advisor, or Board Member to seven domestic for-profit entities identified in the February 6 letter since he left the Senate in January 2009. His financial disclosure report and committee questionnaire indicate that he left four of these entities (Wolfensohn & Company, National Interest Security Company, Elite Training & Security, and Kaseman, LLC) in 2010 and has received no compensation from them during the two-year reporting period covered by the Ethics in Government Act. Nonetheless, the February 6 letter demands that Senator Hagel provide ten years of corporate financial data on foreign investments or funding received by these entities. The forms and committee questionnaire indicate that Senator Hagel continues to serve as an Advisory Board Member for Corsair Capital, a Senior Advisor to McCarthy Capital, and a Special Advisor to the Chairman of M.I.C. Industries and that he has received compensation for his service to these three entities. I am doubtful that, as mere advisor to these companies, Senator Hagel has either access to the corporate financial information that is sought in the February 6 letter or the authority to release such information if he were able to get access to it. In any case, over the 16 years that I have served as either Chairman or Ranking Minority Member of the committee, we have considered numerous nominations of individuals who were employed by for-profit entities of every variety. We have considered board members, officers, directors, and employees of companies doing business across the full range of our economy. In this time, we have never required the nominee to attempt to ascertain and disclose the names of investors in such an entity.

The committee cannot have two different sets of financial disclosure standards for nominees, one for Senator Hagel and one for other nominees.

Sincerely,

CARL LEVIN,
Chairman.

U.S. SENATE,
Washington, DC, February 6, 2013.

Hon. CHUCK HAGEL,
Distinguished Professor in the Practice of National Government, Edmund A. Walsh School of Foreign Service, Georgetown University, 37th and O Streets, NW, Washington, DC.

DEAR SENATOR HAGEL: On January 29, two days before your confirmation hearing, you received a request, via email, from several Senators on the Senate Armed Services Committee for additional information necessary to fairly assess your nomination to be Secretary of Defense. The written copy of the letter (delivered the next day) was signed by six Senators, including the Ranking Member of the Committee. The letter requested that you respond to the request before the hearing, so that you could then answer questions concerning your responses.

You declined to respond to the request for additional financial disclosure.

At the hearing, you were told by Members of the Committee that a response to our request for information would be necessary before the Committee could vote on your nomination. The Chairman of the Committee expressly asked you to submit your response by Monday, February 4.

Monday came and went, and you still did not respond.

At the end of the day on Tuesday, February 5, you submitted a short ''response'' to our request. In that response, you explicitly declined to answer many of the questions asked of you.

You were asked to disclose all compensation over $5,000 that you have received over the past five years. You declined to do so.

You were asked to disclose if—and to what specific extent—the Atlantic Council has received foreign funding in the past five years. You declined to do so.

You were asked to disclose if—and to what specific extent—McCarthy Capital has received foreign funding in the past ten years. You declined to do so,

You were asked to disclose if—and to what specific extent—Corsair Capital has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Wolfensohn and Company has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—M.I.C. Industries has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—the National Interest Security Company has received foreign funding in the ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Elite Training and Security, LLC has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Kaseman, LLC has received foreign funding in the past ten years. You declined to do so.

Your own financial records are entirely within your own control, and you have flatly refused to comply with the Committee Members' request for supplemental information.

The records from the other firms—more than one of which, you have disclosed, paid you $100,000 or more—are highly relevant to the proper consideration of your nomination. Your letter discloses no affirmative efforts on your part to obtain the needed disclosure, and your lack of effort to provide a substantive response on this issue is deeply troubling.

If it is the case that you personally have received substantial financial remuneration—either directly or indirectly—from foreign governments, sovereign wealth funds, lobbyists, corporations, or individuals, that information is at the very minimum relevant to this Committee's assessment of your nomination. Such remuneration may be entirely appropriate, but that determination cannot be made without disclosure.

If you have not received remuneration—directly or indirectly—from foreign sources, then proper disclosure will easily demonstrate that fact.

Your refusal to respond to this reasonable request suggests either a lack of respect for the Senate's responsibility to advise and consent or that you are for some reason unwilling to allow this financial disclosure to come to light.

This Committee, and the American people, have a right to know if a nominee for Secretary of Defense has received compensation, directly or indirectly, from foreign sources. Until the Committee receives full and complete answers, it cannot in good faith determine whether you should be confirmed as Secretary of Defense.

Therefore, in the judgment of the undersigned, a Committee vote on your nomination should not occur unless and until you provide the requested information.

Sincerely,

(Signed by 26 Senators).

FEBRUARY 8, 2013.

Hon. CARL LEVIN,
U.S. Senate,
Washington, DC.
Hon. JAMES INHOFE,
U.S. Senate,
Washington, DC.

DEAR CHAIRMAN LEVIN AND RANKING MEMBER INHOFE: I appreciate the opportunity to respond to the February 6, 2013, letter from 25 Senators, including several members of the Senate Armed Services Committee. I remain committed to providing the Committee with complete personal financial disclosure, in accordance with the applicable requirements of law and regulation. In the spirit of cooperation, I have gone beyond those requirements in several areas. For example, although the committee questionnaire requires that nominees provide copies of ''any formal speeches,'' I have sought transcripts of informal speeches of which I did not have copies, and provided those transcripts to the committee.

In that same spirit of cooperation, I have reviewed each of the specific requests for information described in your letter. While some of these requests appear to go beyond what is either in my control or is mine to release under the law, I am committed to providing what I can—and when I cannot, to explain why not.

As you know, I previously submitted all of the information required by the Committee's standard financial disclosure processes. This includes information regarding compensation that I received over the past two years, as reported on the Nominee Public Financial Disclosure Report in Schedule D. To assist you in reviewing this information, I have prepared a chart that reflects all compensation over $5,000 I received for that time period.

Further, you asked questions about whether, and the extent to which, eight identified entities (with which I have been affiliated) have received foreign funding in the past. As I explained in my response to the Committee, dated February 5, 2013, my legal and fiduciary obligations prevent me from releasing this kind of corporate financial information for those entities that are privately owned/held. One of the entities that you inquired about, Atlantic Council, is a 501(c)(3) organization which permits greater public disclosure of its funding Streams. While Atlantic Council does not make public a comprehensive list of all its donors, it does publicly acknowledge its foreign corporate and foreign government donors of $5,000 or more. I have attached a copy of Atlantic Council's publicly available list of these foreign donors over the past five years. Because I serve without compensation, I have not been a direct or indirect beneficiary of these contributions. Of the remaining seven companies, McCarthy Capital, Wolfensohn, M.I.C. Industries, National Interest Security Company, Kaseman, and Elite Training & Security have authorized me to inform you that they have not compensated me with any foreign-derived funds. Corsair Capital has been advised by its outside counsel that it cannot provide further information regarding its finances.

I wish to reiterate that I have not received any compensation from or been involved in any financial or business transactions with a foreign government or an entity controlled by a foreign government. This is reflected in my response to the SASC Questionnaire, Question 3, Part E—Foreign Affiliations.

Thank you for the opportunity to respond to your questions.

Sincerely,

CHUCK HAGEL.

Mr. LEVIN. Mr. President, the Department of Defense right now needs its new leader. Its current leader, who has done a great job, has announced he is leaving and has set a time for that departure.

We face a budgetary challenge of immense proportions—not just in the Department of Defense but in all of our agencies. Our military is engaged in combat operations overseas. North Korea has exploded a nuclear device—highly provocative, highly objectionable—and must be countered. The absence of senior leaders in the Department of Defense will harm our national defense, will harm our men and women in uniform, and sends exactly the wrong message to both our friends and our adversaries around the world.

If confirmed, Senator Hagel would be the first former enlisted man and the first veteran of the Vietnam war to serve as Secretary of Defense. This background gives Senator Hagel an invaluable perspective not only with respect to the difficult decisions and recommendations a Secretary of Defense must make regarding the use of force and the commitment of U.S. troops overseas but also with respect to the day-to-day decisions a Secretary must make to ensure our men and women in uniform and their families receive the support and the assistance they need and deserve. It would be a positive message for our soldiers, our sailors, our airmen, and our marines in harm's way around the world to know that one of their own holds the highest office in the Department of Defense and that he has their backs.

The President needs to have a Secretary of Defense in whom he has trust, who will give him unvarnished advice, a person of integrity, and one who has a personal understanding of the consequences of decisions relative to the use of military force. Senator Hagel certainly has those critically important qualifications and he is well qualified to lead the Department of Defense.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BROWN.) The senior Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I ask unanimous consent that when Senator LEE concludes his remarks, I be recognized.

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

The Senator from Utah is recognized.

(The remarks of Mr. LEE are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. The senior Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I rise today to express my support for the nomination of Senator Chuck Hagel to be the next Secretary of Defense. He comes to this job at an extraordinarily challenging time for the Department and for our Nation. Among the many issues he will confront, Senator Hagel will oversee the drawdown of our forces out of Afghanistan, the enhancement of our cyber defenses, and the management of various fiscal constraints on the defense budget. In fact, I cannot think of a more critical juncture of national security issues, budget issues, and technology issues, all coming together, facing the next Secretary of Defense.

I have known Chuck for many years, and I know he is particularly well-suited to tackle these challenges. Chuck was born and raised in Nebraska, the oldest of four sons of a World War II veteran. Public service, military service is in that family's core. When his father died suddenly at the age of 39,

Chuck quickly shouldered the responsibility of helping his mother raise his brothers. And when our Nation was in the midst of a bitter and divisive fight in Vietnam, he volunteered to fight, serving alongside his brother Tom. This was an era when there were many people who were looking for ways through deferments to avoid service, to avoid wearing the uniform of the United States. He was unusual in that he not only sought service, but he sought service in Vietnam alongside his brother.

He rose to be an infantry sergeant, and both he and his brother were wounded twice, with each saving the other's life. In that experience as a combat infantryman, he knows, perhaps better than anyone who has been nominated for this office, the ultimate cost of our policies that are made here in Washington.

When he returned home, Chuck used the GI bill to attend the University of Nebraska in Omaha, and after graduating from there, he went to Washington to work for a freshman Congressman from his home State.

In 1980 President Reagan, recognizing his skill, his talent, his patriotism, and his devotion to the country, nominated him to be Deputy Administrator of the Veterans Administration. He ultimately left that post on a matter of principle. He thought there was inadequate support from that department for veterans suffering from exposure to Agent Orange. At that time, the effects of Agent Orange were being dismissed by some as nonconsequential, as something that was just a made-up malady by these veterans.

Chuck knew differently, and later the science would prove him right. He continued to fight as he left the Veterans Administration, helping to ensure that these veterans who were physically affected by their service in Vietnam received compensation as the victims of Agent Orange.

In that tenure as the Deputy Administrator of the Veterans Administration, he had the responsibility of running a large Federal department. So he is now bringing not only his service as a common infantryman but his service running a large department devoted to the veterans of these United States. That will serve him well as Secretary of Defense. Again, it makes him singularly if not uniquely qualified.

But it doesn't stop there because he has extraordinary experience in the private sector. In the mid-1980s he cofounded Vanguard Cellular Systems, which became one of the largest independent cellular systems in the country. Again, someone from modest means with great imagination, after serving his country both as a soldier and as an administrator under the Reagan administration, went back and started a business and made it successful—so successful that he was able to devote himself to other public activities.

He served as deputy commissioner general of the United States for the 1982 World's Fair. He was president and chief executive officer of the USO, the agency devoted to helping servicemembers and their families. Again, his commitment to the American soldier, sailor, airman, and marine has been consistent, constant, and unrelenting.

Then he became chief operating officer of the 1990 Economic Summit of Industrialized Nations—the G7 summit—in Houston, the president of an investment bank, and he was on the board of some of the world's largest companies.

So you already have at this juncture a soldier, a successful entrepreneur, and a successful Federal administrator.

Then in 1996 he came to the Senate to represent the people of Nebraska. He was the first Republican Senator from Nebraska in a generation. We came here together. He came with all of these skills, and he added more skills, understanding the political process from the inside and from the outside that helped shaped national security policy, the budgets and the policies of the Department of Defense and every other Federal agency.

During his time in the Senate as a member of the Senate Foreign Relations and Intelligence Committees, he championed national security policies with the goal of ensuring that our military remains the strongest in the world. Senator Hagel believes in working closely with our allies and partners and that, in his words, ''a nation must strategically employ all instruments of its power—diplomatic, military, economic—to defend its interests.'' So he brings a broad, comprehensive approach to national security, which is essential for our next Secretary of Defense because so many of the national security challenges we face are not simply military; they are diplomatic, they are economic, and they are environmental. They require the kind of broad-ranging approach that he takes to national security policy.

As he stated during his nomination hearing 2 weeks ago, he has one fundamental question he has asked himself on every vote he took while serving in the Senate: Is the policy worthy of the men and women we were sending into battle and surely to their deaths? Is this going to be worth the sacrifice, because there will be sacrifices.

It is one thing to study the art of war in lecture halls and to speak profoundly as a pundit. It is something else to be in the mud, under fire, seeing others fall. I have not had that experience. I served 12 years in the U.S. Army, but very few people, very few people in this Chamber, very few people who would be considered for Secretary of Defense, have been under fire, have seen comrades fall, know that ultimately what we do here is borne by what those brave young Americans do across the globe. He knows it intellectually and viscerally. I know he will bring that perspective, that concern for our men and women in uniform, to every decision before him as Secretary of Defense.

In this role, he will continue to focus our efforts on fighting terrorism in Afghanistan and throughout that region. We are facing a crucial turning point. In his State of the Union Address last night, the President announced his plan to further reduce our force levels in Afghanistan next year as the Afghan National Security Forces will take full responsibility for securing their nation. I think Senator Hagel is very well positioned to carry out this policy, to ensure it is done effectively, to ensure that our forces are protected and that we are able to help enable the Afghan forces to carry the burden to defend their country and provide stability.

Senator Hagel will also lead the Department in preparing for emerging threats to our national security, such as attacks on our cyber infrastructure. We are at a critical point in our history, perhaps akin to the 1920s when air power first began to emerge as a credible military dimension, then later as space became a possible military dimension. Cyber is now a new dimension in warfare.

We are at a similar juncture to the one when some of our colleagues in the 1920s were wondering how we use these contraptions that fly around the sky. But in a short period of time, air power made a profound difference on the world. The attack on Pearl Harbor was launched by aircraft from aircraft carriers, not by the bombardment of battleships and not by the landing of military forces. You can see the effect it had not only through World War II but in every conflict to today.

We are at another critical juncture, and that is with respect to cyber security. How will we defend ourselves? What policies will we adopt to use this new technology to protect the United States and our allies? It will require integration across our government. It will require thoughtful, conscious deliberation. I believe he is prepared to do that and will do that very well.

I am pleased that President Obama has just issued an Executive order that will improve coordination and information sharing with our industry partners so we can better protect our Nation's critical infrastructure, but there is more to be done, and I believe that in the context of a Secretary of Defense, Chuck Hagel can do it.

Perhaps most challenging of all, Senator Hagel will lead the Department in a time of great fiscal constraints and uncertainty. As our Nation continues to find a path forward to rebound from the economic challenges of the last few years, there is an ever-growing pressure to reduce the size of the defense budget, which has nearly doubled over the past 10 years. But we must be very careful to do so in a way that eliminates unsustainable and unproductive costs without losing vital capabilities. That is a great challenge. As a result of the high operations tempo of our services, the multiple operations and deployments, all of our services are facing serious reset and recapitalization

needs in terms of equipment and also significant efforts to help our military members and their families readjust, retrain, reequip, and prepare for a challenging future.

Serious decisions will have to be made about the threats we face and as we anticipate new and emerging threats. Again, he is well prepared through his entire life of public service, military service, private service, administrative and business activity to confront this extraordinary range of challenges.

A lot has been made about some comments Senator Hagel has made in the last years, going back 5, 7, 8, or more years. But I know, indeed, which was reflected in his testimony, that he did not seek out this position. President Obama chose to nominate Chuck Hagel because he knew of his record, of his service to our country. He knew of his incredible commitment to the men and women who wear the uniform of the United States. He knew about his experience in the private sector. He knew about his experience as a governmental leader. He knew there was an ability to rely upon his judgments, Senator Hagel's judgments, with confidence in times of crisis. I expect that the President of the United States is not going to turn to Chuck Hagel, particularly among crises, and ask him if can he quote verbatim what he said 10 years ago. He is going to say: What are my options? What is your advice? You know about war better than anyone. You know about military policy. You know about international security. You know about the interaction of diplomacy, economics, and environmental policy. Give me your judgment. I have to make a decision.

I believe, reflecting what the Senator, my chairman, CARL LEVIN, has said, that in this difficult moment, the President of the United States needs a Secretary of Defense to provide that kind of perspective, and the men and women of the Department of Defense have to have the ability to have their voice heard decisively and definitively in those serious discussions, particularly about the deployment of military force.

As I said, I am extremely confident he can do this. Let me also say I am impressed with those who have served our country in diplomatic and military roles who have endorsed Chuck Hagel strongly and enthusiastically. These endorsements are from men and women who have served in both Democratic and Republican administrations. Among them are Bob Gates, William Cohen, Madeleine Albright, William Perry, Brent Scowcroft, Ryan Crocker, and Thomas Pickering. These men and women have devoted themselves to protecting the United States, and they have done it with extraordinary energy and effectiveness. This list of Secretaries of Defense will rank as some of the best we have ever had, and they are absolutely confident Chuck Hagel can and should do this job.

There are Ambassadors on this list who have handled delicate and difficult issues involving international law. There are several Ambassadors who have been Ambassadors to the State of Israel and strongly support Senator Hagel. All of these individuals know him. They also know as well—if not better than I and many of my colleagues—of the threats, dangers, and opportunities which face this country, and they are strongly supporting Chuck Hagel. In fact, they have concluded in a letter that he is ''uniquely qualified to meet the challenges facing the Department of Defense and our men and women in uniform.''

There has been a lot of discussion about Chuck Hagel's appreciation of the strong, important, and critical relationship between the United States and State of Israel. All I can say is I was so impressed by the comments of the Israeli Deputy Foreign Minister Danny Ayalon, who was also the Ambassador to Washington, and who has met and dealt with Senator Hagel on a number of issues involving the relationship with the United States. The Deputy Foreign Minister said: ''I have met him many times, and he certainly regards Israel as a true and natural U.S. ally.''

In another quote he said:

> I know Hagel personally. . . . I think he believes in the relationship, in the natural partnership between Israel and the United States.

Here is an Israeli patriot who understands and has spent a great deal of time devoted to the relationship of the United States and Israel. In his own words, he concludes that Chuck Hagel regards Israel as a true and natural U.S. ally and will act accordingly. He is a dedicated patriot. He is an individual who has served this country in so many different ways. I support his nomination, and I urge my colleagues to do the same.

Also, I think it is important to state that this nomination—as we have done with every Secretary of Defense for decades—deserves an up-or-down vote on the floor of the Senate. People may choose to cast a vote against him for many reasons, and that is the prerogative of that Senator. I strongly believe, if we want to stay true to the traditions of this body and to the presumption that the President should be allowed to at least have his nominee voted up or down, then we have to bring this vote to the floor of the Senate for an up-or-down vote as quickly as possible.

With that, I yield the floor.

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

Mrs. SHAHEEN. Mr. President, I ask unanimous consent to enter into a colloquy with my colleague, the Senator from Maine, Ms. COLLINS.

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

SEQUESTRATION

Mrs. SHAHEEN. Mr. President, Senator COLLINS and I are here because we agree we must take action in this body and in this Congress to avoid sequestration. Sequestration is a term we have all been throwing around, and it refers to the automatic cuts that are scheduled to take effect on March 1. Those cuts were designed to force Congress to make a tough decision and to take comprehensive action on our debt and deficits.

I think we all agree there is no question we need a comprehensive and balanced plan to put us on a more sustainable fiscal path. I think that plan should look at all areas of spending. It should look at domestic, mandatory, and defense as well as comprehensive tax reform. I think there are many areas of bipartisan agreement on deficit reduction, including controlling the long-term cost of health care.

Unfortunately, Congress has missed several opportunities to enact a long-term plan to get our debt and deficits under control. That is why we are again facing a deadline at the end of this month to address those automatic cuts. As a result of that, we are starting to see the very real and negative consequences of our inaction. We are seeing it on our national security, and we are seeing it on our economy as businesses and agencies alike begin to prepare for the automatic cuts under sequestration.

Last week, Senator COLLINS and I wrote to the leadership in the Senate urging bipartisan action on sequestration and the need to find a better approach. In our letter, we talked about the impacts we are starting to see in New Hampshire and Maine, including the threat to jobs, our national security, and to the Portsmouth Naval Shipyard, which is critical not only to New Hampshire and Maine but also to this country's national security. We called attention to the drastic effects we face for our economy, for our jobs, and for our national security.

Today we are here to reiterate the importance of addressing sequestration and doing it now.

I wish to thank the senior Senator from Maine, my colleague, for joining me to talk about this important issue, and I am looking forward to hearing her remarks. I know it is something she cares about as much as I do and as much as I think most of the Members of this Chamber do.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, first, let me say, I am very pleased to join with my friend and colleague from New Hampshire to speak out against the indiscriminate meat-ax cuts known in Washington as sequestration that are scheduled to take effect in just 2 weeks' time. We simply must take action to avoid this self-inflicted harm to our economy and to our national security. But what I find inexplicable is a growing acceptance that sequestration is going to go into effect despite the fact that virtually everyone should concede that across-the-board cuts

where we don't set priorities do not make sense.

There are good programs that deserve to be preserved, there are programs that have outlived their usefulness and should be eliminated, and then there are programs that could be cut and reduced. That is not the approach we are taking. We are not going through the budget in a careful way by identifying programs that could be eliminated or reduced, setting priorities, and making investments. No, we are allowing to go into effect across-the-board cuts that fall disproportionately on the Department of Defense.

Indeed, we are already seeing the effects of these cuts on our military because each of the military services has begun planning for the likelihood of deep budget cuts. The Navy is preparing for a civilian hiring freeze and cutting workers at shipyards and base-operated support facilities.

I wish to be clear exactly who these employees are. These are the nuclear engineers, the welders, the metal trades workers repairing submarines and ships at the Navy's four public shipyards, including the Portsmouth Naval Shipyard in my home State of Maine, which employs half of its workforce from my colleague's State of New Hampshire. I know the senior Senator from New Hampshire shares the concern about this particular installation on the border we share. But, of course, the damage of sequestration extends far beyond just one installation or two States.

Just this morning I was over at the Pentagon, and I took advantage of the opportunity to sit down with the Navy's top shipbuilding official to discuss what the impact of sequestration would be for our naval fleet. Well, one example we have already seen. The Navy will keep the USS *Abraham Lincoln*, a nuclear-powered aircraft carrier, in port rather than repairing and deploying it. Across the fleet, the Navy is being forced to reduce deployments, maintenance, and overhauls for critical repairs. When we look at the shipbuilding budget, it is evident that sequestration and the continuation of a partial-year funding resolution, known as the continuing resolution, would be absolutely devastating for our Navy, for shipbuilding, and for our skilled industrial base. That includes Bath Iron Works in Maine, which I am so proud of, which builds the best destroyers in the world. This has consequences not only for our workforce, but also for our national security.

It is important to note Secretary Panetta has made clear that allowing these sweeping cuts to go into effect would be ''devastating,'' in his words, and would badly damage the readiness of the U.S. military.

The fact is defense has already taken a huge reduction in future spending. The defense budget has been slated to be cut by $460 billion over 10 years, and that is before sequestration. When this number is added to the defense cuts scheduled to begin on March 1, we are looking at an enormous impact on our national security.

Now, it is important to recognize we are not saying the national debt is not a problem. Certainly, when we have a $16.4 trillion debt, that is not sustainable, and the national debt is a security concern in its own right. Just last year, in 2012, the Federal Government spent $223 billion in interest payments alone. That means we are spending more on interest on the national debt each month than we spent in an entire year on naval shipbuilding and the Coast Guard budget.

Just think about that. The interest payment in one month exceeds the entire Coast Guard budget and the entire budget for shipbuilding in the Navy. The estimates are that by the middle of this decade—not some distant year—our interest payments to China, our largest foreign creditor at $1.2 trillion, will be covering the entire cost of that Communist country's military. Think of the horrific irony of that. At the same time America is bound by treaties to defend our allies in Asia against Chinese aggression, the American taxpayers are bankrolling the threat through the interest payments we are paying to the Chinese.

Neither the Senator from New Hampshire nor I am saying the Pentagon should be exempt from budget scrutiny or even future cuts, but the disproportionate impact that sequestration would have on our troops and on our national security is dangerous and it must be averted. The Department cannot continue to operate on a continuing resolution that increases costs, prevents long-term planning, and makes it impossible for the Department to function effectively.

I yield to my colleague from New Hampshire to expand on some of these points. Then we will talk further about the impact.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Maine for laying out what we are seeing in terms of the potential impact of those automatic cuts. The comments and the statistics the Senator from Maine had about China and what they are going to be able to do with the money we are paying is really eye-opening and scary.

The Senator from Maine spoke about some of the impacts we are beginning to see at the ports of naval shipyards. As the Senator pointed out, it is something very important to both Maine and New Hampshire. It employs about 4,000 workers, almost evenly split between our two States. As a result of the sequester, starting March 1, one of their major projects, the repair of the USS *Miami*, which was damaged in a fire, is going to be halted immediately. Just stopped—16 days from now. The Navy is going to cut over 1,100 temporary civilian workers, mostly from shipyards such as Portsmouth. The needed maintenance and military construction will be postponed indefinitely. It is not just about those jobs at the Portsmouth Naval Shipyard or at the shipyards across the country, but that has a ripple effect across our economy, and it affects the grocery stores and the restaurants and all of the small contractors and small businesses doing work at those shipyards.

There will be ramifications for our national defense across the services. Yesterday, we had some harrowing testimony in front of the Armed Services Committee from all of the chiefs of the military outlining what they see coming as a result of the consequences of the sequester and the continuing resolution the Senator from Maine spoke about.

DOD-wide—so across the Department—they expect to lay off a significant portion of the 46,000 temporary and term employees. All services and agencies will likely have to furlough most DOD civilian employees for up to 22 working days. Imagine that. That is a whole month of paychecks that those workers are not going to have to support their families, to be able to spend into the economy, and that is going to have a huge impact.

It is possible that DOD might not have enough funds to pay for TRICARE, health care coverage for our veterans through the end of the fiscal year. As we saw on the front pages of the paper this week, the Department delayed the deployment of the USS *Harry Truman*, the carrier strike group that was headed to the Persian Gulf. If sequestration goes into full effect, the Navy will shrink by about 50 ships and at least two carrier groups.

By the end of the year, the Navy, if we do nothing, will lose about 350 workers a week or 1,400 a month from our civilian industrial base. That will have a huge impact in New Hampshire, as I know it will in Maine as well.

So there are real, significant impacts, as the Senator from Maine pointed out, on the defense industry, on this country's national security, and on the domestic side of the budget. It is already starting to have ramifications on our economy and job growth. We saw in the last quarter of 2012 that our economy contracted for the first time since 2009, and much of that decline was due to sharp reductions in government spending in anticipation of the sequester coming into effect.

We saw it in New Hampshire, in some of our businesses that are dependent on government contracts, particularly in the defense industry. So our failure to act is not only irresponsible, but it is beginning to have a real impact in slowing down this economy.

It is simply unacceptable that we are not addressing this issue. We need to act. If we let the sequester go into effect, we stand to lose, according to the Congressional Budget Office, up to 1.4 million jobs. A recent forecast from Macroeconomic Advisers suggests that sequestration would reduce our gross domestic product by .7 percentage points this year.

We can't risk putting our economic recovery in jeopardy with these indiscriminate cuts. They are going to have an impact on research and education vital to our ability to grow this economy and remain competitive.

The National Institutes of Health would face a $2.5 billion cut. They would have to halt or curtail scientific research, including needed research in cancer and childhood diseases. The Centers for Disease Control and Prevention would see a $464 million cut. States and local communities would lose billions of Federal education funding for title I, for special education grants, and for other programs.

As many as 100,000 children will lose their places in Head Start, 25,000 teachers could lose their jobs, and we will see those impacts immediately in Maine and in New Hampshire.

I wish to turn back to the Senator from Maine to share what she is seeing in Maine.

Ms. COLLINS. Mr. President, first I wish to commend the Senator from New Hampshire for broadening the debate and reminding all of us of the macroeconomic impact, as well as the impact on our two States.

The estimate is that Maine's defense industry—which includes not just the Portsmouth Naval Shipyard, Bath Iron Works, and our Pratt & Whitney plant, but a lot of smaller contractors and suppliers—could lose as many as 4,000 jobs as a result of sequestration. Think about that. That means, as the Senator from New Hampshire pointed out, these are people who are supporting their families and who are supporting other businesses in the community. The impact, the ripple effect, is just devastating.

That is why it does not surprise me that the Congressional Budget Office has pointed to sequestration as the primary cause for the slow growth we have seen already, and CBO projects as well; that our economy would grow at a faster rate—at 2 percent—if we averted sequestration. These aren't meaningless numbers. They affect real people. The estimates are that we would lose between 1.4 million and 2 million jobs if this is allowed to go into effect nationwide.

It is also a failure on the part of Washington to make decisions. If we are going to allow these mindless, indiscriminate cuts to go into effect, why are we here? We might as well have computers or robots making decisions for us. Our job is to do the hard, painful work of setting priorities and making decisions. That is why I am so frustrated by the approach we appear to be on the verge of taking.

The Senator from New Hampshire makes a very important point. While the Department of Defense would take a disproportionate impact from sequestration, and I am extremely concerned about that, there are other important programs that would be affected as well. The superintendents groups have met with me and talked about what it would mean for schoolchildren in Maine if halfway through the school year—more than halfway through the school year—all of a sudden they get a reduction in title I money that goes to low-income schools, to special education grants, to other important programs such as Head Start, and the TRIO Program, which helps low-income and first-generation students attend and excel in college.

Think about the Low-Income Home Energy Assistance Program, biomedical research that is so critical, cuts in the FAA workforce that could reduce air traffic control, disrupting air traffic during the busy summer months.

The list goes on and on: essential education, health care, research, transportation programs that deserve support that do not deserve to all be treated the same.

Again, I want to emphasize that we recognize spending must be cut and the debt, at $16.4 trillion, is way out of control. That amounts to something like $52,000 for each man, woman, and child in this country.

We are committed to seeking pragmatic solutions through compromise and to avoiding this devastation of our economy and our national security. We recognize we have to look at all areas of spending and that we need to overhaul our Tax Code and make it more pro-growth, simpler, and fairer. If ever there were a moment when Members of Congress and the President should put aside their politics for the greater good of the Nation, now is the time.

So I, for one, want to thank the Senator from New Hampshire for caring so much about this issue. We have agreed to work together—and continue to work together—to address this. These automatic cuts were never supposed to take effect. I remember being told: Do not worry. It is never going to happen. It is too unpalatable. It will just never occur.

Well, they were supposed to force us to make the difficult decisions necessary to put our economy on a sound footing and to deal with our unsustainable debt. Our Nation's leaders—the President, Democrats and Republicans alike—have denounced sequestration for the most part, and yet here we are.

So I hope we can work together to avoid this fiscal cliff which will have such damaging effects for the people of this Nation.

Thank you, Mr. President.

Mrs. SHAHEEN. Mr. President, I thank Senator COLLINS very much for her kind words. I know we both care a great deal about this situation we are in, as I think most of the Members of the body do. What is so frustrating is that it is avoidable. This is not something that has to happen because we are facing a crisis. This is happening because of what we have done in our actions. So we can undo these actions, as the Senator points out.

I share the Senator's belief that we need a comprehensive solution. We have to look at all aspects of the budget. We need to look at domestic, defense spending, mandatory programs, and we need to look at revenues. Comprehensive tax reform—that is a way we can address that.

There are areas of bipartisan agreement that we ought to be able to take action on right away. We have had a number of GAO reports that make recommendations on duplicative programs within government. We are already working to control the long-term costs of health care, to close tax loopholes, and on defense spending, we all know there are still reforms that can be done, as the Senator pointed out. We can get better physical controls. We can end some of the fraud and abuse in contracting. That is just the beginning of a list that, I am sure, if we all dedicated ourselves to coming up with a compromise on how we avoid the sequester, we could do.

We should not delay because our failure to resolve this issue is having damaging effects on our economy, and it is only going to get worse if we do not find the solution.

So, again, I thank Senator COLLINS for her commitment to address this challenge we face, for her willingness to come down and engage with me, and for us to work together, along with our colleagues, to try to get a resolution so we do not have these devastating cuts going into effect.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LEVIN. Mr. President, I wonder if the Senator would yield for one moment, without losing his right to the floor.

Mr. INHOFE. Yes, I will.

Mr. LEVIN. Before the Senators from New Hampshire and Maine leave the floor, I just want to commend them for their statements, for their conversation. It is so critically important we avoid sequester. The more Senators and the more Members of the House who look for ways on a bipartisan basis to avoid it, the better. We only have 2 weeks left to go. With the kind of energy and creativity that these two Senators bring to this body, it makes me a little bit more hopeful that we are going to be able to avoid this unbelievably bad outcome.

So I just want to thank both Senators and thank my friend from Oklahoma for yielding for a moment.

Mr. INHOFE. Mr. President, let me, first of all, respond to the chairman of the Armed Services Committee. I agree. We have talked about the anguish.

We had a hearing yesterday where the service chiefs discussed the disaster facing our armed forces if we go through sequestration. I do not think most Members of this body fully understand what it means, not just to the defense of our country as a whole, but to each of the individual States.

In my State of Oklahoma, I am very concerned about Tinker Air Force Base

and its 16,000 civilian employees. What is going to happen there?

Anyway, let me just wind up this part by saying I have been ranked as the most conservative Member for many years. But I have always said: I am a big supporter of using our resources in two areas: One is national defense and the other is transportation and infrastructure.

A short while ago, the majority leader was kind enough to call my office and tell me I would be objecting to the consideration of the nomination of former Senator Hagel to be Secretary of Defense.

However, this is not a filibuster. I keep getting stopped by people out in the hall: Oh, we are going to filibuster. Who is going to filibuster?

What we are doing is not a filibuster. We are seeking a 60 vote threshold for a controversial nomination. If the majority really wanted to move forward quickly, all they have to do is agree to a 60-vote margin, like they did with the Sebelius and Bryson nominations.

In addition, as ranking member of the Senate Armed Services Committee, I am obligated to assist the members of the committee.

First of all, the vote in the committee was a 100-percent partisan vote. Every Republican there voted against moving the Hagel nomination out of committee. Well, there has to be a reason for that.

One of the reasons—the major reason, I would say—and if you do not believe this, go back and look at the tape of the meeting yesterday where many of our members said: Why is it we are rushing to confirm Chuck Hagel to be Secretary of Defense when he has not given us the information we have requested? One such Member is the junior Senator from Texas, who is in the Chamber with me right now.

But let me first clarify there is nothing unusual about requesting a 60-vote threshold. This happens all the time. I can remember when the majority leader agreed to a 60-vote threshold in the 2009 nomination of Kathleen Sebelius. She was confirmed.

There is nothing unusual about a 60-vote threshold.

John Bryson was nominated to be the Secretary of Commerce. Several of us had concerns about this nomination. Ultimately, he was confirmed. But once again the entire Senate agreed to a confirmation vote by a 60-vote margin.

I can remember when the majority leader—let me say this about the majority leader. He has been exceptionally good to me on things I have been involved in. I have two major bills that were my bills. One was in concert with BARBARA BOXER—the highway bill. Frankly, I could not have gotten it passed without them. Another was my pilots' bill of rights. I could not get a hearing on it in committee. I tried for a year. He stepped in and helped me. I have said in national publications I could not have gotten it passed without Leader HARRY REID. So we have a very good relationship, and one which will continue.

However, Senator REID, on numerous occasions, was concerned about Republican nominations. During the Bush Presidency, Stephen Johnson—who, incidentally, was a Democrat—was nominated to be EPA Administrator. I thought he would be good Administrator. There were several Democrats who thought he would not be good Administrator. So HARRY REID did what he is supposed to do, and he interceded on behalf of the Democrats who opposed him. As result, cloture was filed and, therefore, the nomination needed 60 votes to proceed. Well, the Administrator got 61 votes.

Another example was Dirk Kempthorne. He was nominated to be Secretary of the Interior. My colleagues will remember he is a former Senator from Idaho. Some objected to his confirmation. Of course, this was during the Bush administration. Senator Kempthorne was nominated, and he went ahead and was confirmed. It was a 60-vote margin. There is nothing unusual about this.

Getting back to Stephen Johnson, this is even more analogous to what we have right now because he was a Democrat who was nominated by a Republican President. Unfortunately, once again we were forced by the Democrats to have a cloture vote which requires 60 votes.

Stephen Johnson was a Democrat. So here we had the Republicans wanting Stephen Johnson and the Democrats not wanting Stephen Johnson. It is very analogous to what we have today. Today, we have former Senator Chuck Hagel, who is a Republican.

But in this case, we have a situation where cloture has been filed by the majority leader. I have no objection to voting. I do not want to wait. I do not want to string this out. I have other places to go other than hanging around here. I would vote tonight if we could just get the information that has been requested by the Republican members of the Senate Armed Services Committee.

Keep in mind, the Hagel nomination was reported out of committee by a 100-percent partisan vote. All Republicans voted against sending him out. Why did they do it? They did it because we have not gotten the information we want.

I have a letter. This is a letter that is signed by 25 Republicans stating that we have not received the information necessary for a proper vetting of the Hagel nomination.

Mr. President, I ask unanimous consent it be printed in the RECORD.

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

U.S. SENATE,
Washington, DC, February 6, 2013.

The Hon. CHUCK HAGEL,
Distinguished Professor in the Practice of National Government, Edmund A. Walsh School of Foreign Service, Gerorgetown University, Washington, DC.

DEAR SENATOR HAGEL, On January 29, two days before your confirmation hearing, you received a request, via email, from several Senators on the Senate Armed Services Committee for additional information necessary to fairly assess your nomination to be Secretary of Defense. The written copy of the letter (delivered the next day) was signed by six Senators, including the Ranking Member of the Committee. The letter requested that you respond to the request before the hearing, so that you could then answer questions concerning your responses.

You declined to respond to the request for additional financial disclosure.

At the hearing, you were told by Members of the Committee that a response to our request for information would be necessary before the Committee could vote on your nomination. The Chairman of the Committee expressly asked you to submit your response by Monday, February 4.

Monday came and went, and you still did not respond.

At the end of the day on Tuesday, February 5, you submitted a short ''response'' to our request. In that response, you explicitly declined to answer many of the questions asked of you.

You were asked to disclose all compensation over $5,000 that you have received over the past five years. You declined to do so.

You were asked to disclose if—and to what specific extent—the Atlantic Council has received foreign funding in the past five years. You declined to do so.

You were asked to disclose if—and to what specific extent—McCarthy Capital has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Corsair Capital has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Wolfensohn and Company has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—M.I.C. Industries has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—the National Interest Security Company has received foreign funding in the ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Elite Training and Security, LLC has received foreign funding in the past ten years. You declined to do so.

You were asked to disclose if—and to what specific extent—Kaseman, LLC has received foreign funding in the past ten years. You declined to do so.

Your own financial records are entirely within your own control, and you have flatly refused to comply with the Committee Members' request for supplemental information.

The records from the other firms—more than one of which, you have disclosed, paid you $100,000 or more—are highly relevant to the proper consideration of your nomination. Your letter discloses no affirmative efforts on your part to obtain the needed disclosure, and your lack of effort to provide a substantive response on this issue is deeply troubling.

If it is the case that you personally have received substantial financial remuneration—either directly or indirectly—from foreign governments, sovereign wealth funds,

lobbyists, corporations, or individuals, that information is at the very minimum relevant to this Committee's assessment of your nomination. Such remuneration may be entirely appropriate, but that determination cannot be made without disclosure.

If you have not received remuneration—directly or indirectly—from foreign sources, then proper disclosure will easily demonstrate that fact.

Your refusal to respond to this reasonable request suggests either a lack of respect for the Senate's responsibility to advise and consent or that you are for some reason unwilling to allow this financial disclosure to come to light.

This Committee, and the American people, have a right to know if a nominee for Secretary of Defense has received compensation, directly or indirectly, from foreign sources. Until the Committee receives full and complete answers, it cannot in good faith determine whether you should be confirmed as Secretary of Defense.

Therefore, in the judgment of the undersigned, a Committee vote on your nomination should not occur unless and until you provide the requested information.

Sincerely,

(Signed by 26 Senators).

Mr. INHOFE. This letter is signed by several Senators, but it was promoted, more than by anyone else, by the Senator from Texas. The Senator has repeatedly requested this information. I have personally heard Senator CRUZ request this information, just yesterday, and on several previous occasions.

In a previous letter, he said: We express our concern—several Senators also signed this letter—on the unnecessary rush to force through a vote on Chuck Hagel's nomination before he has been able to respond adequately to multiple requests from members of the Armed Services Committee for additional information.

I'm reading now from the letter: Those requests have included a request to Chuck Hagel for the disclosure of his personal compensation he has received over the past 5 years.

We are talking about Chuck Hagel.

This is information which he controls. He can provide this information. It is there.

The letter also requests the disclosure of foreign funds he may have received indirectly. This is important because some have raised questions of a potential conflict of interest.

Why does he not want to disclose this? Somehow he would like to be confirmed without disclosing this information.

As Senators we have a responsibility here. I do not care if you are a Democrat or Republican. If a member of the Armed Services Committee requests this information and the information is available and he is able to obtain it and does not provide it, we have a process problem.

Mr. President, my primary objection to Chuck Hagel's confirmation is for policy reasons. That is why I think he is not qualified for that job. Others do not agree with that. That is fine. But they have to agree on the process.

In fact, I cannot remember—and I have been on the Armed Services Committee in both the House and Senate for 25 years. I do not remember one time when information that was requested, which was perfectly within the purview of the committee was not provided. This has not happened. This is unprecedented.

I heard some people say: you are filibustering a Cabinet appointee. That is not what we are doing. What we are trying to prevent is an unprecedented event where committee members do not receive information which is important for Members to have in order to consider a nomination.

So I will continue to read the letter.

The letter includes a request for a complete list of his prior public speeches, notably, multiple additional speeches on controversial topics that have been made public by the press.

For example, I understand FOX News is going to run a story tomorrow regarding some speeches made by former Senator Hagel. If so, these speeches would certainly give rise to a lot of interest because, I have been informed, we are talking about speeches which were made and paid for by foreign governments. I have also been told, some of these foreign governments may not be friendly to us.

Therefore, I believe Senators are entitled to review this information. Are we entitled to that? Yes; we are entitled to that.

So this letter includes a request for a complete list of his prior public speeches, notably, additional speeches on controversial topics that have been made public in the press, despite those speeches having been omitted from his own disclosure.

I remember in the early stages of the confirmation process, requests were made of Senator Hagel about information we knew existed because the press had written about it in the past. Some may argue that Senators are not entitled to review these speeches. I disagree. A member of the Armed Services Committee has a responsibility to review that information.

The letter also makes the critical request from the administration for additional information on their precise actions during and immediately following the tragic murder of four Americans in Benghazi, Libya on September 11, 2012.

Regardless, if the administration has answered these questions, the Senate is entitled to review speeches that have been made by the person who is up for confirmation to be Secretary of Defense.

I would say to the majority leader, the request for a 60 vote threshold is based on precedent. It is what the majority leader agreed to on the John Bryson and Kathleen Sebelius nominations. It is what he insisted upon when the Democrats forced cloture to be filed on the Dirk Kempthorne and Stephen Johnson nominations. There are several others. Michael Leavitt was one. John Bolton went through this twice. We all remember Miguel Estrada. We remember ROBERT PORTMAN, now one of our fellow Senators.

So there is nothing unusual about this. But there is a problem with the process we are entering now. That process is, we have made requests—I am talking about Members such as Senator CRUZ from Texas and other members of the Senate Armed Services Committee who have made perfectly reasonable requests for information. In this case, it is on speeches reportedly made to foreign audiences. However, these concerns can be clarified in a matter of minutes.

That is why we should not rush. If this information is provided we could resolve this matter tonight. The information is out there. I have personally talked to Senator CRUZ. He said: Look, if they will just give us that information we have been requesting now for weeks, we can have the vote tonight.

That is our reasonable request. We are not talking about merits. We are not talking about substance. We are talking about a process. Never before in my memory has a Senate Armed Services member's reasonable request been denied before someone has come up for a confirmation. It is a simple request. It has been done on a regular basis. A 60-vote margin is not a filibuster. We are merely saying the Senate is entitled to this information. Hopefully, this will jar some of the information loose. Maybe we can get it now. I hope we do.

I want to move this on and move it as rapidly as possible.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here again to talk about the effects of climate change on the health of our families and our communities. Just as we know that secondhand smoke and too much sun exposure are bad for human health, we know pollution and variations in climate conditions are as well.

I wish to thank our chairman on the Environment and Public Works Committee, Mrs. BOXER, for the briefing she held today with a number of scientists, including one who spoke specifically about the human health effects we can see from climate change. Climate change is threatening to erode the improvements in air quality we have achieved through the Clean Air Act.

EPA-enforced emissions reductions have led to a decline in the number and

severity of bad air days in the United States. These are the days I know the Presiding Officer is familiar with because I am sure they happen in Connecticut as well as in Rhode Island, where the air quality is so poor that it is unhealthy for sensitive individuals: the elderly, infants, people with breathing difficulties to be outdoors. Even healthy people are urged to limit their activities when out-of-doors.

In Rhode Island, about 12 percent of children and 11 percent of adults suffer from asthma. Both are higher than the national average. Our Rhode Island Public Transit Authority runs free buses on bad ozone days to try to keep car traffic down because these days are so dangerous to the public. Of course, the major air pollutant behind bad air days is ozone, commonly known as smog. Ground-level ozone or smog makes it difficult to breathe, causes coughing, inflames airways, aggravates asthma, emphysema and bronchitis and makes lungs more susceptible to infection.

That all means asthma attacks, emergency room visits, hospitalizations, which, in turn, result in missed school and work and a burden not only of worry but also a burden on the economy. Smog, of course, forms more quickly during hot and sunny days. So as climate change drives more heat, it increases the number of warm days and the conditions for smog and for bad air days become more common.

Climate change is also prolonging the allergy season. I am sure there are a number of people listening who suffer from hay fever in the late summer and early fall. Some people suffer from it most acutely. It is most often caused by ragweed pollen. Since 1995, ragweed season has increased across the country. It has increased by 13 days in Madison, WI. It has increased by 20 days in Minneapolis, MN. It has increased by almost 25 days in Fargo, ND. The further north you go, the greater the increase in the ragweed season. So for folks in Fargo, for instance, it is 25 more days of sniffling and sneezing and 25 more days that ragweed pollen might trigger a child's asthma attack.

Not only does more carbon dioxide in the atmosphere mean warmer weather and therefore longer pollen seasons, it also means a higher pollen count. At 280 parts per million, which was the concentration of atmospheric carbon back in the year 1900, each ragweed plant would produce about 5 grams of pollen.

At 370 parts per million, which is where we are now—year 2000 levels to be precise—pollen production more than doubles. It doubles again at 72 parts per million, which is the concentration that is now projected for the year 2075. So as we work to improve air quality and to reduce respiratory illnesses and the allergic conditions that trigger respiratory distress, we need to fight the growing trigger, climate change.

Warming oceans and lakes can also harm our health. Higher water surface temperature is associated with harmful blooms of various species of algae. These blooms are often referred to as ''red tide.'' They deplete oxygen, block sunlight, and they produce toxins. The toxins are very often captured by clams and oysters and other shellfish.

When they are consumed, it can result in neurotoxic shellfish poisoning, which causes debilitating respiratory and gastrointestinal symptoms. A warming climate also is predicted to change the range of disease-spreading parasites, such as ticks and mosquitoes. With longer summers and shorter winters, we will face more exposure to these pests and to the diseases they can carry.

We in New England and Connecticut and Rhode Island and Massachusetts, of course, are very familiar with lyme disease, which is a tick-borne illness that can have very grave and serious effects.

Slow and steady warming is also causing sea levels to rise, which threatens coastal infrastructure and human safety as well. In South Kingstown, RI, Matunuck Beach Road is the only means of access to approximately 500 homes. That road also covers the public water main. For years, the sand erosion has eaten away at the beach. Now the road is immediately vulnerable to storms. Indeed it has been overwashed in recent storms. A breach in Matunuck Beach Road cuts off those 500 homes from emergency services. If it were damaging enough, it could cut off their water.

Our water quality is also threatened. Many of Rhode Island's wastewater treatment plants are in low-lying areas and flood zones near the coast. It is the story in many other States. In California, for example, the rising sea level has put 29 wastewater treatment plants, responsible for 530 million gallons of sewage processing every day, at increased risk for flooding.

As we know, climate change loads the dice for more extreme weather: heat waves, droughts, storms, all serious threats to human health and safety. Climate change has led to an increase in the likelihood of severe heat waves. Extreme heat causes heat exhaustion. It can cause heat stroke. The need for air-conditioning in heat waves also strains the power infrastructure, which can cause electrical brownouts and blackouts. This hinders emergency services and exacerbates wildfires and drought. These are the kinds of conditions—from extreme heat—that led to literally tens of thousands of deaths in the record-setting Russian heat wave of 2010.

Heavy rainfall can cause physical damage, flooding erosion, and sewage overflow. The Environmental Protection Agency estimates that 118,000 sanitary sewer overflows occur annually from storms overwashing through combined sewer systems, overloading those systems, and being released directly into the open, releasing up to actually 860 billion gallons of untreated sewage and wastewater. In 2010, heavy rainfall and flooding caused millions of dollars in damage in spilled raw sewage in Warwick, RI, my home State. The flood led to the temporary shutdown of the local wastewater treatment facility. These overflows, like the one in Warwick, can result in beach closures, shellfish bed closures, contamination of drinking water supplies, and other environmental and public health problems.

Extreme rainfall, meaning both way too little and way too much rainfall, promotes waterborne outbreaks of disease. In the northeast United States, heavy rainfall has increased by 74 percent since my childhood in the 1950s.

As we have seen with Superstorm Sandy, Hurricane Irene, and Hurricane Katrina, storms can very quickly affect millions of people and require tens of billions of dollars to clean up. The threat gets worse as sea-level rise allows storm surges to reach farther inland and create more damage than just a few decades ago. Much of the east coast was fearful of flooding during Superstorm Sandy last year, including, of course, southern Rhode Island. Because of erosion and sea-level rise, the storm surges on our shores can reach homes that were originally built hundreds of feet from the coastline.

I had the experience of standing with a man who had a childhood home that had been through at least three generations of his family. He was now actually older than me, and that childhood home—which had stood well back from the beach—was canting toward the sea and tumbling into the ocean. The ocean had claimed his home of multiple generations as its victim.

This map shows by ZIP code where the 800,000 people displaced by Hurricane Katrina sought refuge after that terrible storm. Hundreds of thousands of people were strewn across every corner of the country. Hundreds of thousands of lives were disrupted as a result.

Thankfully, not everybody is sleepwalking through these alarming realities. In 2010, Rhode Island created our Climate Change Commission, which has identified risks to key infrastructure and is analyzing data from events such as Hurricane Sandy and the 2010 flood. Other States have formed similar commissions.

I brought last night to our President's State of the Union Address Grover Fugate, who is executive director of our Coastal Resources Management Council, which has to look at and address every day and plan for the effects of our rising sea level, increased storm activity, and the risk that that portends to the shores of our ocean State.

For the past 3 years, Rhode Island has also been part of a regional greenhouse gas initiative nicknamed ReGGie, along with our neighbors in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire,

New York, and Vermont. Our region caps carbon emissions and sells permits to emit greenhouses gases to powerplants. This has created economic incentives for both the States and our utilities to invest in energy efficiency and in renewable energy development. And consumers have reaped the benefit of lower prices. In 2012, regional emissions were 45 percent below the annual cap, so just last week the State announced an agreement to cap future emissions at the 2012 rate.

I am proud of the work done in my State, and I know the Presiding Officer's home State of Connecticut is working equally hard on this issue. We are working to both slow climate change and to prepare for what are now its inevitable effects. But sadly, when it comes to this particular threat to our national security and our prosperity, Congress is asleep. It is time for us to wake up. The health and safety of Americans and of people all over the world is at risk. We must awaken to what is happening in the world around us and to the fact that the carbon pollution we are emitting is causing it. This is our responsibility. This is our generation's responsibility. It is, indeed, our duty. It is time for us to wake up.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE CALENDAR

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate consider the following nominations, Calendar Nos. 2, 3, 4, 5 and 6, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action, and that the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. William H. Etter

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Kenneth E. Tovo

The following named officer for appointment in the United States Army Nurse Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be brigadier general

Col. Barbara R. Holcomb

The following named officer for appointment in the United States Army Medical Service Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be brigadier general

Col. Patrick D. Sargent

The following named officers for appointment in the United States Army Medical Corps to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be major general

Brig. Gen. Brian C. Lein
Brig. Gen. Nadja Y. West

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN70 AIR FORCE nomination of Kory D. Bingham, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN71 AIR FORCE nominations (3) beginning MICHAEL A. COOPER, and ending SUSAN MICHELLE MILLER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN72 AIR FORCE nominations (4) beginning VICTOR DOUGLAS BROWN, and ending RODNEY M. WAITE, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN73 AIR FORCE nominations (4) beginning WALTER S. ADAMS, and ending CARL E. SUPPLEE, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN74 AIR FORCE nominations (6) beginning JOHN J. BARTRUM, and ending GEORGE L. VALENTINE, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN75 AIR FORCE nominations (8) beginning KIMBERLY L. BARBER, and ending JANET L. SETNOR, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN76 AIR FORCE nominations (11) beginning DINA L. BERNSTEIN, and ending WILLIAM R. YOUNGBLOOD, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN77 AIR FORCE nominations (12) beginning TIMOTHY LEE BRININGER, and ending CHRISTOPHER J. RYAN, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN78 AIR FORCE nominations (198) beginning FRANCIS XAVIER ALTIERI, and ending KEVIN M. ZELLER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

IN THE ARMY

PN79 ARMY nomination of Jonathan A. Foskey, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN80 ARMY nomination of Marion J. Parks, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN81 ARMY nomination of Karen A. Pike, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN82 ARMY nominations (2) beginning Derek S. Reynolds, and ending Brian D. Vogt, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN83 ARMY nominations (2) beginning Edward A. Figueroa, and ending Michael C. Vanhoven, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN84 ARMY nominations (2) beginning JACK C. MASON, and ending TODD B. WAYTASHEK, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN85 ARMY nominations (79) beginning RUTH E. APONTE, and ending MICHAEL J. ZINNO, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN86 ARMY nominations (88) beginning LESLIE E. AKINS, and ending MARC W. ZELNICK, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN87 ARMY nominations (217) beginning TIMOTHY G. ABRELL, and ending JOHN A. ZULFER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN88 ARMY nominations (225) beginning RAFAEL E. ABREU, and ending R010075, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

IN THE MARINE CORPS

PN91 MARINE CORPS nomination of Jackie W. Morgan, Jr., which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN92 MARINE CORPS nomination of Dana R. Fike, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN93 MARINE CORPS nomination of Samuel W. Spencer, III, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN94 MARINE CORPS nomination of Larry Miyamoto, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN97 MARINE CORPS nominations (2) beginning GEORGE L. ROBERTS, and ending PAUL A. SHIRLEY, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN98 MARINE CORPS nominations (2) beginning RICHARD D. KOHLER, and ending GARY J. SPINELLI, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN100 MARINE CORPS nominations (2) beginning ERIC T. CLINE, and ending ROBERT S. SCHMIDT, JR., which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN101 MARINE CORPS nominations (2) beginning JOSE L. SADA, and ending BRIAN J. SPOONER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN102 MARINE CORPS nominations (3) beginning FREDERICK L. HUNT, and ending CHAD E. TIDWELL, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN103 MARINE CORPS nominations (3) beginning TODD E. LOTSPEICH, and ending DONALD E. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN104 MARINE CORPS nominations (3) beginning JASON B. DAVIS, and ending JOHN F. REYNOLDS, JR., which nominations were

received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN105 MARINE CORPS nominations (3) beginning TRAVIS M. FULTON, and ending GARY S. LIDDELL, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN106 MARINE CORPS nominations (4) beginning BRYAN DELGADO, and ending RODOLFO D. QUISPE, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN107 MARINE CORPS nominations (4) beginning DAVID B. BLANN, and ending ALLEN L. LEWIS, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN108 MARINE CORPS nominations (5) beginning MICHAEL GASPERINI, and ending TIMOTHY W. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN109 MARINE CORPS nominations (6) beginning STEPHEN R. BYRNES, and ending JAMES N. TIMMER, JR., which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN110 MARINE CORPS nominations (7) beginning PETER K. BASABE, JR., and ending MICHAEL A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

IN THE NAVY

PN115 NAVY nomination of Harry E. Hayes, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN116 NAVY nomination of Shemeya L. Grant, which was received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN117 NAVY nominations (2) beginning CHRISTOPHER J. KANE, and ending LUKE C. SUBER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

PN118 NAVY nominations (29) beginning JEANINE F. BENJAMIN, and ending BENJAMIN F. VISGER, which nominations were received by the Senate and appeared in the Congressional Record of January 23, 2013.

LEGISLATIVE SESSION

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

MORNING BUSINESS

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

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

TRIBUTE TO SPENCER STOKES

Mr. LEE. Mr. President, I rise today to pay tribute to a special class of people who are critical to the success of any U.S. Senator.

During the recent Super Bowl game, one advertisement stood out among all the others. It was an advertisement based on a tribute taken from the great American Paul Harvey. It was entitled ''So God Made a Farmer.'' While I respect and admire farmers greatly, especially those I know from Utah, I am also certain that my colleagues in this Chamber will agree that when it comes to this institution, we can rightly change that statement ever so slightly to say, ''So God Made a Chief of Staff.''

My first chief of staff Spencer Stokes is returning to Utah. He is also returning to his family and to private life after 2 extraordinary years serving me in my office. I offer this in tribute to him and to all great chiefs of staff who labor here on Capitol Hill.

When God looked down on the Senate, He realized that Senators alone could never keep things running and He said, I need a caretaker. So God made a chief of staff. He needed someone whose first thought in the morning and last thought at night would be about helping and serving a Senator; who would rise before dawn and organize the day, set the strategy, deal with the thick and thin of things, and steer the Senator away from bad meetings, bad policy, and bad people; someone who would work all day in and out of the office, would skip holidays, birthdays, and parties in pursuit of their service, who would stay past midnight waiting for a vote, and then be willing to get up at the crack of dawn the next morning to do it all again. So God made a chief of staff.

He needed someone with thick skin, strong will, and at the same time a soft touch; strong enough to herd cats, yet gentle enough to comfort a grieving constituent or staff member; someone to call BS, tame the cantankerous bureaucracy of government, creatively solve problems big and small, and patiently listen to a hostile constituent with an axe to grind, and then tell that same constituent to come back again real soon—and mean it. So God made a chief of staff.

God said, I need someone who can shape a staff, shine shoes, horse trade for furniture and office space, navigate a litany of ethics and rules requirements, and play the role of cruise director for countless constituent tours of Washington, DC; someone who will put in a full 40 hours by Tuesday at noon, and then put in another 72 hours on top of that by the end of the week. So God made a chief of staff.

He had to have someone willing to sprint at double speed to stay ahead of a news story, and yet stop on a dime and pivot to help the real people of this country, no matter the consequences, no matter the circumstances, and regardless of what the press might be doing at the moment. He needed someone who, when the Senator becomes surrounded by ''yes'' men is willing to say humbly yet firmly and resolutely, ''No, sir.'' So God made a chief of staff.

He said, I need somebody strong enough to catch arrows, take heat, endure withering criticism, and patiently listen to angry voices; somebody who is just fine with little prominence, praise, prestige, or perks, and who above all is fiercely loyal and forever has the Senator's back. So God made a chief of staff.

I am fairly certain that when God looked down on a newly elected Senator from Utah during the final months of 2010, He knew that any old chief of staff wouldn't do. So, in my case, he actually chose a farmer—a turkey farmer, to be specific—from Bothwell, UT, named Spencer Stokes.

Spencer has been a truly outstanding chief of staff. Doing the heavy lifting and providing the Herculean effort required to set up an office and build a staff from scratch proved to be Spencer's forte. It proved to be easy for him—or at least he made it look easy. He has an eye for detail like no other, though we occasionally need to remind him to ''zoom out.'' Straight chairs in the conference room, straight desks, and even straight ties all set the stage for straight talk about issues and policy and serving constituents.

Spencer's love of Utah and its people is unequaled. As a first order of business, he set out to make my office something of an embassy for my State. So when you walk into our office, you are actually walking quite literally into Utah. From the art on the walls to the naming of the conference rooms, from our legendary JELL-O Wednesday to the staff reading of the smalltown Utah newspapers each week—everything leads to an experience in our office, and everything in our office is an experience of Utah.

Spencer will long be remembered and appreciated for his handwritten notes, the best night tour in DC—a true story—bringing people together, confetti cannons, Utah fry sauce, lots of laughter, and a tireless commitment to make bad things good and good things even better.

From Spencer's perspective, there are no small players in this great institution that is the Senate. He did not just preach that philosophy, he lived it every single day he was here. As a testament to that, we noted that when we asked him to provide a list of all the people he wanted invited to his farewell party, at the top of Spencer's list there were people who were not necessarily of high status. No, the top of the list was reserved for the people who really make this place go: cashiers and cooks, security personnel, guides and junior staff from nearly every corner of this building.

I salute Spencer Stokes for his service to this Nation, to this institution, and to the people of Utah. I salute Spencer for his service to me and my family. I will forever be thankful that God made a chief of staff and especially thankful for a particularly extraordinary chief of staff, Spencer Stokes.

TRIBUTE TO U.S. MARSHAL DAVID DEMAG

Mr. LEAHY. Mr. President, one of the great privileges in serving in the U.S. Senate is the ability to make recommendations to the President with respect to important nominations for posts in our States. I was pleased 4

years ago to recommend to President Obama the nomination of David Demag to be Vermont's U.S. Marshal, and to help move his nomination through the Judiciary Committee and Senate confirmation. In fact, he was the first U.S. Marshal to be confirmed during the Obama administration.

Since his confirmation, Marshal Demag's tireless devotion to reducing crime rates in Vermont has helped make my home State a safe and comfortable home for its residents.

Marshal Demag began his career in 1971 as a patrol officer for the Burlington Police Department, where he rose through the ranks as corporal, detective, sergeant, lieutenant, and later, commander. I have known Marshal Demag throughout his career. He served as chief of police for both the Essex and St. Albans Police Departments. He also was a member of the Burlington Police Department. He has been a leader in Vermont in the fight against rural crime, and has spent his life and career devoted to public service.

As a U.S. Marshal for Vermont, Dave Demag has remained dedicated to arresting the State's most wanted fugitives and sex offenders and his work in establishing the Vermont Violent Offender Task Force has expanded the ability of the U.S. Marshal's office to catch violent and habitual sex offenders. The task force has not only served as a tool for bringing law enforcement officials throughout the State together, but has also improved Vermont's track record for fugitive arrests to 70 percent while reinvesting assets seized from criminals to address the needs of State and local law enforcement. These results are making a real difference in the lives of Vermonters across the State and should serve as a model for how Federal and State law enforcement can work together around the country.

One of Vermont's local news stations, WCAX, recently ran a story highlighting these accomplishments, and I ask unanimous consent that a copy of that story be printed in the RECORD at the conclusion of my remarks. I look forward to Marshal Demag's continued partnership with state and local law enforcement in Vermont.

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

(See exhibit 1.)

Mr. LEAHY. I look forward to Marshal Demag's continued partnership with State and local law enforcement in Vermont.

EXHIBIT 1

[WCAX—Vermont, January 28, 2013]

U.S. MARSHALS MAKING AN IMPACT IN VERMONT

(By Jennifer Reading)

BURLINGTON, VT.—Five faces represent Vermont's most wanted. Two have been caught, but the remaining three fugitives are prime targets for the U.S. Marshals Service.

''It's a real good area to attack to make our communities safer here in Vermont,'' said David Demag, who was appointed by President Obama to head the U.S. Marshals Service's Vermont Division.

Three months ago he created the Vermont Violent Offender Task Force. The operation expanded the Marshals' mission to include tracking down violent and habitual sex offenders. Statistically—these criminals pose a greater risk to the public. ''The ones who are out of compliance top that list and are more likely to re-offend,'' Demag said.

Demag said dedicating a full time team to taking down non-compliant sex offenders—on top of its regular fugitive finding mission—meant adding a state trooper and a UVM police officer to the task force. But he said the plan is working. Since October they've arrested 39 federal and 40 state fugitives. In 2012 fugitive arrests for state offenses jumped by 70 percent. ''This is not a place where fugitives or sex offenders can come and hide,'' said Chief Deputy U.S. Marshal Bill Gerke.

That's the message the task force sent to three high profile out-of-state fugitives on the run in Vermont. The Marshals found Philip Barr hiding out in Hardwick. He was wanted for a Florida murder. Robert Mulkern was arrested in Windsor for a Maryland sex assault and 149 counts of child pornography. And Clifford Moore was nabbed on his way to the airport, fleeing murder, sex assault and terrorism charges. Although the task force gives priority to federal fugitives identified as the ''worst-of-the-worst,'' they'll also adopt state and local cases if there's a violent component to the crime. The Marshals have the tools, expertise and time that their state counterparts lack. ''We are here as a resource for them,'' Demag said.

Two weeks ago they helped local authorities locate Shane Phillips, a Johnson man wanted for more than a decade for various violent crimes. He was hiding behind a false wall in his family's home. ''The spirit and the actual cooperation has never been better than it is presently,'' Gerke said. The lifelong Deputy Marshal said interagency cooperation is the key to slowing down the state's ongoing violent crime and preventing out-of-state organized crime from getting a foothold in Vermont. ''Vermont will not harbor that type of activity,'' he added.

The task force is funded by the federal government. Assets seized from the criminals are then reinvested in state and local law enforcement—paying overtime if they help with compliance checks—as well as outfitting them with critical safety equipment and vehicles.

TRIBUTE TO PATTY STONESIFER

Mr. LEAHY. Mr. President, it is easy from our perch on Capitol Hill to sometimes forget about the city that surrounds us. Like so many communities across the country, urban and rural, Washington, D.C. wrestles with a population in poverty. Soon, those people will have a new advocate at the head of one of the Nation's capital's leading organizations focused on ending the cycle of poverty among local youth and adults. Starting in April, Patty Stonesifer will become the new C.E.O. and President of Martha's Table.

Patty devoted 9 years of her life to the work of the Gates Foundation. As its chief executive officer, she helped the foundation become the largest philanthropic institution in the world while taking no salary for herself. After her time at the Gates Foundation, Patty's passion for change led her to become part of the U.S. delegation to the United Nations General Assembly Special Sessions on AIDS, and was later appointed by President Obama in 2010 to chair the White House Council for Community Solutions. We have become friends through our shared service on the Smithsonian Board of Regents, and she is active on the board of the Center for Global Development, and is a member of the Circle of Allies and Champions for the National Council of Youth Leaders.

Patty's dedication to philanthropy aligns perfectly with the mission of Martha's Table. This nonprofit is more than a food pantry. Not only does Martha's Table supply more than 1,000 meals each day to hungry Washingtonians, it also works to develop long-term solutions to hunger and nutrition issues, seeking an end to poverty. Martha's Table helps to break the cycle of poverty by providing education, nutrition, and family support services to hundreds of children and families. Martha's Table is lucky to have someone like Patty at the helm. I have no doubt she will successfully prepare the next generation of young people for a bright future. Patty's self sacrifice and dedication to ending poverty and hunger in our Nation's Capital is to be commended, and I wish her the best of luck in her new role.

I ask unanimous consent that an article from The Washington Post entitled, ''Patty Stonesifer, former CEO of Gates Foundation, to lead D.C. food pantry,'' be printed in the RECORD.

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

[The Washington Post, January 29, 2013]

PATTY STONESIFER, FORMER CEO OF GATES FOUNDATION, TO LEAD D.C. FOOD PANTRY

(By Steve Hendrix)

It took about six months after moving to Washington for Patty Stonesifer to find her new job. As the former chief executive of the Bill and Melinda Gates Foundation, she had a lot of corner-office options to sift through, including a university presidency and the top jobs at a national charity and an international development agency.

Her choice? She's going to run Martha's Table on 14th Street NW. Starting April 1, she will take over the well-regarded but decidedly local food pantry and family-services nonprofit organization.

Stonesifer, 56, who oversaw the Gates Foundation endowment of $39 billion and a staff of more than 500 for nine years, will manage the D.C. charity's $6 million budget, 81 paid employees, three vans and thrift shop.

Martha's Table plans an official announcement Wednesday. But as word of Stonesifer's unexpected career move began to circulate in recent days, it inspired twin reactions: ''Wow!'' and ''Why?''

Overachievers usually work their way from small to big. Having Stonesifer come run a small local charity is like General Electric business titan Jack Welch showing up to manage the corner appliance store, or one of the Super Bowl-bound Harbaugh brothers deciding to coach high school football.

''If you just look at my résumé, I find that I have to explain this,'' Stonesifer said last

week at the temporary office she'd established at a Busboys and Poets table across the street from her new home base. In between a series of briefings from Martha's Table managers, she tried to explain how a top-of-the-charts philanthropy pro came to match fates with an ambitious local charity.

''But if you know me, I don't have to explain it at all,'' she said. ''I absolutely think I can help Martha's Table, but this is going to be wonderful for me.''

A shift in scale

Cathy Sulzberger, the head of the Martha's Table board of directors, was in a taxicab last fall when she got a call from the headhunter leading the board's search for a new leader: A surprising—and exciting—candidate had applied.

''Honestly, my first response was, 'Is Patty Stonesifer sure she wants this kind of job?' '' recalled Sulzberger.

Running the 33-year-old nonprofit group will certainly be a shift in scale. Under Stonesifer, the Gates Foundation became the largest philanthropic institution in the world. It has set colossal, planet-shifting goals for itself: eradicating polio and malaria, transforming American high schools, and more.

Before that, Stonesifer was a senior vice president at Microsoft responsible for developing MSNBC, Encarta and Slate magazine (now owned by The Washington Post Co.).

More recently, President Obama asked her to chair his White House Council for Community Solutions, and she has just wrapped up a stint as chairman of the Smithsonian Institution's Board of Regents. Stonesifer has appeared on Time magazine's annual list of the 25 Most Influential People. She is married to journalist and founding Slate editor Michael Kinsley. She is a boldface name.

''There is no phone call that Patty would make that wouldn't be returned, none at all,'' said Diana Aviv, president of Independent Sector, a Washington-based coalition of nonprofit groups and foundations.

Soon after leaving the Gates Foundation in 2008, Stonesifer and Kinsley began splitting their time between Seattle and the District, where he used to live and where she has a daughter from a previous marriage working at USAID. Last year, Kinsley accepted an editor's job at the New Republic magazine, and they decided to make the District their full-time home.

Stonesifer has been wealthy since piling up tens of millions in Microsoft stock in the company's early years. (She also became a director at Amazon.com before it went public and remains on that company's board.) But she retains the modest bent of the Indiana Catholic who grew up with eight siblings in a house where volunteerism was as regular as making the bed. She took no salary while running the Gates Foundation.

After the couple bought a restored brownstone near Dupont Circle, Stonesifer began exploring Washington by foot and Metro.

''I was amazed at how there is a city within a city here,'' she said, reeling off the stats: 110,000 households live in poverty, one in three households with children can't afford enough food. ''This idea that the District has so much child hunger, it's mind-boggling.''

Stonesifer decided she needed some time in the trenches. Nothing would teach her, and her peers in the foundation world, more about these intractable problems than confronting them, year after year, in the faces of the people who suffer them.

And then she saw the CEO-wanted ad for Martha's Table.

''I decided to raise my hand,'' she said.

Her husband said he was surprised, at first.

''I said, 'Are you going to be adding the salt to the soup?' '' Kinsley recalled, sitting with Stonesifer in their living room after her coffee-shop meetings were over. The walls were covered with paintings by Seattle artists, misty mountain ranges and tulip fields. ''But I shouldn't have been surprised. You said you wanted to do something hands-on.''

''You didn't really believe me,'' she said. ''You thought I should be a university head.''

''Yes, run a college,'' he said, ''maybe the World Bank.''

''It's nice to have a husband who thinks you can do anything.'' She leaned over to pat his leg.

''You'll get your turn at running Hewlett-Packard, I assume,'' Kinsley said.

She shot him a look.

''Joke! Joke!'' he said.

The right person

First she had to get this job.

''Even if she comes from a major philanthropy and is so well-known, we had to make sure we were hiring the right person for Martha's Table,'' Sulzberger said of the long vetting Stonesifer went through. ''This may be a smaller stage, but it's not a small job for anybody.''

Martha's Table started in 1980 as a place for hungry students to get an after-school sandwich. Its ''McKenna's Wagon'' food vans have been mealtime fixtures at McPherson Square and other gathering spots for the homeless for decades. Now, it serves more than 1,100 people a day with meals and early-childhood and after-school programs.

The group's legion of volunteers is legendary: A roll of more than 10,000 school kids, poor people and the occasional president who chop vegetables and build sandwiches.

Now, the organization wants to make a leap.

''I think Martha's Table is ready for the next stage,'' said Linda Moore, founder of the E.W. Stokes Charter School in Northeast Washington and longtime board member. ''Even though I'm not sure what that is, we were looking for a leader to take us there.''

Stonesifer got the job. The head of the Gates Foundation U.S. programs, Allan Golston, sent congratulations. So did Sylvia Burwell, president of the Walmart Foundation. Even Stonesifer's old boss thought it was a good move.

''I think it blends all the elements she loves in philanthropy,'' Melinda Gates said by e-mail. ''Even when living in Seattle, she did hands-on work at a local charity—anonymously. That type of work keeps you grounded in the real issues in people's lives.''

Again, she will work for free, but she will also work for real. She expects long hours. This is not, she insisted (with some heat) a ''retirement'' job.

She's heard that one before, after she left Microsoft and agreed to run Bill Gates's library initiative.

''Oh, she's going to convert libraries to the Internet, how sweet.' Well, it wasn't sweet at all,'' Stonesifer said. ''We added 11,000 libraries to the Web, and that group went on to become the Bill and Melinda Gates Foundation.''

No stepping back.

On a taxi ride from her house to a meeting of philanthropy leaders at the Hotel Monaco, she described her biggest concern: that people will assume she can connect a funding hose from Martha's Table to the Gates Foundation and the coffers will be full forever.

Not gonna happen.

''That's not what they do, and that's not what Martha's Table needs,'' she said. ''The strength of Martha's Table is in the thousands of small donors and volunteers that ensure we deliver services every day. I don't want my coming here to make people step back in any way.''

The cabdriver leaned back. ''You work for Martha's Table?'' he asked in a strong Ethiopian accent.

Stonesifer hesitated. ''I'm going to.''

''It's a good charity,'' the man said. He picks up volunteers there all the time, he explained, young people who need a ride home. Thinking of his own two children in Virginia colleges, he doesn't take their money.

''You'd have to be mentally handicapped to charge somebody doing what they do,'' he said. ''You work for Martha's Table, I won't charge you, either.''

Stonesifer put a hand on his shoulder, even as she insisted he take the money from her hand. ''You dear, sweet man,'' she said. ''God bless you.''

On the curb, she exulted.

''That's the power of Martha's Table,'' she said. ''A man driving a cab and putting two kids through school. That's what we have to work with. I'm so excited.''

TRIBUTE TO DR. LARRY D. TYLER

Mr. McCONNELL. Mr. President, I rise today to recognize a distinguished Kentuckian, a pillar of the Louisville community and a fixture at the University of Louisville, and a very good friend of mine. Dr. Larry D. Tyler is a professor of engineering fundamentals, and this year he celebrates 50 years of service with UofL's J.B. Speed School of Engineering.

Dr. Tyler earned his original appointment at UofL as an engineering instructor in 1963. He received tenure in 1970. He has taught more than 30 different courses in the fields of engineering mathematics and mechanical, industrial, chemical, and civil engineering. He has created innovative instructional methodologies for core engineering mathematics courses, including early detection of prerequisite weaknesses.

Dr. Tyler has earned all of his degrees at the University of Louisville: his undergraduate degree in mechanical engineering, a master's in mathematics, a master's of mechanical engineering, and a Ph.D. in engineering and physics. Along the way he has been published in peer-review journals and presented at international conferences on engineering design and automation. He won the Speed School's Outstanding Teacher Award in 1975, 1980, and 1983, the University Faculty Favorite Award in 2007, the Speed School Alumni Outstanding Teaching Award in 2007, the University of Louisville's Distinguished Teaching Award in 2008, and the Departmental Professor of the Year Award in 2012.

Larry has served as a faculty advisor to many fraternity student chapters, and here I should mention that Larry and I are old friends. Not only did we attend UofL together as undergraduates, we were both members of Phi Tau fraternity together; in fact, we were in the same pledge class. So I've had the pleasure of seeing Larry grow into the incredibly accomplished and respected professor that we knew he was always meant to be.

Larry, it has been a privilege to walk alongside you for these many years. I know that we both care deeply about our wonderful hometown of Louisville, and we have both dedicated our careers

to serving the people of Louisville and giving back to this city by our own contribution. On this occasion to celebrate your success, I say, well done.

Larry's teaching philosophy is to be both student- and content-centered, in order to instill the qualities of desire, determination, and dedication in his students because, as he says, ''success in any endeavor requires all three.'' The life and career of Dr. Tyler is certainly proof that if you have those three qualities, you can go very far.

Mr. President, I would ask my U.S. Senate colleagues to join me in recognizing the accomplishments of Dr. Larry D. Tyler, and congratulating him upon his 50 years of successful service with UofL's J.B. Speed School of Engineering. I hope he continues to lead our university and our city onward and upward for many years to come.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

RULES OF PROCEDURE

Mr. HARKIN. Mr. President, in accordance with rule XXVI.2 of the Standing Rules of the Senate, I submit for publication in the CONGRESSIONAL RECORD the Rules of Procedure for the Committee on Health, Education, Labor, and Pensions, as unanimously adopted by the Committee on February 13, 2013.

I ask unanimous consent that the text of the Rules of Procedure be printed in the RECORD.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

UNITED STATES SENATE, RULES OF PROCEDURE, 113TH CONGRESS

Rule 1.—Subject to the provisions of rule XXVI, paragraph 5, of the Standing Rules of the Senate, regular meetings of the committee shall be held on the second and fourth Wednesday of each month, at 10:00 a.m., in room SD–430, Dirksen Senate Office Building. The chairman may, upon proper notice, call such additional meetings as he may deem necessary.

Rule 2.—The chairman of the committee or of a subcommittee, or if the chairman is not present, the ranking majority member present, shall preside at all meetings. The chairman may designate the ranking minority member to preside at hearings of the committee or subcommittee.

Rule 3.—Meetings of the committee or a subcommittee, including meetings to conduct hearings, shall be open to the public except as otherwise specifically provided in subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate.

Rule 4.—(a) Subject to paragraph (b), one-third of the membership of the committee, actually present, shall constitute a quorum for the purpose of transacting business. Any quorum of the committee which is composed of less than a majority of the members of the committee shall include at least one member of the majority and one member of the minority.

(b) A majority of the members of a subcommittee, actually present, shall constitute a quorum for the purpose of transacting business: provided, no measure or matter shall be ordered reported unless such majority shall include at least one member of the minority who is a member of the subcommittee. If, at any subcommittee meeting, a measure or matter cannot be ordered reported because of the absence of such a minority member, the measure or matter shall lay over for a day. If the presence of a member of the minority is not then obtained, a majority of the members of the subcommittee, actually present, may order such measure or matter reported.

(c) No measure or matter shall be ordered reported from the committee or a subcommittee unless a majority of the committee or subcommittee is physically present.

Rule 5.—With the approval of the chairman of the committee or subcommittee, one member thereof may conduct public hearings other than taking sworn testimony.

Rule 6.—Proxy voting shall be allowed on all measures and matters before the committee or a subcommittee if the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. While proxies may be voted on a motion to report a measure or matter from the committee, such a motion shall also require the concurrence of a majority of the members who are actually present at the time such action is taken.

The committee may poll any matters of committee business as a matter of unanimous consent; provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

Rule 7.—There shall be prepared and kept a complete transcript or electronic recording adequate to fully record the proceedings of each committee or subcommittee meeting or conference whether or not such meetings or any part thereof is closed pursuant to the specific provisions of subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate, unless a majority of said members vote to forgo such a record. Such records shall contain the vote cast by each member of the committee or subcommittee on any question on which a ''yea and nay'' vote is demanded, and shall be available for inspection by any committee member. The clerk of the committee, or the clerk's designee, shall have the responsibility to make appropriate arrangements to implement this rule.

Rule 8.—The committee and each subcommittee shall undertake, consistent with the provisions of rule XXVI, paragraph 4, of the Standing Rules of the Senate, to issue public announcement of any hearing or executive session it intends to hold at least one week prior to the commencement of such hearing or executive session. In the case of an executive session, the text of any bill or joint resolution to be considered must be provided to the chairman for prompt electronic distribution to the members of the committee.

Rule 9.—The committee or a subcommittee shall require all witnesses heard before it to file written statements of their proposed testimony at least 24 hours before a hearing, unless the chairman and the ranking minority member determine that there is good cause for failure to so file, and to limit their oral presentation to brief summaries of their arguments. Testimony may be filed electronically. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the committee or a subcommittee. The committee or a subcommittee shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 10.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the chairman may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition.

Rule 11.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee executive meeting may be held at the same time.

Rule 12.—It shall be the duty of the chairman in accordance with section 133(c) of the Legislative Reorganization Act of 1946, as amended, to report or cause to be reported to the Senate, any measure or recommendation approved by the committee and to take or cause to be taken, necessary steps to bring the matter to a vote in the Senate.

Rule 13.—Whenever a meeting of the committee or subcommittee is closed pursuant to the provisions of subsection (b) or (d) of rule 26.5 of the Standing Rules of the Senate, no person other than members of the committee, members of the staff of the committee, and designated assistants to members of the committee shall be permitted to attend such closed session, except by special dispensation of the committee or subcommittee or the chairman thereof.

Rule 14.—The chairman of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within fifteen minutes of the time schedule for such meeting.

Rule 15.—Whenever a bill or joint resolution shall be before the committee or a subcommittee for final consideration, the clerk shall distribute to each member of the committee or subcommittee a document, prepared by the sponsor of the bill or joint resolution. If the bill or joint resolution has no underlying statutory language, the document shall consist of a detailed summary of the purpose and impact of each section. If the bill or joint resolution repeals or amends any statute or part thereof, the document shall consist of a detailed summary of the underlying statute and the proposed changes in each section of the underlying law and either a print of the statute or the part or section thereof to be amended or replaced showing by stricken-through type, the part or parts to be omitted and, in italics, the matter proposed to be added, along with a summary of the proposed changes; or a side-by-side document showing a comparison of current law, the proposed legislative changes, and a detailed description of the proposed changes.

Rule 16.—An appropriate opportunity shall be given the minority to examine the proposed text of committee reports prior to their filing or publication. In the event there are supplemental, minority, or additional views, an appropriate opportunity shall be given the majority to examine the proposed text prior to filing or publication. Unless the chairman and ranking minority member agree on a shorter period of time, the minority shall have no fewer than three business days to prepare supplemental, minority or additional views for inclusion in a committee report from the time the majority makes the proposed text of the committee report available to the minority.

Rule 17.—(a) The committee, or any subcommittee, may issue subpoenas, or hold hearings to take sworn testimony or hear subpoenaed witnesses, only if such investigative activity has been authorized by majority vote of the committee.

(b) For the purpose of holding a hearing to take sworn testimony or hear subpoenaed

witnesses, three members of the committee or subcommittee shall constitute a quorum: provided, with the concurrence of the chairman and ranking minority member of the committee or subcommittee, a single member may hear subpoenaed witnesses or take sworn testimony.

(c) The committee may, by a majority vote, delegate the authority to issue subpoenas to the chairman of the committee or a subcommittee, or to any member designated by such chairman. Prior to the issuance of each subpoena, the ranking minority member of the committee or subcommittee, and any other member so requesting, shall be notified regarding the identity of the person to whom it will be issued and the nature of the information sought and its relationship to the authorized investigative activity, except where the chairman of the committee or subcommittee, in consultation with the ranking minority member, determines that such notice would unduly impede the investigation. All information obtained pursuant to such investigative activity shall be made available as promptly as possible to each member of the committee requesting same, or to any assistant to a member of the committee designated by such member in writing, but the use of any such information is subject to restrictions imposed by the rules of the Senate. Such information, to the extent that it is relevant to the investigation shall, if requested by a member, be summarized in writing as soon as practicable. Upon the request of any member, the chairman of the committee or subcommittee shall call an executive session to discuss such investigative activity or the issuance of any subpoena in connection therewith.

(d) Any witness summoned to testify at a hearing, or any witness giving sworn testimony, may be accompanied by counsel of his own choosing who shall be permitted, while the witness is testifying, to advise him of his legal rights.

(e) No confidential testimony taken or confidential material presented in an executive hearing, or any report of the proceedings of such an executive hearing, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the members of the committee or subcommittee.

Rule 18.—Presidential nominees shall submit a statement of their background and financial interests, including the financial interests of their spouse and children living in their household, on a form approved by the committee which shall be sworn to as to its completeness and accuracy. The committee form shall be in two parts— (I) information relating to employment, education and background of the nominee relating to the position to which the individual is nominated, and which is to be made public; and,

(II) information relating to financial and other background of the nominee, to be made public when the committee determines that such information bears directly on the nominee's qualifications to hold the position to which the individual is nominated.

Information relating to background and financial interests (parts I and II) shall not be required of nominees for less than full-time appointments to councils, commissions or boards when the committee determines that some or all of the information is not relevant to the nature of the position. Information relating to other background and financial interests (part II) shall not be required of any nominee when the committee determines that it is not relevant to the nature of the position.

Committee action on a nomination, including hearings or meetings to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the chairman, with the concurrence of the ranking minority member, waives this waiting period.

Rule 19.—Subject to statutory requirements imposed on the committee with respect to procedure, the rules of the committee may be changed, modified, amended or suspended at any time; provided, not less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose.

Rule 20.—When the ratio of members on the committee is even, the term ''majority'' as used in the committee's rules and guidelines shall refer to the party of the chairman for purposes of party identification. Numerical requirements for quorums, votes and the like shall be unaffected.

Rule 21.—First degree amendments must be filed with the chairman at least 24 hours before an executive session. The chairman shall promptly distribute all filed amendments electronically to the members of the committee. The chairman may modify the filing requirements to meet special circumstances with the concurrence of the ranking minority member.

Rule 22.—In addition to the foregoing, the proceedings of the committee shall be governed by the Standing Rules of the Senate and the provisions of the Legislative Reorganization Act of 1946, as amended.

GUIDELINES OF THE SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS WITH RESPECT TO HEARINGS, MARKUP SESSIONS, AND RELATED MATTERS

HEARINGS

Section 133A(*a*) of the Legislative Reorganization Act requires each committee of the Senate to publicly announce the date, place, and subject matter of any hearing at least one week prior to the commencement of such hearing.

The spirit of this requirement is to assure adequate notice to the public and other Members of the Senate as to the time and subject matter of proposed hearings. In the spirit of section 133A(*a*) and in order to assure that members of the committee are themselves fully informed and involved in the development of hearings:

1. Public notice of the date, place, and subject matter of each committee or subcommittee hearing should be inserted in the Congressional Record seven days prior to the commencement of such hearing.

2. At least seven days prior to public notice of each committee or subcommittee hearing, the majority should provide notice to the minority of the time, place and specific subject matter of such hearing.

3. At least three days prior to the date of such hearing, the committee or subcommittee should provide to each member a list of witnesses who have been or are proposed to be invited to appear.

4. The committee and its subcommittee should, to the maximum feasible extent, enforce the provisions of rule 9 of the committee rules as it relates to the submission of written statements of witnesses twenty-four hours in advance of a hearing. Witnesses will be urged to submit testimony even earlier whenever possible. When statements are received in advance of a hearing, the committee or subcommittee (as appropriate) should distribute copies of such statements to each of its members. Witness testimony may be submitted and distributed electronically.

EXECUTIVE SESSIONS FOR THE PURPOSE OF MARKING UP BILLS

In order to expedite the process of marking up bills and to assist each member of the committee so that there may be full and fair consideration of each bill which the committee or a subcommittee is marking up the following procedures should be followed:

1. Seven days prior to the proposed date for an executive session for the purpose of marking up bills the committee or subcommittee (as appropriate) should provide written notice to each of its members as to the time, place, and specific subject matter of such session, including an agenda listing each bill or other matters to be considered and including:

(*a*) a copy of each bill, joint resolution, or other legislative matter (or committee print thereof) to be considered at such executive session; and

(*b*) a copy of a summary of the provisions of each bill, joint resolution, or other legislative matter to be considered at such executive session including, whenever possible, an explanation of changes to existing law proposed to be made.

2. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or a subcommittee (as appropriate) should provide each member with a copy of the printed record or a summary of any hearings conducted by the committee or a subcommittee with respect to each bill, joint resolution, or other legislative matter to be considered at such executive session.

TRIBUTE TO ARIZONA VA MEDICAL STAFF

Mr. HARKIN. Mr. President, on January 31, one of the most unique and interesting individuals I have ever known passed away while receiving hospice care at the Southern Arizona VA Health Care System. He was my brother-in-law, Joe McQuaid, a 92-year-old veteran of the Second World War.

I will have more to say about this unique individual at a later date. But, today, I want to express my deep gratitude to all of the wonderful professionals at the Southern Arizona VA Health Care System for the extraordinary care they gave to him in the last 2 months of his life.

Joe McQuaid was a strapping 6 feet 4 inches. He was healthy all of his life until last November 15. On that day, after his daily exercise, he fell in a freak accident and broke his hip. He was operated on at the Tucson VA hospital, and his hip seemed to be healing just fine. But after being transferred to a local rehabilitation facility, Joe fell again and re-broke his hip. He was readmitted to the VA hospital, but his condition deteriorated rapidly and he passed away on January 31.

The personnel at the VA medical center in Tucson could not have been more professional, skilled, and compassionate in the care they gave to Joe McQuaid in those final two months. They did everything possible to treat his injury and help him to recover. But once it became clear that recovery was not possible, they took wonderful care of him, admitting him to hospice care, attending to his needs, and ensuring that he had a gentle passing.

As a veteran myself, during all my years in Congress I have always been very supportive of our VA system and

our veterans. I have long believed that our nation has a sacred obligation to those who have borne the burdens of battle and national defense, and we must ensure that they have access to first-rate health care.

So it was with great pride that I had this opportunity to witness firsthand the extraordinary care and attention that staff members at the Tucson VA center were giving to this 92-year-old veteran.

At the risk of leaving out the names of others who cared for my brother-in-law, I specifically want to thank and salute Jonathan Gardner, the director of the Southern Arizona VA Health Care System, for his leadership of that institution and for his many years of distinguished service to the VA system. Also Julianne French, a registered nurse and administrative assistant to the chief medical officer, who was so responsive to my inquiries and calls. Also Dr. David Emelity, the acting chief of staff, Dr. Richard Hoffman, and Dr. Joao Ferreira, all of who took a deep personal interest in Joe's medical condition.

And a special thank you to Glenda Riggs, clinical nurse leader in the intensive care unit, who cared for Joe and went out of her way to keep me and members of Joe's family informed at every step of his treatment and care. I can't speak too highly of Nurse Riggs' skill and compassion, and her tireless attention to all of her patients and their families.

The Southern Arizona VA Health Care System has a wonderful team, with great leadership from Jonathan Gardner. It is clear to me that any veteran who comes through the doors of that center is going to get superb treatment.

I am proud of all the people who work in America's VA system, and I am grateful for the care they give to our veterans. My recent experience, seeing firsthand the quality of care and the quality of staff at the center in Tucson, reaffirms my faith in the VA system and my respect for the great work they do.

Again, I just want to thank the entire team at the Southern Arizona VA Health Care System. Thank you for all you did for this 92-year-old World War II veteran, Joe McQuaid. And thank you for the same high-quality care you give to all of the veterans at the Tucson center.

COMMITTEE ON FOREIGN RELATIONS

RULES OF PROCEDURE

Mr. MENENDEZ. Mr. President, pursuant to the requirements of paragraph 2 of Senate Rule XXVI, I ask unanimous consent to have printed in the RECORD the rules of the Committee on Foreign Relations for the 113th Congress adopted by the Committee on February 13, 2013.

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

RULES OF THE COMMITTEE ON FOREIGN RELATIONS

(Adopted February 13, 2013)

RULE 1—JURISDICTION

(a) *Substantive*.—In accordance with Senate Rule XXV.1(j), the jurisdiction of the committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.
10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).
11. Intervention abroad and declarations of war.
12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
13. National security and international aspects of trusteeships of the United States.
14. Ocean and international environmental and scientific affairs as they relate to foreign policy.
15. Protection of United States citizens abroad and expatriation.
16. Relations of the United States with foreign nations generally.
17. Treaties and executive agreements, except reciprocal trade agreements.
18. United Nations and its affiliated organizations.
19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

The committee is also mandated by Senate Rule XXV.1(j) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) *Oversight*.—The committee also has a responsibility under Senate Rule XXVI.8, which provides that ". . . . each standing committee . . . shall review and study, on a continuing basis, the application, administration, and execution of those laws or parts of laws, the subject matter of which is within the jurisdiction of the committee."

(c) *"Advice And Consent" Clauses*.—The committee has a special responsibility to assist the Senate in its constitutional function of providing "advice and consent" to all treaties entered into by the United States and all nominations to the principal executive branch positions in the field of foreign policy and diplomacy.

RULE 2—SUBCOMMITTEES

(a) *Creation*.—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by majority vote of the committee and shall deal with such legislation and oversight of programs and policies as the committee directs. Legislative measures or other matters may be referred to a subcommittee for consideration in the discretion of the chairman or by vote of a majority of the committee. If the principal subject matter of a measure or matter to be referred falls within the jurisdiction of more than one subcommittee, the chairman or the committee may refer the matter to two or more subcommittees for joint consideration.

(b) *Assignments*.—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the committee may receive assignment to a second subcommittee until, in order of seniority, all members of the committee have chosen assignments to one subcommittee, and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

No member of the committee may serve on more than four subcommittees at any one time.

The chairman and ranking member of the committee shall be *ex officio* members, without vote, of each subcommittee.

(c) *Meetings*.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall hold hearings involving expenses without prior approval of the chairman of the full committee or by decision of the full committee. Meetings of subcommittees shall be scheduled after consultation with the chairman of the committee with a view toward avoiding conflicts with meetings of other subcommittees insofar as possible. Meetings of subcommittees shall not be scheduled to conflict with meetings of the full committee.

The proceedings of each subcommittee shall be governed by the rules of the full committee, subject to such authorizations or limitations as the committee may from time to time prescribe.

RULE 3—MEETINGS

(a) *Regular Meeting Day*.—The regular meeting day of the Committee on Foreign Relations for the transaction of committee business shall be on Tuesday of each week, unless otherwise directed by the chairman.

(b) *Additional Meetings*.—Additional meetings and hearings of the committee may be called by the chairman as he may deem necessary. If at least three members of the committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon filing of the request, the chief clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk shall notify all members of the committee that such special meeting will be held and inform them of its date and hour.

(c) *Hearings, Selection of Witnesses*.—To ensure that the issue which is the subject of the hearing is presented as fully and fairly as

possible, whenever a hearing is conducted by the committee or a subcommittee upon any measure or matter, the ranking member of the committee or subcommittee may call an equal number of non-governmental witnesses selected by the ranking member to testify at that hearing.

(d) *Public Announcement.*—Except as provided in paragraph (1), the committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any meeting or hearing to be conducted on any measure or matter at least one week in advance of such meetings or hearings, unless the chairman of the committee, or subcommittee, in consultation with the ranking member, determines that there is good cause to begin such meeting or hearing at an earlier date.

(1) The committee shall make public announcement of a meeting on nominations at least three business days in advance of the meeting unless the chairman of the committee, in consultation with the ranking member, determines that there is good cause to begin such meeting at an earlier date.

(e) *Procedure.*—Insofar as possible, proceedings of the committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by decision of the chairman, in consultation with the ranking member. The chairman, in consultation with the ranking member, may also propose special procedures to govern the consideration of particular matters by the committee.

(f) *Closed Sessions.*—Each meeting of the Committee on Foreign Relations, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee or a subcommittee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in paragraphs (1) through (6) would require the meeting to be closed followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct; to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by government officers and employees; or

(B) the information has been obtained by the government on a confidential basis, other than through an application by such person for a specific government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person, or

(6) may divulge matters required to be kept confidential under other provisions of law or government regulations.

A closed meeting may be opened by a majority vote of the committee.

(g) *Staff Attendance.*—A member of the committee may have one member of his or her personal staff, for whom that member assumes personal responsibility, accompany and be seated nearby at committee meetings. The chairman or ranking member may authorize the attendance and seating of such a staff member at committee meetings and hearings where the member of the committee is not present.

Each member of the committee may designate members of his or her personal staff, for whom that member assumes personal responsibility, who holds, at minimum, a top secret security clearance, for the purpose of their eligibility to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14.

In addition, the majority leader and the minority leader of the Senate, if they are not otherwise members of the committee, may designate one member of their staff, for whom they assume personal responsibility, and who holds, at minimum, a top secret security clearance to attend closed sessions of the committee, subject to the same conditions set forth for committee staff under Rules 12, 13, and 14. Staff of other Senators who are not members of the committee may not attend closed sessions of the committee.

Attendance of committee staff at meetings shall be limited to those designated by the staff director or the minority staff director.

The committee, by majority vote, or the chairman, with the concurrence of the ranking member, may limit staff attendance at specified meetings.

RULE 4—QUORUMS

(a) *Testimony.*—For the purpose of taking sworn or unsworn testimony at any duly scheduled meeting a quorum of the committee and each subcommittee thereof shall consist of one member.

(b) *Business.*—A quorum for the transaction of committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the committee or subcommittee, including at least one member from each party.

(c) *Reporting.*—A majority of the membership of the committee, including at least one member from each party, shall constitute a quorum for reporting any measure or recommendation to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members is physically present, and a majority of those present concurs.

RULE 5—PROXIES

Proxies must be in writing with the signature of the absent member. Subject to the requirements of Rule 4 for the physical presence of a quorum to report a matter, proxy voting shall be allowed on all measures and matters before the committee. However, proxies shall not be voted on a measure or matter except when the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he or she be so recorded.

RULE 6—WITNESSES

(a) *General.*—The Committee on Foreign Relations will consider requests to testify on any matter or measure pending before the committee.

(b) *Presentation.*—If the chairman so determines, the oral presentation of witnesses shall be limited to 10 minutes. However, written statements of reasonable length may be submitted by witnesses and other interested persons who are unable to testify in person.

(c) *Filing of Statements.*—A witness appearing before the committee, or any subcommittee thereof, shall submit an electronic copy of the written statement of his proposed testimony at least 24 hours prior to his appearance, unless this requirement is waived by the chairman and the ranking member following their determination that there is good cause for failure to file such a statement.

(d) *Expenses.*—Only the chairman may authorize expenditures of funds for the expenses of witnesses appearing before the committee or its subcommittees.

(e) *Requests.*—Any witness called for a hearing may submit a written request to the chairman no later than 24 hours in advance for his testimony to be in closed or open session, or for any other unusual procedure. The chairman shall determine whether to grant any such request and shall notify the committee members of the request and of his decision.

RULE 7—SUBPOENAS

(a) *Authorization.*—The chairman or any other member of the committee, when authorized by a majority vote of the committee at a meeting or by proxies, shall have authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials. At the request of any member of the committee, the committee shall authorize the issuance of a subpoena only at a meeting of the committee. When the committee authorizes a subpoena, it may be issued upon the signature of the chairman or any other member designated by the committee.

(b) *Return.*—A subpoena, or a request to an agency, for documents may be issued whose return shall occur at a time and place other than that of a scheduled committee meeting. A return on such a subpoena or request which is incomplete or accompanied by an objection constitutes good cause for a hearing on shortened notice. Upon such a return, the chairman or any other member designated by him may convene a hearing by giving 2 hours notice by telephone to all other members. One member shall constitute a quorum for such a hearing. The sole purpose of such a hearing shall be to elucidate further information about the return and to rule on the objection.

(c) *Depositions.*—At the direction of the committee, staff is authorized to take depositions from witnesses.

RULE 8—REPORTS

(a) *Filing.*—When the committee has ordered a measure or recommendation reported, the report thereon shall be filed in the Senate at the earliest practicable time.

(b) *Supplemental, Minority and Additional Views.*—A member of the committee who gives notice of his intentions to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee, with the 3 days to begin at 11:00 p.m. on the same day that the committee has ordered a measure or matter reported. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

(c) *Rollcall Votes.*—The results of all rollcall votes taken in any meeting of the committee on any measure, or amendment thereto, shall be announced in the committee report. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the committee.

RULE 9—TREATIES

(a) The committee is the only committee of the Senate with jurisdiction to review and report to the Senate on treaties submitted by the President for Senate advice and consent to ratification. Because the House of Representatives has no role in the approval of treaties, the committee is therefore the only congressional committee with responsibility for treaties.

(b) Once submitted by the President for advice and consent, each treaty is referred to the committee and remains on its calendar from Congress to Congress until the committee takes action to report it to the Senate or recommend its return to the President, or until the committee is discharged of the treaty by the Senate.

(c) In accordance with Senate Rule XXX.2, treaties which have been reported to the Senate but not acted on before the end of a Congress ''shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon.''

(d) Insofar as possible, the committee should conduct a public hearing on each treaty as soon as possible after its submission by the President. Except in extraordinary circumstances, treaties reported to the Senate shall be accompanied by a written report.

RULE 10—NOMINATIONS

(a) *Waiting Requirement.*—Unless otherwise directed by the chairman and the ranking member, the Committee on Foreign Relations shall not consider any nomination until 3 business days after it has been formally submitted to the Senate.

(b) *Public Consideration.*—Nominees for any post who are invited to appear before the committee shall be heard in public session, unless a majority of the committee decrees otherwise, consistent with Rule 3(f).

(c) *Required Data.*—No nomination shall be reported to the Senate unless (1) the nominee has been accorded a security clearance on the basis of a thorough investigation by executive branch agencies; (2) the nominee has filed a financial disclosure report and a related ethics undertaking with the committee; (3) the committee has been assured that the nominee does not have any interests which could conflict with the interests of the government in the exercise of the nominee's proposed responsibilities; (4) for persons nominated to be chief of mission, ambassador-at-large, or minister, the committee has received a complete list of any contributions made by the nominee or members of his immediate family to any Federal election campaign during the year of his or her nomination and for the 4 preceding years; and (5) for persons nominated to be chiefs of mission, the report required by Section 304(a)(4) of the Foreign Service Act of 1980 on the demonstrated competence of that nominee to perform the duties of the position to which he or she has been nominated.

RULE 11—TRAVEL

(a) *Foreign Travel.*—No member of the Committee on Foreign Relations or its staff shall travel abroad on committee business unless specifically authorized by the chairman, who is required by law to approve vouchers and report expenditures of foreign currencies, and the ranking member. Requests for authorization of such travel shall state the purpose and, when completed, a full substantive and financial report shall be filed with the committee within 30 days. This report shall be furnished to all members of the committee and shall not be otherwise disseminated without authorization of the chairman or the ranking member. Except in extraordinary circumstances, staff travel shall not be approved unless the reporting requirements have been fulfilled for all prior trips. Except for travel that is strictly personal, travel funded by non-U.S. Government sources is subject to the same approval and substantive reporting requirements as U.S. Government-funded travel. In addition, members and staff are reminded to consult the Senate Code of Conduct, and, as appropriate, the Senate Select Committee on Ethics, in the case of travel sponsored by non-U.S. Government sources.

Any proposed travel by committee staff for a subcommittee purpose must be approved by the subcommittee chairman and ranking member prior to submission of the request to the chairman and ranking member of the full committee.

(b) *Domestic Travel.*—All official travel in the United States by the committee staff shall be approved in advance by the staff director, or in the case of minority staff, by the minority staff director.

(c) *Personal Staff.*—As a general rule, no more than one member of the personal staff of a member of the committee may travel with that member with the approval of the chairman and the ranking member of the committee. During such travel, the personal staff member shall be considered to be an employee of the committee.

(d) *Personal Representatives of the Member (PRM).*—For the purposes of this rule regarding staff foreign travel, the officially-designated personal representative of the member (PRM) shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations. Furthermore, for the purposes of this section, each member of the committee may designate one personal staff member as the ''Personal Representative of the Member.''

RULE 12—TRANSCRIPTS

(a) *General.*—The Committee on Foreign Relations shall keep verbatim transcripts of all committee and subcommittee meetings and such transcripts shall remain in the custody of the committee, unless a majority of the committee decides otherwise. Transcripts of public hearings by the committee shall be published unless the chairman, with the concurrence of the ranking member, determines otherwise.

(b) *Classified or Restricted Transcripts.*—

(1) The chief clerk of the committee shall have responsibility for the maintenance and security of classified or restricted transcripts, and shall ensure that such transcripts are handled in a manner consistent with the requirements of the United States Senate Security Manual.

(2) A record shall be maintained of each use of classified or restricted transcripts as required by the Senate Security Manual.

(3) Classified transcripts may not leave the committee offices, or SVC–217 of the Capitol Visitors Center, except for the purpose of declassification or archiving, consistent with these rules.

(4) Extreme care shall be exercised to avoid taking notes or quotes from classified transcripts. Their contents may not be divulged to any unauthorized person.

(5) Subject to any additional restrictions imposed by the chairman with the concurrence of the ranking member, only the following persons are authorized to have access to classified or restricted transcripts.

(A) Members and staff of the committee in the committee offices or in SVC–217 of the Capitol Visitors Center;

(B) Designated personal representatives of members of the committee, and of the majority and minority leaders, with appropriate security clearances, in the committee offices or in SVC–217 of the Capitol Visitors Center;

(C) Senators not members of the committee, by permission of the chairman, in the committee offices or in SVC–217 of the Capitol Visitors Center; and

(D) Officials of the executive departments involved in the meeting, in the committee offices or SVC–217 of the Capitol Visitors Center.

(6) Any restrictions imposed upon access to a meeting of the committee shall also apply to the transcript of such meeting, except by special permission of the chairman and ranking member.

(7) In addition to restrictions resulting from the inclusion of any classified information in the transcript of a committee meeting, members and staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself, or unless such communication is specifically authorized by the chairman, the ranking member, or in the case of staff, by the staff director or minority staff director. A record shall be kept of all such authorizations.

(c) *Declassification.*—

(1) All noncurrent records of the committee are governed by Rule XI of the Standing Rules of the Senate and by S. Res. 474 (96th Congress). Any classified transcripts transferred to the National Archives and Records Administration under Rule XI may not be made available for public use unless they have been subject to declassification review in accordance with applicable laws or Executive orders.

(2) Any transcript or classified committee report, or any portion thereof, may be declassified, in accordance with applicable laws or Executive orders, sooner than the time period provided for under S. Res. 474 if:

(A) the chairman originates such action, with the concurrence of the ranking member;

(B) the other current members of the committee who participated in such meeting or report have been notified of the proposed declassification, and have not objected thereto, except that the committee by majority vote may overrule any objections thereby raised to early declassification; and

(C) the executive departments that participated in the meeting or originated the classified information have been consulted and consented to the declassification.

RULE 13—CLASSIFIED INFORMATION

(a) The handling of classified information in the Senate is governed by S. Res. 243 (100th Congress), which established the Office of Senate Security. All handling of classified information by the committee shall be consistent with the procedures set forth in the United States Senate Security Manual issued by the Office of Senate Security.

(b) The chief clerk is the security manager for the committee. The chief clerk shall be responsible for implementing the provisions of the Senate Security Manual and for serving as the committee liaison to the Office of Senate Security. The staff director, in consultation with the minority staff director, may appoint an alternate security manager as circumstances warrant.

(c) Classified material may only be transported between Senate offices by appropriately cleared staff members who have been specifically authorized to do so by the security manager.

(d) In general, Senators and staff undertake to confine their access to classified information on the basis of a ''need to know'' such information related to their committee responsibilities.

(e) The staff director is authorized to make such administrative regulations as may be necessary to carry out the provisions of this rule.

RULE 14—STAFF

(a) *Responsibilities.*—

(1) The staff works for the committee as a whole, under the general supervision of the chairman of the committee, and the immediate direction of the staff director, except that such part of the staff as is designated minority staff shall be under the general supervision of the ranking member and under the immediate direction of the minority staff director.

(2) Any member of the committee should feel free to call upon the staff at any time for assistance in connection with committee business. Members of the Senate not members of the committee who call upon the staff for assistance from time to time should be given assistance subject to the overriding responsibility of the staff to the committee.

(3) The staff's primary responsibility is with respect to bills, resolutions, treaties, and nominations and other matters within the jurisdiction of the committee. In addition to carrying out assignments from the committee and its individual members, the staff has a responsibility to originate suggestions for committee or subcommittee consideration. The staff also has a responsibility to make suggestions to individual members regarding matters of special interest to such members.

(4) It is part of the staff's duty to keep itself as well informed as possible in regard to developments affecting foreign relations and national security and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice should be called to the attention of the committee, or of individual Senators with particular interests.

(5) The staff shall pay due regard to the constitutional separation of powers between the Senate and the executive branch. It therefore has a responsibility to help the committee bring to bear an independent, objective judgment of proposals by the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff shall avoid impinging upon the day-to-day conduct of foreign affairs.

(6) In those instances when committee action requires the expression of minority views, the staff shall assist the minority as fully as the majority to the end that all points of view may be fully considered by members of the committee and of the Senate. The staff shall bear in mind that under our constitutional system it is the responsibility of the elected members of the Senate to determine legislative issues in the light of as full and fair a presentation of the facts as the staff may be able to obtain.

(b) *Restrictions.*—

(1) The staff shall regard its relationship to the committee as a privileged one, in the nature of the relationship of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the committee-staff relationship is to be a satisfactory and fruitful one, the following criteria shall apply:

(A) members of the staff shall not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group;

(B) members of the staff shall not accept public speaking engagements or write for publication in the field of foreign relations without specific advance permission from the staff director, or, in the case of minority staff, from the minority staff director. In the case of the staff director and the minority staff director, such advance permission shall be obtained from the chairman or the ranking member, as appropriate; and

(C) staff shall not discuss their private conversations with members of the committee without specific advance permission from the Senator or Senators concerned.

(2) The staff shall not discuss with anyone the proceedings of the committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself, or unless such communication is specifically authorized by the staff director or minority staff director. Unauthorized disclosure of information from a closed session or of classified information shall be cause for immediate dismissal and may, in the case of some kinds of information, be grounds for criminal prosecution.

RULE 15—STATUS AND AMENDMENT OF RULES

(a) *Status.*—In addition to the foregoing, the Committee on Foreign Relations is governed by the Standing Rules of the Senate, which shall take precedence in the event of a clear inconsistency. In addition, the jurisdiction and responsibilities of the committee with respect to certain matters, as well as the timing and procedure for their consideration in committee, may be governed by statute.

(b) *Amendment.*—These rules may be modified, amended, or repealed by a majority of the committee, provided that a notice in writing of the proposed change has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. However, rules of the committee which are based upon Senate rules may not be superseded by committee vote alone.

VOTE EXPLANATION

Mr. JOHNSON of Wisconsin. Mr. President, on February 11, 2013, I was unavoidably detained in Wisconsin due to hazardous weather conditions and was unable to vote on amendment No. 13 in regard to S. 47, the Violence Against Women Act. Had I been able to vote, I would have voted ''aye.''

ADDITIONAL STATEMENTS

REMEMBERING JOHN QUIMBY

• Mrs. FEINSTEIN. Mr. President, I would like to recognize and honor the incredible life of John Quimby, an inspirational leader that guided and touched the lives of so many.

John Quimby was born on February 12, 1935, in Prescott, AZ, to parents Henrietta and Merle Quimby. The family later moved to California and resided in Banning and Riverside. Mr. Quimby was hired as a radio announcer for a brief period of time before being elected to the San Bernardino City Council in 1957. He was the youngest person to ever serve on that body.

In 1962, John Quimby was elected to the California State Assembly, representing parts of Riverside and San Bernardino counties. Mr. Quimby became the first paraplegic to serve in the California Legislature. He contracted polio at a young age and as a result spent the majority of his life in a wheelchair. Mr. Quimby did not allow his limited mobility to prevent him from pursuing his dreams and fighting fervently for the residents of California.

Over the course of his 12 years in the Assembly, John Quimby helped pass numerous laws. Most famously, he drafted the Quimby Act in 1965, which allowed cities to require developers to donate land for recreational use. As a result of this piece of legislation, hundreds of parks now exist in California that might otherwise have not.

Apart from being a dedicated assemblyman, John Quimby was also a beloved figure in California politics who thrived on personal and community interaction. He had the ability to make everyone feel special and cared for.

Please join me in expressing the sympathies of this body to John Quimby's brother Merle, daughter Kimberly, son John Jr., stepdaughters Mary and Virginia George, stepson Kenny, his seven grandchildren, and his seven great-grandchildren. On this day, we celebrate him, his life, and his exemplary contributions to California and the Nation.•

REMEMBERING MONSIGNOR LEO McFADDEN

• Mr. HELLER. Mr. President, I rise today to honor the life of Monsignor Leo McFadden, a priest, an Air National Guardsman, and a spiritual leader for thousands of Nevadans whose recent passing is a saddening loss to the Silver State. Monsignor McFadden was a beloved member of our community, and I am grateful for his work as a priest and chaplain for the less fortunate and spiritually needy in northern Nevada.

Not only was Monsignor McFadden a man of God, but he was also a Pulitzer Prize-nominated columnist who spent 20 years writing and editing for the Nevada Register. He also served in the Nevada Air National Guard for decades, and he was the first Guardsman chaplain to be a general line officer.

Monsignor McFadden was a priest at Saint Teresa of Avila Catholic Church in Carson City and at Reno's Our Lady of the Snows Catholic Church. In 1977, Leo McFadden was given the distinct designation as a monsignor. His work included the formation of the Catholic Newman Club at the University of Nevada, Las Vegas and serving as a chaplain at the University of Nevada, Reno.

Monsignor McFadden dedicated his entire life to his faith and to the members of his parish. He was an important figure in our State, and he will be missed. My thoughts and prayers are with his family and friends during this difficult time.•

50TH ANNIVERSARY OF PORTAGE, MICHIGAN

• Mr. LEVIN. Mr. President, one-half century ago this month the residents of Portage Township made a significant and lasting decision. They voted in February 1963 to incorporate, becoming the city of Portage. This decision provided many opportunities for this nascent, vibrant community to grow, enabling city leaders and residents alike to chart a course for future prosperity. This milestone will be commemorated in a number of ways throughout the year, including at Portage's city council meeting last night.

The city of Portage is a part of Michigan's rapidly evolving story. Historically, residents and community leaders relied on fertile farmland for agriculture production. In fact, in the late 1880s and early 1900s, this area was known as ''Celery City.'' Today, it is home to thriving businesses, welcoming neighborhoods and abundant natural beauty. The population of Portage has more than doubled in the past half century, and a number of new businesses, large and small, have helped to transform the city's economic base.

As part of the celebration, Portage recently unveiled its new motto, ''A Natural Place to Move.'' It speaks to the city's continued commitment to preserving its many parks, lakes, and trails in a way that encourages residents to stay active and healthy.

It is fitting that the celebrations planned this year include a mix of activities. A commemorative newsletter in February will highlight the city's rich history; a half-marathon and 5K road race later this month will showcase the city's extensive and impressive park system; volunteer opportunities spread throughout the year offer residents a number of ways to give back to their community; and a 50th anniversary concert this summer as part of the 2013 summer concert series will bring families and friends together to celebrate this important anniversary.

The city of Portage and its residents have much to be proud of. Together, they have steadily moved forward. This year is a moment to pause and reflect on the past, and to ensure that the next 50 years continues to be marked by growth and progress.•

VERMONT ESSAY FINALISTS

• Mr. SANDERS. Mr. President, I ask to have printed in the RECORD finalist essays written by Vermont High School students as part of the Third Annual ''What is the State of the Union?'' Essay contest conducted by my office. These 21 finalists were selected from over 300 entries.

The essays follow.

SYDNEY ALDERMAN, MT. ABRAHAM UNION HIGH SCHOOL (FINALIST)

Today we often face the problem of excessive violence between people, starvation, and economic problems. People aren't all getting what they need and something needs to be done. What would fix everything, broaden our universal communications skills and get things done quicker would be to unite globally. By working as an entire unit we can all communicate and work toward the same goal we all crave: peace. Uniting globally can solve conflicts causing violence, starvation, and economic problems.

Uniting globally will benefit the people of the world immensely. By uniting globally it would be much easier to distribute the necessary resources to sustain everyone, such as food, water, and energy. When everyone is on the same page and communicating thoroughly between territories, you can maintain fair trade and further discuss what laws and human rights need to be established as well. When we're all united for a common goal, let's assume peace amongst all people, discussion is more productive and conclusive and proper action can be taken at a faster pace. Actions such as bringing food and water to those who have none, and also getting the area with these conditions re-established for suitable living conditions. Everyone benefits from a united world.

The U.S. economy will be heavily benefitted by uniting globally. When we unite globally, trade is faster and we can simply work faster because communication is quicker and more conclusive than when we're all thinking separately. Trade will therefore be quicker and we can be more productive about it with such open communication. It would be easier to discuss the distribution of currency amongst countries and people and how we can fix the current economic problems. Uniting globally will solve the biggest problems of the world. It will broaden the communication between territories and will help us resolve conflicts causing famine, violence, and economic problems universally. When we all band together we can accomplish anything and finally bring a new era of peace.

TYLER BRADLEY, SOUTH BURLINGTON HIGH SCHOOL (FINALIST)

Our country needs to invest in clean sustainable energy and decrease our dependence for oil from other nations. Our nation should be investing in wind and solar power. Wind is a renewable source of energy, which will last forever. It does not pollute our environment and is all natural. Solar energy also provides us with clean energy, with no combustion. It too is renewable and causes no greenhouse gases. Although wind and solar, as energy sources, may prove to be expensive, it is a small price to pay for the health and safety of our environment. In contrast, we are eventually going to run out of oil and the high cost of transporting oil and our dependency on other nations needs to be eliminated.

We need to stop relying on foreign nations for our energy supply. If foreign governments continue to control oil profits they can use that money to fund terrorism mischief. In addition, these energy rich countries can restrict the oil supply and therefore make the United States a hostage to their demands. We need to end this cycle and invest in more sustainable energy sources.

We need Congress to work harder to obtain sustainable energy tax incentives like the Investment Tax Credit and Production Tax Credits. These credits will help reduce the cost of wind and solar projects and in the long run help reduce global warming. All across our earth we currently see record heat waves, melting glaciers, rising sea levels and extreme droughts and floods. The United States must lead the world in reversing global warming, to preserve a safe planet for our children and grandchildren.

ANNIE ARTHUR, WOODSTOCK UNION HIGH SCHOOL (FINALIST)

To be a democracy, our country must be able to hear the voices of every citizen individually and the population as a whole. People all over the world are sacrificing their lives for the hope of the right to vote. In the United States, eligibility is simple. To vote, one must be a citizen of the United States and be 18 or older. However, a country as great as ours does not seem able to succeed in a very seemingly simple task: vote freely. The State of our Union is teetering on the edge.

In the 2012 Presidential Election, only 57.5% of the entire eligible population cast their ballots. About 93 million citizens did not participate in this most basic foundation of democracy. How is the United States supposed to run as an effective democracy if so many citizens remain silent in such a crucial time to make their voices heard? Granted, part of this lack of voting is caused by laziness, indifference or belief that one vote will not change the outcome. However, there are many citizens who want to vote but restrictions imposed at the state level have either attempted or succeeded to suppress participation in this election. In this recent election there were laws passed to hinder voter participation by making it difficult to register to vote, requiring voter photo identifications, miscommunication of date and times, and threatening voters with imprisonment for voter fraud. Officials also succeeded in cutting early voting periods, voting by mail, polling hours and number of locations. Even though courts temporarily struck down many of these efforts, there is no reason to believe that state officials will be deterred from imposing more voting restrictions in the future.

This national issue should not be determined at state level. Restriction on voting is a federal problem and should be addressed by federal powers. This is too important an issue to leave to individual state governments as clearly demonstrated by the blatant attempts to deny citizens their right to vote. The solution is to simply create basic standards on voting. The federal government could pass a bill with minimum guidelines for states to follow on voting laws. This legislation does not need to be a complex list of restrictions; this bill would be freeing up voting laws by listing only what needs to happen to achieve successful voting. Each state would then have the freedom to expand on these basic requirements. This bill could facilitate registration, polling hours and ability to mail in votes. It is an American's right to be able to vote. As the world's greatest democracy, no political party should be able to obstruct voting. The United States, a nation for the people, of the people, by the people needs to set a better example as the standard bearer of democracy.

JEANNINE BISSONETTE, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

Ever since Woodrow Wilson was elected in 1913, it has been a tradition for Presidents to address the nation with their State of the Union report. As President Obama prepares to present his State of the Union address, many politically concerned citizens begin to ponder the thoughts of what will be produced in the next four years.

With a current national unemployment rate of 7.9%, the numbers appear to be much lower than the 10% that the United States endured during October of 2009. Although these rates suggest a recuperating recession, they have not yet reached a level in which the nation can sit back comfortably. These high unemployment rates understandably result in a greater necessity for more families to reach out to social welfare services such

as food stamps and local food shelves. According to a local press interview with food shelf coordinator Mary Ann Castimore, the Vergennes Congregational Church found themselves serving a total of approximately fifty to sixty new families. People are struggling to find and hold steady jobs; feeding their families continues to be growing concern.

Corresponding with the current economy, the United States could certainly do more to address the concerns of the young people. With the lack of vacant positions in the working world, young adults are learning quickly that it does not matter so much what they've majored in, but what is available. As a high school student of Vermont, I have become increasingly aware of my school advisor's push for me to look into which fields are in need of laborers, rather than those that suit me best when determining an occupation. As the pursuit for jobs lengthens, it is important that the government restricts outsourcing jobs to other countries and create said jobs within the nation. Instead of outsourcing jobs, the United States should provide incentives to retain these positions in America.

As the United States adapts to the most severe recession since the Great Depression, the American citizens' fear of a failing economy is justified. Major issues such as the nearing fiscal cliff or changes in Social Security are becoming more common parts of American conversation. As January approaches, politicians in D.C. are running out to time to make the decision of who will be taxed in the coming years. By taxing Americans making over two hundred and fifty-thousand dollars, more taxes can be gleaned by the federal government. Additionally, more citizens being taxed results in more equitable terms. As a federal insurance program, Social Security is praised highly for the benefits it provides the retired population. Since American citizens are now living into their eighties, a shortage in Social Security money has materialized. The inadequacy of funds has led to an extended retirement age which is predicted to continue increasing into the future. The United States must continue to raise the retirement age in order for Social Security to continue operating. It takes time and multiple strategies to solve any major issue: there is no one perfect solution.

JONAH BLATT, MILTON HIGH SCHOOL (FINALIST)

Good Evening America,

There are several issues that need to be addressed here tonight that will benefit our nation in one way or another. First off, I'd like to touch on the topic of unemployment. The unemployment rate has dropped significantly. The rate was 10% in November of 2009, which was the highest from January 1st 2009 to January 1st 2013. In the middle of that, the rate bounced up and down between 9% and 9.5% from 2010 to 2011. Now here we sit today on a continuous, steady decline all the way down to 7.7%, and I assure you it is not over. Jobs were being created at a rate of 151,000 per month in 2012 and we look to raise that number this coming year. My new plan allows workers who have lost their job to be placed on temporary jobs as trainees for short periods to retain their skills or gain new ones while still receiving benefits. This was released on April 19th where the unemployment rate was 8.2% and now it is 7.7%. It's working, America.

Cannabis, or better known as marijuana has become a major topic of discussion these days in America. Is it a medical miracle or an addiction amongst many? The Office of National Drug Control Policy and I have stated that we oppose the legalization of marijuana and other drugs since legalization would increase the availability and use of other illegal drugs. Their legalization would bring more health and safety risks closer to your homes. The legalization and selling of marijuana could bring some positive to our attention. A potential boost for the economy if it was sold and taxed heavily. However in the end I strongly oppose the legalization process and it should only remain available for medical use only. The risks strongly outweigh the positives.

Over 50 years ago we created a strong, close relationship with Israel. We have done joint military planning along with military research and weapons development. We have continuously assisted Israel with $3.1 billion in security assistance and I will not be the president to stop that trend. The only way for Israel to achieve peace with their neighbors is to begin with a clear and strong commitment to the security of Israel. They are also a big export consumer to our economy. We must stand by our ally through these tough times between them and the Palestinians. We will look to both sides to find a common ground to install peace back into the world between these rival nations. I am in support of resumption of the aid to the Palestinian government with a condition that the government renounce terrorism. Israel has a right to defend themselves from these Palestinian rocket attacks, but we will look to peace first in order to draw this to an end. Israel is an important ally in all perspectives. We must help them.

Thank you and good night America.

ALLIE BULL, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

The United States of America is known as the land of profuse opportunity for all who come here. Throughout the history of this country, there have been events to be proud of and events that were not too glorious. As the world prepares for the new year of 2013, it is a good idea to reflect as we explore the state of this union, and gain insight into how this country is running.

Congress is seemingly dysfunctional right now. The current Congress has passed the least number of bills in history. This statistic is shocking and embarrassing. The system of checks and balances within our democracy is designed to prevent an abuse of power. It is also a known fact that our system takes longer to pass bills and get things done; however, the current state of gridlock is not okay. The nation is frustrated with the leaders and the lack of compromise in Washington. Congress needs to become a leader of the whole nation, and not individual leaders of each political party. The wall between each party needs to be let down and national issues need to be addressed. It is hard for congressmen to make decisions that could affect reelection; yet, the lack of progress being made is not making the constituents any happier. It is better for these leaders to leave the nation stronger and prosperous than when they arrived, as opposed to an unchanged, struggling country.

In the shadow of the Sandy Hook Massacre, gun control debates have resurfaced. This is a topic that needs to be addressed, swiftly and promptly. Semi-automatic weapons are completely and utterly unnecessary in the United States of America. There is no reason that a person should need or desire to own one. These weapons are killing machines and should be banned. Americans have the right to bear arms, but there is no need for weapons other than hunting weapons. Any weapons that do remain legal in this country need to be regulated and controlled with very thorough background checks. However, the fact that semi-automatic weapons are available isn't the only cause of these tragedies. Hollywood portrays gun violence as exciting and desirable. That, in combination with violent video games, leaves imprints in the brains of impressionable young people (including the mentally ill). Semi-automatic weapons should be banned, and violence movies and games should be regulated. In this country there is freedom of speech and expression, but the production of these movies and games results in harm to other citizens. All of these factors need to be addressed. Politicians who agree with this stance need to step up and speak out despite the possible damage to their reelection. The safety of the people should be more important than reelection.

America is a bright and prosperous place. There are a few issues dragging it down, but with the known strength of this nation, these problems can be solved. The only way to fix big problems is to lay down political barriers and work together, hand-in-hand.

EMMA DAVITT, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

The current state of our Union is multifaceted, filled with diverse opinions and numerous obstacles. Our Union faces an interesting future ahead, either a prosperous and promising future, or a destructive and deleterious future. It is up to us, the people of the United States, to do everything we can to ensure a brilliant future, to promise fortuitous and successful lives for our succeeding generations.

We are currently coping with the most intense, severe recession in our country since the Great Depression. 7.9% of the people in the United States are out of work, struggling to find jobs and earn a living. Detrimental taxes are traumatizing families, college graduates' degrees are rarely helping them secure jobs and, throughout these unfortunate situations, many Americans are still focusing on abortions and gay marriage rights. It is time for our nation to accept individuality, embrace the freedom our country was founded upon, and fix the major problems facing the people of the United States of America.

The unemployment rate is uncomfortably high. In 2008, many businesses closed, numerous workers were laid off and the unemployment rate began to rise. As a result, jobs have become more valuable, and at a time where few were comfortable with their living situations and current bank accounts, taxes rose. To address this situation, taxes must be lowered for the lower and middle-class families while returning the economy to a peaceful state, encouraging businesses to grow and expand in the United States.

The economy is not only affecting the working class of our nation, but also the children—the future. If children watch their parents and older siblings with college degrees struggle to find a job, what will make them want to go to college? What will convince them that attending college is a wonderful and beneficial experience? The young members of our national community will one day be responsible for our country and our only option to ensure a bright and promising future is to nurture, teach and help this younger generation. With this in mind, it should be of great importance to the United States to make college education more affordable for the young population. Through grants, aid and scholarships, many more students will have the opportunities to attend universities, and with an economy on the mend, we can look to the future with great hope in the highly educated body that will one day run the country.

Contemplating these issues, our Union has a lot to focus on. We have run ourselves into a deep economic and educational rut and it is our job to work together to climb out of

it. The future of our country rests solely in the hands of the upcoming generation, however, how can we have faith in the subsequent decades if our current society struggles to find jobs and attend college? The answer is rather simple, the young people of our country have the chance to make groundbreaking decisions and be amazing leaders, if given the opportunities.

TARYN DRUGE, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

In an idealistic world we would work for a common good. Countries wouldn't consider money, land, or rivalry. They would only see how they could create peace and maintain it. As Franklin D. Roosevelt said, ''A point has been reached where the peoples of the Americas must take cognizance of growing ill-will, of marked trends toward aggression, of increasing armaments, of shortening tempers—a situation which has in it many of the elements that lead to the tragedy of general war . . . Peace is threatened by those who seek selfish power.'' It is my opinion that, in this world, we are not driven by the ambition for peace but instead by the ambition for wealth and power. We, the U.S., are no different, as much as we would love to believe otherwise and see ourselves as the peace bearers of the world. We must open our eyes to the truth. Wealth and power must be relevant in our dealings with foreign nations because these are some of the only factors that will drive negotiation.

An example of the struggle for wealth and power is the United States relationship with China. Currently, the U.S. is deeply uneasy about China, to whom we are deeply indebted, for they are our greatest supplier of goods. It is frightening to think that China's withdrawal could destroy our entire economy, yet our withdrawal from China would cripple them as well. Instead of the dependence creating unity among our nations, it has created discomfort and hostility. The power complex each country has creates the belief that dependence upon one another weakens us. When Thomas Jefferson said, ''Dependence begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition,'' Jefferson could never foresee that U.S. dependence would extend overseas due to our economies' desire to manufacture cheaper and thus more profitable products.

China and the U.S are two great superpowers, and each is just as self-destructive as the other. Without a strong and desirable alliance with China, the U.S. becomes weakened to possible foreign attacks and a collapse of the economy. The U.S. is feeling out of balance right now: so many goods are being manufactured overseas at the expense of U.S. jobs being taken away. This balance could be found when the U.S comes to the realization that we cannot completely isolate China, and, at the same time, we must create a political environment that nurtures U.S. businesses that manufacture products domestically.

In an ideal world the bonds and alliances of countries would surpass the separation of race, religion, class and culture. We must work towards this ideal world, because in it we will find a far better future we could not possibly foresee today.●

TRIBUTE TO TECHNICAL SERGEANT GREGORY M. GRUTTER

● Mr. WHITEHOUSE. Mr. President, I rise today to recognize the heroic service of Rhode Island Air National Guard TSgt. Gregory M. Grutter. Technical Sergeant Grutter was awarded the Bronze Medal Star with Valor and the Purple Heart, and I honor him for the courageous actions he took to earn these awards.

In 2008, Technical Sergeant Grutter was assigned as a security officer for the Defense Intelligence Support Office-Afghanistan. On March 20, 2008, while driving a convoy vehicle for the Guard, Technical Sergeant Grutter twice risked his own life to thwart enemy ambushes and save the lives of others.

In the first instance, Technical Sergeant Grutter used his own vehicle as a shield to protect Afghan National Police officers driving an unarmored vehicle. Then, noticing the Afghan National Police's machine gun crew in distress, he dismounted from his own vehicle, ran through intense fire, and helped the police repair their weapons.

While Technical Sergeant Grutter was working with the machine gun crew, enemy insurgents moved in to flank the convoy and began to prepare an attack. With great bravery, Sergeant Grutter ran approximately 200 meters over exposed terrain to engage the insurgents, which forced them to retreat. Shortly thereafter, the enemy disengaged and left the area.

Unfortunately, a second ambush was already in the making. A large number of civilians became trapped by small arms fire from enemy forces. Without regard for his personal safety, Technical Sergeant Grutter provided suppressing fire from an exposed position, which allowed the Afghan National Police to evacuate the civilians to safety.

As a result of the courageous actions taken by Technical Sergeant Grutter, lives were saved and the convoy continued its mission.

I thank Technical Sergeant Grutter for his brave actions and honor his distinguished service and meritorious achievement in earning the Bronze Medal Star with Valor and the Purple Heart. The courage he demonstrated during his combat mission brings great honor to our country, the Air National Guard and the state of Rhode Island.

Along with his fellow Guardsmen, I thank Technical Sergeant Grutter for his outstanding commitment to serving and protecting our country. We in Rhode Island are lucky to call him one of our own, and we are proud of him.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the presiding officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

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

SIX-MONTH PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO LIBYA THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13566 OF FEBRUARY 25, 2011—PM 3

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13566 of February 25, 2011, is to continue in effect beyond February 25, 2013.

Colonel Muammar Qadhafi, his government, and close associates took extreme measures against the people of Libya, including by using weapons of war, mercenaries, and wanton violence against unarmed civilians. In addition, there was a serious risk that Libyan state assets would be misappropriated by Qadhafi, members of his government, members of his family, or his close associates if those assets were not protected. The foregoing circumstances, the prolonged attacks, and the increased numbers of Libyans seeking refuge in other countries caused a deterioration in the security of Libya, posed a serious risk to its stability, and led me to declare a national emergency to deal with this threat to the national security and foreign policy of the United States.

We are in the process of winding down the sanctions in response to developments in Libya, including the fall of Qadhafi and his government and the establishment of a democratically elected government. We are working closely with the new Libyan government and with the international community to effectively and appropriately ease restrictions on sanctioned entities, including by taking actions consistent with the U.N. Security Council's decision to lift sanctions against the Central Bank of Libya and two other entities on December 16, 2011. The situation in Libya, however, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States and we need to protect against this threat and the diversion of assets or other abuse by certain members of Qadhafi's family and other former regime officials. Therefore, I have determined that it is necessary to continue

the national emergency with respect to Libya.

BARACK OBAMA.

THE WHITE HOUSE, *February 13, 2013.*

MESSAGE FROM THE HOUSE

At 12:57 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 235. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.

H.R. 316. An act to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 235. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; to the Committee on Health, Education, Labor, and Pensions.

H.R. 316. An act to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–372. A communication from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Environmental Impact and Related Procedures'' (RIN2132–AB03) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–373. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Children's Online Privacy Protection Rule'' (RIN3084–AB20) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC–374. A communication from the Federal Register and Regulatory Liaison Officer, Office of Protective Services, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA Security and Protective Services Enforcement'' (RIN2700–AD89) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC–375. A communication from the Federal Register and Regulatory Liaison Officer, Office of Protective Services, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA Information Security Protection'' (RIN2700–AD61) received in the Office of the President of the Senate on February 7, 2013; to the Committee on Commerce, Science, and Transportation.

EC–376. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Motorcycle Brake Systems'' (RIN2127–AK16) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–377. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Side Impact Protection'' (RIN2127–AK82) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–378. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Civil Penalties'' (RIN2127–AL16) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–379. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment'' (RIN2127–AK99) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–380. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; New Pneumatic and Certain Specialty Tires'' (RIN2127–AK42) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–381. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 567—Certification Authorized by 49 U.S.C. 30115'' (RIN2127–AL18) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–382. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''List of Nonconforming Vehicles Decided to be Eligible for Importation'' (Docket No. NHTSA–2011–0127) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–383. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Consumer Information Regulations: Fees for Use of Traction Skid Pads'' (RIN2127–AK06) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–384. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Event Data Recorders'' (RIN2127–AL14) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–385. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Make Inoperative Exemptions; Retrofit On-Off Switches for Air Bags'' (RIN2127–AL19) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–386. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Uniform Procedures for State Highway Safety Grant Programs'' (RIN2127–AL30) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–387. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Matters Incorporated by Reference'' (RIN2127–AK89) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–388. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Tire Fuel Efficiency Consumer Information Program'' (RIN2127–AK83) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–389. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2013 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2013'' (RIN2127–AL21) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–390. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Schedule of Fees Authorized'' (RIN2127–AL09) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–391. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0530)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–392. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0488)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–393. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Services B.V. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0643)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–394. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hawker Beechcraft Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0829)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–395. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cessna Aircraft Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0846)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–396. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0493)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–397. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hawker Beechcraft Corporation Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0830)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–398. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter France Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–1128)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–399. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2009–0794)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–400. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0340)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–401. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1104)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–402. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Services B.V. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0143)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–403. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0216)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–404. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0679)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–405. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0806)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–406. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0428)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–407. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0518)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–408. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0498)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–409. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1168)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–410. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0652)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–411. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–1188)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–412. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0728)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–413. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0427)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–414. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0642)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–415. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0592)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–416. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0719)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–417. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0726)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–418. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0146)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–419. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Division Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–0546)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–420. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0640)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–421. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Alpha Aviation Concept Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0798)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–422. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0856)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–423. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–0619)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–424. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0144)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–425. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0596)) received in the Office of the President of the Senate on February 11, 2013; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REED (for himself, Mr. JOHANNS, Mrs. BOXER, and Mr. FRANKEN):

S. 290. A bill to reduce housing-related health hazards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REED (for himself, Mr. JOHANNS, Mrs. BOXER, and Mr. FRANKEN):

S. 291. A bill to establish the Council on Healthy Housing and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE:

S. 292. A bill to amend the Immigration and Nationality Act to provide a special rule for the period of admission of H–2A nonimmigrants employed as sheepherders, goat herders, or dairy farmers, and for other purposes; to the Committee on the Judiciary.

By Mr. LEE:

S. 293. A bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mr. BAUCUS, Mr. BEGICH, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mrs. SHAHEEN):

S. 294. A bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAUTENBERG:

S. 295. A bill to allow certain Indonesian citizens to file a motion to reopen their asylum claims; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Ms. COLLINS, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. BLUMENTHAL, and Ms. BALDWIN):

S. 296. A bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships; to the Committee on the Judiciary.

By Mr. RUBIO:

S. 297. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for qualified elementary and secondary education tuition; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. CORKER, Mr. CARDIN, Mr. RUBIO, Mrs. FEINSTEIN, Mrs. BOXER, Mr. INHOFE, and Mr. DONNELLY):

S. 298. A bill to prevent nuclear proliferation in North Korea, and for other purposes; to the Committee on Foreign Relations.

By Mr. VITTER (for himself, Mr. GRASSLEY, Mrs. FISCHER, and Mr. SESSIONS):

S. 299. A bill to prohibit appropriated funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. VITTER (for himself, Mr. SESSIONS, and Mr. LEE):

S. 300. A bill to prohibit the implementation of any program that grants temporary legal status to, or adjusts the status of, any individual who is unlawfully present in the United States until the Secretary of Homeland Security certifies that the US–VISIT system has been fully implemented at every land, sea, and air port of entry; to the Committee on the Judiciary.

By Mr. VITTER (for himself, Mr. LEE, and Mr. BOOZMAN):

S. 301. A bill to amend section 301 of the Immigration and Nationality Act to clarify those classes of individuals born in the United States who are nationals and citizens of the United States at birth; to the Committee on the Judiciary.

By Mr. VITTER:

S. 302. A bill to amend the Immigration and Nationality Act to make voting in a Federal election by an unlawfully present alien an aggravated felony and for other purposes; to the Committee on the Judiciary.

By Mr. VITTER:

S. 303. A bill to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, to eliminate the diversity immigrant program, and for other purposes; to the Committee on the Judiciary.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 304. A bill to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 305. A bill to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park; to the Committee on Energy and Natural Resources.

By Mr. BARRASSO (for himself, Mr. RISCH, Mr. ENZI, and Mr. CRAPO):

S. 306. A bill to authorize all Bureau of Reclamation conduit facilities for hydropower development under Federal Reclamation law, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. DURBIN, Mr. SCHUMER, Ms. STABENOW, Mr. CARDIN, Mrs. MCCASKILL, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. FRANKEN, Mr. REED, Mr. NELSON, Ms. KLOBUCHAR, Mr. BROWN, Mr. LEAHY, and Mr. MERKLEY):

S. 307. A bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes; to the Committee on Finance.

By Mr. BEGICH:

S. 308. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, to provide for cash relief for years for which annual COLAs do not take effect under certain cash benefit programs, and to provide for Social Security benefit protection; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. COCHRAN, Mr. BEGICH, and Mr. WYDEN):

S. 309. A bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN (for himself, Mr. WARNER, Mr. COONS, and Mr. BLUNT):

S. 310. A bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU:

S. 311. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and

for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 312. A bill to adjust the boundary of the Carson National Forest, New Mexico; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Mr. BURR, Mr. HARKIN, Mr. CARDIN, Mr. RUBIO, Mr. FRANKEN, Mr. MORAN, Mr. REED, Mr. LEAHY, Mrs. BOXER, Mr. BROWN, Mr. SANDERS, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. BLUNT, Mr. COONS, Mr. JOHANNS, and Mrs. GILLIBRAND):

S. 313. A bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 314. A bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. WICKER, Mr. SANDERS, Ms. COLLINS, Mr. MENENDEZ, Mr. ISAKSON, Ms. MIKULSKI, Mr. LEAHY, Mr. LAUTENBERG, and Mr. NELSON):

S. 315. A bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself, Mr. LEAHY, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. WYDEN, Mr. MERKLEY, Mr. UDALL of New Mexico, and Mr. BROWN):

S. 316. A bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHANNS (for himself and Mrs. FISCHER):

S. 317. A bill to require the Inspector General of the Environmental Protection Agency to include certain assessments in reports; to the Committee on Environment and Public Works.

By Mr. JOHANNS:

S. 318. A bill to rescind funds made available to the Administrator of the Environmental Protection Agency if the Administrator fails to meet certain deadlines; to the Committee on Environment and Public Works.

By Mr. JOHANNS:

S. 319. A bill to require the Administrator of the Environmental Protection Agency to provide adequate data, modeling, and support in the development of a State implementation plan under the Clean Air Act; to the Committee on Environment and Public Works.

By Mr. JOHANNS (for himself, Mr. BARRASSO, Mr. PAUL, Ms. COLLINS, Mr. GRASSLEY, Mr. COATS, Mr. JOHNSON of Wisconsin, and Mrs. FISCHER):

S. 320. A bill to amend chapter 8 of title 5, United States Code, to provide for congressional review of agency guidance documents; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. LEAHY, Mr. REED, Mr. LAUTENBERG, Mr. LEVIN, Mr. SANDERS, Mr. ROCKEFELLER, Mr. HARKIN, and Mr. FRANKEN):

S. 321. A bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. FRANKEN, Mr. BEGICH, and Ms. HIRONO):

S. 322. A bill to set the United States on track to ensure children are ready to learn when they begin kindergarten; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. COCHRAN):

S. 323. A bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. MCCONNELL, Mr. ROBERTS, Mr. HATCH, Mr. COCHRAN, Mr. GRASSLEY, Mr. SHELBY, Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Ms. COLLINS, Mr. ENZI, Mr. CRAPO, Ms. MURKOWSKI, Mr. CHAMBLISS, Mr. GRAHAM, Mr. ALEXANDER, Mr. BURR, Mr. COBURN, Mr. THUNE, Mr. ISAKSON, Mr. VITTER, Mr. CORKER, Mr. BARRASSO, Mr. WICKER, Mr. JOHANNS, Mr. RISCH, Mr. KIRK, Mr. COATS, Mr. BLUNT, Mr. MORAN, Mr. PORTMAN, Mr. BOOZMAN, Mr. TOOMEY, Mr. HOEVEN, Mr. RUBIO, Mr. JOHNSON of Wisconsin, Mr. PAUL, Mr. LEE, Ms. AYOTTE, Mr. HELLER, Mr. SCOTT, Mr. FLAKE, Mr. CRUZ, and Mrs. FISCHER):

S.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. GILLIBRAND (for herself, Ms. MIKULSKI, Mr. FRANKEN, Ms. LANDRIEU, Mrs. BOXER, Mr. CARDIN, Mr. WHITEHOUSE, Mr. COCHRAN, Mr. LEVIN, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. COONS, Mr. SCHATZ, Mr. BEGICH, Mr. MANCHIN, Mrs. HAGAN, Mrs. SHAHEEN, Mr. CASEY, Mr. BROWN, Mr. WICKER, Mr. UDALL of Colorado, Mr. NELSON, Mr. SCHUMER, Mr. PRYOR, Ms. CANTWELL, Mr. PORTMAN, Mr. ISAKSON, Mr. WYDEN, Mr. WARNER, Mr. MERKLEY, Mr. DURBIN, Mrs. MCCASKILL, Ms. STABENOW, Mrs. FEINSTEIN, Mr. COWAN, and Mr. REED):

S. Res. 31. A resolution celebrating Black History Month; considered and agreed to.

By Mr. HOEVEN (for himself and Ms. HEITKAMP):

S. Res. 32. A resolution congratulating the North Dakota State University football team for winning the 2012 National Collegiate Athletic Association Division I Football Championship Subdivision title; considered and agreed to.

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

S. Res. 33. A resolution commemorating the 150th anniversary of Emporia State University; considered and agreed to.

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

S. Res. 34. A resolution commemorating the 150th anniversary of Kansas State University; considered and agreed to.

ADDITIONAL COSPONSORS

S. 37

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 37, a bill to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, and for other purposes.

S. 119

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 119, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 153

At the request of Mr. BEGICH, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 169

At the request of Mr. HATCH, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 210

At the request of Mr. HELLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 234

At the request of Mr. REID, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 264

At the request of Ms. STABENOW, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. JOHANNS, Mrs. BOXER, and Mr. FRANKEN):

S. 290. A bill to reduce housing-related health hazards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today I am introducing two bipartisan bills pertaining to healthy housing, the Healthy Housing Council Act and the Title X Amendments Act. These bills seek to improve federal coordination of healthy housing efforts and better integrate healthy housing activities into the ongoing lead poisoning prevention work at the Department of Housing and Urban Development.

The presence of housing-related health hazards is often overlooked or is unable to be addressed, and yet these hazards are sometimes the cause of a variety of preventable diseases and conditions like cancer, lead poisoning, and asthma. While I have been working to address these hazards throughout my tenure in Congress, I was pleased that the Administration last week released its Strategy for Action to Advance Healthy Housing, a multi-department and agency effort to develop consensus-based criteria to address housing hazards that impact the health and habitation of children and families.

This new Strategy for Action calls on Federal agencies to address barriers and disincentives to the delivery of services to improve housing conditions, particularly among low-income families with young children; replicate successful local healthy housing programs on a larger scale; and conduct more research into cost-effective advances in healthy housing programming.

The Title X Amendments Act, S. 290, which I am introducing with Senators JOHANNS, FRANKEN, and BOXER, and has been in the drafting stages for many months, responds to these calls for action. It would provide HUD with the necessary authority to continue to carry out healthy housing activities while protecting important ongoing lead remediation efforts, allow grantees to improve the conditions in zero-bedroom units, and streamline eligibility for assistance. These are simple, yet necessary reforms designed to improve and expand cost-effective services, and I look forward to working with my colleagues to see them enacted.

It is also vital that we continue the type of collaboration and coordination among Federal departments and agencies, like HUD, HHS, EPA, and CDC, that resulted in the Strategy for Action to Advance Healthy Homes. Indeed, there are many programs fragmented across multiple agencies that are responsible for addressing housing-related health hazards like lead and radon, and we should strive to improve the efficiency and efficacy of these efforts by ensuring that these agencies continue to work together.

The Healthy Housing Council Act, S. 291, which Senator JOHANNS, FRANKEN, and BOXER have also cosponsored, would establish an independent interagency Council on Healthy Housing in the executive branch in order to improve coordination, bring existing efforts out of their respective silos, and reduce duplication.

The bill calls for the council to convene periodic meetings with experts in the public and private sectors to discuss ways to educate individuals and families on how to recognize housing-related health hazards and access the necessary services and preventive measures to combat these hazards. The council would also be required to hold biannual stakeholder meetings, maintain an updated website, and work to unify healthy housing data collection and maintenance.

Our goal for these bills is to help reduce the more than 5.7 million households living in conditions with moderate or severe health hazards, 23 million additional homes with lead-based paint hazards, 14,000 unintentional injury and fire deaths every year that result from housing-related hazards, and 21,000 radon-associated lung cancer deaths every year. Indeed, these numbers contribute to increasing health care costs for individuals and families, as well as for federal, state, and local governments.

Promoting low-cost measures to eliminate subpar housing can make a dramatic and meaningful difference in the lives of children and families and help reduce health care costs. I urge our colleagues to join in supporting these bipartisan bills.

By Mr. LEAHY (for himself, Ms. COLLINS, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. BLUMENTHAL, and Ms. BALDWIN):

S. 296. A bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am reintroducing the Uniting American Families Act, UAFA, which grants same-sex bi-national couples the same immigration benefits heterosexual couples have long enjoyed. This is the sixth Congress in which I have introduced this legislation, and I am proud to be joined this year by Senator COLLINS, a strong champion for American families. She cosponsored this bill last Congress, and I thank her for her leadership as she joins me as an original cosponsor today.

Preserving family unity is central to our immigration policy. President Obama understands that, which is why I was so pleased to see that he included UAFA as a core tenet of the immigration principles he outlined last month.

Even as American attitudes are changing about the civil rights of gay and lesbian Americans, the so-called Defense of Marriage Act forces many Americans to choose between the country they love and being with the people they love. This destructive policy tears families apart and forces hardworking Americans to make the heart-wrenching choice no American should have to make. Families from Maine to California experience this hardship. In Vermont, I have seen firsthand the unfairness that couples have endured as a result of our current laws and have spoken at length on their struggles in this Chamber. I have heard from a number of Vermonters who have had to make the difficult decision to leave their work and homes in Vermont in order to be able to live with their spouses in more welcoming countries; some whole spouses are legally in the U.S. temporarily but worry daily when they will be required to leave the U.S.; and some who suffer the heartbreak of a long-distance marriage when their spouses are denied even a visitor visa to spend some time with their spouses in the U.S. The Senate Judiciary Committee heard directly from families like these as well.

Over the past decade, Americans have begun to reject the notion that U.S. citizens who are gay or lesbian should not have their committed relationships recognized by the law and the protections that provides. As of last month, the District of Columbia and nine states, including Connecticut, Iowa, Maine, Maryland, Massachusetts, New Hampshire, New York, Washington, and my home state of Vermont, have legalized same-sex marriage. At the end of the 111th Congress, bipartisan votes in both the Senate and the House reversed the Military's ''Don't Ask, Don't Tell'' policy, a 17-year-old stricture that barred gay and lesbian service men and women from openly serving in the military. Consistent with the repeal of the ''Don't Ask, Don't Tell'' policy, just last week the Pentagon signaled that it will begin providing benefits to the same-sex spouses of military personnel. As they have many times in our past and will continue in the future, prevailing American attitudes are progressing toward fairness and justice. The Supreme Court is poised to decide the fate of the Defense of Marriage Act and whether that law, which deprives same-sex couples of over 1,000 Federal benefits and responsibilities, is consistent with our constitutional values.

Many of our friends around the world have embraced immigration equality for same-sex families. Today at least 25 nations, including some of our closest allies, offer immigration benefits to same-sex couples. America should join Argentina, Australia, Belgium, Brazil, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greenland, Hungary, Iceland, Israel, Luxembourg, The Netherlands, New Zealand, Norway, Portugal, Romania, South Africa, Spain, Sweden, Switzerland, and the United Kingdom in leading on this issue of civil rights and respect for the dignity of all families. I hope that Senators who supported this important advancement in our military policy will join me in calling for similar fairness and equality in our immigration laws.

Some opponents of the United American Families Act have argued that it would increase the potential for visa fraud. Of course I share the belief that all immigration applications should be screened for fraud, but I am confident that U.S. Citizenship and Immigration Services will have no more difficulty identifying fraud in same-sex relationships than they do in heterosexual marriages. The penalties for fraud under this bill would be the same as the penalties for marriage fraud. These are very strict penalties: a sentence of up to 5 years in prison, $250,000 in fines for the U.S. citizen partner, and deportation for the foreign partner. In addition, in order to qualify as a bi-national couple under UAFA, petitioners must prove that they are at least 18 years of age and in a committed, lifelong relationship with another adult. The advancement of American ideals that respect human relationships and family bonds need not and should not be impeded by such fears.

Among developed countries with cultures of respect for human rights and fairness, the United States policy in this regard is not living up to our great traditions of equal treatment under the law. We can and should do better. I hope all Senators will agree that the United States should not have a policy that forces Americans to choose between their country and the ones they love, and I urge members of this body to join Senator COLLINS and me in this effort.

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

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

S. 296

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Uniting American Families Act of 2013''.

(b) AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.—Except as otherwise specifically provided in this Act, if an amendment or repeal is expressed as the amendment or repeal of a section or other provision, the reference shall be considered to be made to that section or provision in the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

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

Sec. 1. Short title; amendments to Immigration and Nationality Act; table of contents.
Sec. 2. Definitions of permanent partner and permanent partnership.
Sec. 3. Worldwide level of immigration.
Sec. 4. Numerical limitations on individual foreign states.
Sec. 5. Allocation of immigrant visas.
Sec. 6. Procedure for granting immigrant status.
Sec. 7. Annual admission of refugees and admission of emergency situation refugees.
Sec. 8. Asylum.
Sec. 9. Adjustment of status of refugees.
Sec. 10. Inadmissible aliens.
Sec. 11. Nonimmigrant status for permanent partners awaiting the availability of an immigrant visa.
Sec. 12. Conditional permanent resident status for certain alien spouses, permanent partners, and sons and daughters.
Sec. 13. Conditional permanent resident status for certain alien entrepreneurs, spouses, permanent partners, and children.
Sec. 14. Deportable aliens.
Sec. 15. Removal proceedings.
Sec. 16. Cancellation of removal; adjustment of status.
Sec. 17. Adjustment of status of nonimmigrant to that of person admitted for permanent residence.
Sec. 18. Application of criminal penalties to for misrepresentation and concealment of facts regarding permanent partnerships.
Sec. 19. Requirements as to residence, good moral character, attachment to the principles of the Constitution.
Sec. 20. Naturalization for permanent partners of citizens.
Sec. 21. Application of family unity provisions to permanent partners of certain LIFE Act beneficiaries.
Sec. 22. Application to Cuban Adjustment Act.

SEC. 2. DEFINITIONS OF PERMANENT PARTNER AND PERMANENT PARTNERSHIP.

Section 101(a) (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(K)(ii), by inserting ''or permanent partnership'' after ''marriage''; and

(2) by adding at the end the following:

''(52) The term 'permanent partner' means an individual 18 years of age or older who—

''(A) is in a committed, intimate relationship with another individual 18 years of age or older in which both individuals intend a lifelong commitment;

''(B) is financially interdependent with that other individual;

''(C) is not married to, or in a permanent partnership with, any individual other than that other individual;

''(D) is unable to contract with that other individual a marriage cognizable under this Act; and

''(E) is not a first, second, or third degree blood relation of that other individual.

''(53) The term 'permanent partnership' means the relationship that exists between 2 permanent partners.''.

SEC. 3. WORLDWIDE LEVEL OF IMMIGRATION.

Section 201(b)(2)(A)(i) (8 U.S.C. 1151(b)(2)(A)(i)) is amended—

(1) by ''spouse'' each place it appears and inserting ''spouse or permanent partner'';

(2) by striking ''spouses'' and inserting ''spouse, permanent partner,'';

(3) by inserting ''(or, in the case of a permanent partnership, whose permanent partnership was not terminated)'' after ''was not legally separated from the citizen''; and

(4) by striking ''remarries.'' and inserting ''remarries or enters a permanent partnership with another person.''.

SEC. 4. NUMERICAL LIMITATIONS ON INDIVIDUAL FOREIGN STATES.

(a) PER COUNTRY LEVELS.—Section 202(a)(4) (8 U.S.C. 1152(a)(4)) is amended—

(1) in the paragraph heading, by inserting '', PERMANENT PARTNERS,'' after ''SPOUSES'';

(2) in the heading of subparagraph (A), by inserting '', PERMANENT PARTNERS,'' after ''SPOUSES''; and

(3) in the heading of subparagraph (C), by striking ''AND DAUGHTERS'' inserting ''WITHOUT PERMANENT PARTNERS AND UNMARRIED DAUGHTERS WITHOUT PERMANENT PARTNERS''.

(b) RULES FOR CHARGEABILITY.—Section 202(b)(2) (8 U.S.C. 1152(b)(2)) is amended—

(1) by striking ''his spouse'' and inserting ''his or her spouse or permanent partner'';

(2) by striking ''such spouse'' each place it appears and inserting ''such spouse or permanent partner''; and

(3) by inserting ''or permanent partners'' after ''husband and wife''.

SEC. 5. ALLOCATION OF IMMIGRANT VISAS.

(a) PREFERENCE ALLOCATION FOR FAMILY MEMBERS OF PERMANENT RESIDENT ALIENS.—Section 203(a)(2) (8 U.S.C. 1153(a)(2)) is amended—

(1) by striking the paragraph heading and inserting the following:

''(2) SPOUSES, PERMANENT PARTNERS, UNMARRIED SONS WITHOUT PERMANENT PARTNERS, AND UNMARRIED DAUGHTERS WITHOUT PERMANENT PARTNERS OF PERMANENT RESIDENT ALIENS.—'';

(2) in subparagraph (A), by inserting '', permanent partners,'' after ''spouses''; and

(3) in subparagraph (B), by striking ''or unmarried daughters'' and inserting ''without permanent partners or the unmarried daughters without permanent partners''.

(b) PREFERENCE ALLOCATION FOR SONS AND DAUGHTERS OF CITIZENS.—Section 203(a)(3) (8 U.S.C. 1153(a)(3)) is amended—

(1) by striking the paragraph heading and inserting the following:

''(2) MARRIED SONS AND DAUGHTERS OF CITIZENS AND SONS AND DAUGHTERS WITH PERMANENT PARTNERS OF CITIZENS.—''; and

(2) by inserting '', or sons or daughters with permanent partners,'' after ''daughters''.

(c) EMPLOYMENT CREATION.—Section 203(b)(5)(A)(ii) (8 U.S.C. 1153(b)(5)(A)(ii)) is amended by inserting ''permanent partner,'' after ''spouse,''.

(d) TREATMENT OF FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended—

(1) by inserting ''or permanent partner'' after ''section 101(b)(1)''; and

(2) by inserting '', permanent partner,'' after ''the spouse''.

SEC. 6. PROCEDURE FOR GRANTING IMMIGRANT STATUS.

(a) CLASSIFICATION PETITIONS.—Section 204(a)(1) (8 U.S.C. 1154(a)(1)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii), by inserting ''or permanent partner'' after ''spouse'';

(B) in clause (iii)—

(i) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(ii) in subclause (I), by inserting ''or permanent partnership'' after ''marriage'' each place it appears;

(C) in clause (v)(I), by inserting ''permanent partner,'' after ''is the spouse,''; and

(D) in clause (vi)—

(i) by inserting ''or termination of the permanent partnership'' after ''divorce''; and

(ii) by inserting '', permanent partner,'' after ''spouse''; and

(2) in subparagraph (B)—

(A) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(B) in clause (ii)—

(i) in subclause (I)(aa), by inserting ''or permanent partnership'' after ''marriage'';

(ii) in subclause (I)(bb), by inserting ''or permanent partnership'' after ''marriage'' the first place it appears; and

(iii) in subclause (II)(aa), by inserting ''(or the termination of the permanent partnership)'' after ''termination of the marriage''.

(b) IMMIGRATION FRAUD PREVENTION.—Section 204(c) (8 U.S.C. 1154(c)) is amended—

(1) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(2) by inserting ''or permanent partnership'' after ''marriage'' each place it appears.

SEC. 7. ANNUAL ADMISSION OF REFUGEES AND ADMISSION OF EMERGENCY SITUATION REFUGEES.

Section 207(c) (8 U.S.C. 1157(c)) is amended—

(1) in paragraph (2)—

(A) by inserting '', permanent partner,'' after ''spouse'' each place it appears; and

(B) by inserting '', permanent partner's,'' after ''spouse's''; and

(2) in paragraph (4), by inserting '', permanent partner,'' after ''spouse''.

SEC. 8. ASYLUM.

Section 208(b)(3) (8 U.S.C. 1158(b)(3)) is amended—

(1) in the paragraph heading, by inserting '', PERMANENT PARTNER,'' after ''SPOUSE''; and

(2) in subparagraph (A), by inserting '', permanent partner,'' after ''spouse''.

SEC. 9. ADJUSTMENT OF STATUS OF REFUGEES.

Section 209(b)(3) (8 U.S.C. 1159(b)(3)) is amended by inserting '', permanent partner,'' after ''spouse''.

SEC. 10. INADMISSIBLE ALIENS.

(a) CLASSES OF ALIENS INELIGIBLE FOR VISAS OR ADMISSION.—Section 212(a) (8 U.S.C. 1182(a)) is amended—

(1) in paragraph (3)(D)(iv), by inserting ''permanent partner,'' after ''spouse,'';

(2) in paragraph (4)(C)(i)(I), by inserting '', permanent partner,'' after ''spouse'';

(3) in paragraph (6)(E)(ii), by inserting ''permanent partner,'' after ''spouse,''; and

(4) in paragraph (9)(B)(v), by inserting '', permanent partner,'' after ''spouse''.

(b) WAIVERS.—Section 212(d) (8 U.S.C. 1182(d)) is amended—

(1) in paragraph (11), by inserting ''permanent partner,'' after ''spouse,''; and

(2) in paragraph (12), by inserting '', permanent partner,'' after ''spouse''.

(c) WAIVERS OF INADMISSIBILITY ON HEALTH-RELATED GROUNDS.—Section 212(g)(1)(A) (8 U.S.C. 1182(g)(1)(A)) is amended by inserting '', permanent partner,'' after ''spouse''.

(d) WAIVERS OF INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS.—Section 212(h)(1)(B) (8 U.S.C. 1182(h)(1)(B)) is amended by inserting ''permanent partner,'' after ''spouse,''.

(e) WAIVER OF INADMISSIBILITY FOR MISREPRESENTATION.—Section 212(i)(1) (8 U.S.C. 1182(i)(1)) is amended by inserting ''permanent partner,'' after ''spouse,''.

SEC. 11. NONIMMIGRANT STATUS FOR PERMANENT PARTNERS AWAITING THE AVAILABILITY OF AN IMMIGRANT VISA.

Section 214(r) (8 U.S.C. 1184(r)) is amended—

(1) in paragraph (1), by inserting ''or permanent partner'' after ''spouse''; and

(2) in paragraph (2), by inserting ''or permanent partnership'' after ''marriage'' each place it appears.

SEC. 12. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN ALIEN SPOUSES, PERMANENT PARTNERS, AND SONS AND DAUGHTERS.

(a) SECTION HEADING.—

(1) IN GENERAL.—The heading for section 216 (8 U.S.C. 1186a) is amended by striking ''AND SONS'' and inserting '', PERMANENT PARTNERS, SONS,''.

(2) CLERICAL AMENDMENT.—The table of contents is amended by amending the item relating to section 216 to read as follows:

''Sec. 216. Conditional permanent resident status for certain alien spouses, permanent partners, sons, and daughters.''.

(b) IN GENERAL.—Section 216(a) (8 U.S.C. 1186a(a)) is amended—

(1) in paragraph (1), by inserting ''or permanent partner'' after ''spouse''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting ''or permanent partner'' after ''spouse'';

(B) in subparagraph (B), by inserting ''permanent partner,'' after ''spouse,''; and

(C) in subparagraph (C), by inserting ''permanent partner,'' after ''spouse,''.

(c) TERMINATION OF STATUS IF FINDING THAT QUALIFYING MARRIAGE IMPROPER.—Section 216(b) (8 U.S.C. 1186a(b)) is amended—

(1) in the subsection heading, by inserting ''OR PERMANENT PARTNERSHIP'' after ''MARRIAGE''; and

(2) in paragraph (1)(A)—

(A) by inserting ''or permanent partnership'' after ''marriage''; and

(B) in clause (ii)—

(i) by inserting ''or has ceased to satisfy the criteria for being considered a permanent partnership under this Act,'' after ''terminated,''; and

(ii) by inserting ''or permanent partner'' after ''spouse''.

(d) REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.—Section 216(c) (8 U.S.C. 1186a(c)) is amended—

(1) in paragraphs (1), (2)(A)(ii), (3)(A)(ii), (3)(C), (4)(B), and (4)(C), by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(2) in paragraph (3)(A), (3)(D), (4)(B), and (4)(C), by inserting ''or permanent partnership'' after ''marriage'' each place it appears.

(e) CONTENTS OF PETITION.—Section 216(d)(1) (8 U.S.C. 1186a(d)(1)) is amended—

(1) in subparagraph (A)—

(A) in the heading, by inserting ''OR PERMANENT PARTNERSHIP'' after ''MARRIAGE'';

(B) in clause (i)—

(i) by inserting ''or permanent partnership'' after ''marriage'';

(ii) in subclause (I), by inserting before the comma at the end '', or is a permanent partnership recognized under this Act''; and

(iii) in subclause (II)—

(I) by inserting ''or has not ceased to satisfy the criteria for being considered a permanent partnership under this Act,'' after ''terminated,''; and

(II) by inserting ''or permanent partner'' after ''spouse''; and

(C) in clause (ii), by inserting ''or permanent partner'' after ''spouse''; and

(2) in subparagraph (B)(i)—

(A) by inserting ''or permanent partnership'' after ''marriage''; and

(B) by inserting ''or permanent partner'' after ''spouse''.

(f) DEFINITIONS.—Section 216(g) (8 U.S.C. 1186a(g)) is amended—

(1) in paragraph (1)—

(A) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(B) by inserting ''or permanent partnership'' after ''marriage'' each place it appears;

(2) in paragraph (2), by inserting ''or permanent partnership'' after ''marriage'';

(3) in paragraph (3), by inserting ''or permanent partnership'' after ''marriage''; and

(4) in paragraph (4)—

(A) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(B) by inserting ''or permanent partnership'' after ''marriage''.

SEC. 13. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN ALIEN ENTREPRENEURS, SPOUSES, PERMANENT PARTNERS, AND CHILDREN.

(a) IN GENERAL.—Section 216A (8 U.S.C. 1186b) is amended—

(1) in the section heading, by inserting '', PERMANENT PARTNERS,'' after ''SPOUSES''; and

(2) in paragraphs (1), (2)(A), (2)(B), and (2)(C), by inserting ''or permanent partner'' after ''spouse'' each place it appears.

(b) TERMINATION OF STATUS IF FINDING THAT QUALIFYING ENTREPRENEURSHIP IMPROPER.—Section 216A(b)(1) (8 U.S.C. 1186b(b)(1)) is amended by inserting ''or permanent partner'' after ''spouse'' in the matter following subparagraph (C).

(c) REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.—Section 216A(c) (8 U.S.C. 1186b(c)) is amended, in paragraphs (1), (2)(A)(ii), and (3)(C), by inserting ''or permanent partner'' after ''spouse''.

(d) DEFINITIONS.—Section 216A(f)(2) (8 U.S.C. 1186b(f)(2)) is amended by inserting ''or permanent partner'' after ''spouse'' each place it appears.

(e) CLERICAL AMENDMENT.—The table of contents is amended by amending the item relating to section 216A to read as follows:

''Sec. 216A. Conditional permanent resident status for certain alien entrepreneurs, spouses, permanent partners, and children.''.

SEC. 14. DEPORTABLE ALIENS.

Section 237(a)(1) (8 U.S.C. 1227(a)(1)) is amended—

(1) in subparagraph (D)(i), by inserting ''or permanent partners'' after ''spouses'' each place it appears;

(2) in subparagraphs (E)(ii), (E)(iii), and (H)(i)(I), by inserting ''or permanent partner'' after ''spouse'';

(3) by inserting after subparagraph (E) the following:

''(F) PERMANENT PARTNERSHIP FRAUD.—An alien shall be considered to be deportable as having procured a visa or other documentation by fraud (within the meaning of section 212(a)(6)(C)(i)) and to be in the United States in violation of this Act (within the meaning of subparagraph (B)) if—

''(i) the alien obtains any admission to the United States with an immigrant visa or other documentation procured on the basis of a permanent partnership entered into less than 2 years before such admission and which, within 2 years subsequent to such admission, is terminated because the criteria for permanent partnership are no longer fulfilled, unless the alien establishes to the satisfaction of the Secretary of Homeland Security that such permanent partnership was not contracted for the purpose of evading any provision of the immigration laws; or

''(ii) it appears to the satisfaction of the Secretary of Homeland Security that the alien has failed or refused to fulfill the alien's permanent partnership, which the Secretary of Homeland Security determines was made for the purpose of procuring the alien's admission as an immigrant.''; and

(4) in paragraphs (2)(E)(i) and (3)(C)(ii), by inserting ''or permanent partner'' after ''spouse'' each place it appears.

SEC. 15. REMOVAL PROCEEDINGS.

Section 240 (8 U.S.C. 1229a) is amended—

(1) in the heading of subsection (c)(7)(C)(iv), by inserting ''PERMANENT PARTNERS,'' after ''SPOUSES,''; and

(2) in subsection (e)(1), by inserting ''permanent partner,'' after ''spouse,''.

SEC. 16. CANCELLATION OF REMOVAL; ADJUSTMENT OF STATUS.

Section 240A(b) (8 U.S.C. 1229b(b)) is amended—

(1) in paragraph (1)(D), by inserting ''or permanent partner'' after ''spouse''; and

(2) in paragraph (2)—

(A) in the paragraph heading, by inserting '', PERMANENT PARTNER,'' after ''SPOUSE''; and

(B) in subparagraph (A), by inserting '', permanent partner,'' after ''spouse'' each place it appears.

SEC. 17. ADJUSTMENT OF STATUS OF NONIMMIGRANT TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE.

(a) PROHIBITION ON ADJUSTMENT OF STATUS.—Section 245(d) (8 U.S.C. 1255(d)) is amended by inserting ''or permanent partnership'' after ''marriage''.

(b) AVOIDING IMMIGRATION FRAUD.—Section 245(e) (8 U.S.C. 1255(e)) is amended—

(1) in paragraph (1), by inserting ''or permanent partnership'' after ''marriage''; and

(2) by adding at the end the following:

''(4)(A) Paragraph (1) and section 204(g) shall not apply with respect to a permanent partnership if the alien establishes by clear and convincing evidence to the satisfaction of the Secretary of Homeland Security that—

''(i) the permanent partnership was entered into in good faith and in accordance with section 101(a)(52);

''(ii) the permanent partnership was not entered into for the purpose of procuring the alien's admission as an immigrant; and

''(iii) no fee or other consideration was given (other than a fee or other consideration to an attorney for assistance in preparation of a lawful petition) for the filing of a petition under section 204(a) or 214(d) with respect to the alien permanent partner.

''(B) The Secretary shall promulgate regulations that provide for only 1 level of administrative appellate review for each alien under subparagraph (A).''.

(c) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS PAYING FEE.—Section 245(i)(1)(B) (8 U.S.C. 1255(i)(1)(B)) is amended by inserting '', permanent partner,'' after ''spouse''.

SEC. 18. APPLICATION OF CRIMINAL PENALTIES TO FOR MISREPRESENTATION AND CONCEALMENT OF FACTS REGARDING PERMANENT PARTNERSHIPS.

Section 275(c) (8 U.S.C. 1325(c)) is amended to read as follows:

''(c) Any individual who knowingly enters into a marriage or permanent partnership for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined not more than $250,000, or both.''.

SEC. 19. REQUIREMENTS AS TO RESIDENCE, GOOD MORAL CHARACTER, ATTACHMENT TO THE PRINCIPLES OF THE CONSTITUTION.

Section 316(b) (8 U.S.C. 1427(b)) is amended by inserting '', permanent partner,'' after ''spouse''.

SEC. 20. NATURALIZATION FOR PERMANENT PARTNERS OF CITIZENS.

(a) IN GENERAL.—Section 319 (8 U.S.C. 1430) is amended—

(1) in subsection (a)—

(A) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(B) by inserting ''or permanent partnership'' after ''marital union'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''or permanent partner'' after ''spouse''; and

(B) in paragraph (3), by inserting ''or permanent partner'' after ''spouse'';

(3) in subsection (d)—

(A) by inserting ''or permanent partner'' after ''spouse'' each place it appears; and

(B) by inserting ''or permanent partnership'' after ''marital union'';

(4) in subsection (e)(1)—

(A) by inserting ''or permanent partner'' after ''spouse'';

(B) by inserting ''by the Secretary of Defense'' after ''is authorized''; and

(C) by inserting ''or permanent partnership'' after ''marital union''; and

(5) in subsection (e)(2), by inserting ''or permanent partner'' after ''spouse''.

(b) SAVINGS PROVISION.—Section 319(e) (8 U.S.C. 1430(e)) is amended by adding at the end the following:

''(3) Nothing in this subsection may be construed to confer a right for an alien to accompany a member of the Armed Forces of the United States or to reside abroad with such member, except as authorized by the Secretary of Defense in the member's official orders.''.

SEC. 21. APPLICATION OF FAMILY UNITY PROVISIONS TO PERMANENT PARTNERS OF CERTAIN LIFE ACT BENEFICIARIES.

Section 1504 of the LIFE Act Amendments of 2000 (division B of Public Law 106–554; 114 Stat. 2763–325) is amended—

(1) in the heading, by inserting ''**, PERMANENT PARTNERS,**'' after ''**SPOUSES**'';

(2) in subsection (a), by inserting '', permanent partner,'' after ''spouse''; and

(3) in each of subsections (b) and (c)—

(A) in each of the subsection headings, by inserting '', PERMANENT PARTNERS,'' after ''SPOUSES''; and

(B) by inserting '', permanent partner,'' after ''spouse'' each place it appears.

SEC. 22. APPLICATION TO CUBAN ADJUSTMENT ACT.

(a) IN GENERAL.—The first section of Public Law 89–732 (8 U.S.C. 1255 note) is amended—

(1) in the next to last sentence, by inserting '', permanent partner,'' after ''spouse'' the first 2 places it appears; and

(2) in the last sentence, by inserting '', permanent partners,'' after ''spouses''.

(b) CONFORMING AMENDMENT.—Section 101(a)(51)(D) (8 U.S.C. 1101(a)(51)(D)) is amended by striking ''or spouse'' and inserting '', spouse, or permanent partner''.

By Ms. LANDRIEU:

S. 311. A bill to direct the Secretary of the Interior to study the suitability and feasibility of designating sites in the Lower Mississippi River Area in the State of Louisiana as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. LANDRIEU. Mr. President, I rise today to introduce legislation entitled the Lower Mississippi River National Historic Site Study Act. This bill will direct the Secretary of the Interior to study the suitability and feasibility of designating sites in Plaquemines Parish along the Lower Mississippi River Area as units of the National Park System. I know there are several of my colleagues across the aisle that do not want to authorize such studies because they only target one area, or because it potentially will cost the Federal Government a modest amount to conduct such a study. I can appreciate those sentiments, but the good news with this particular study, is that the local government feels this is so important to get done, they are willing to pay for all or some of the study if necessary, because they know these sites deserve Federal recognition as a unit of the National Park Service.

This area in Southeastern Louisiana has contributed much to our Nation's history, and there are many stories that have yet to be preserved for future generations. Unless Congress acts to preserve these historical assets, they will be lost forever. That is why I am again for the fourth time, introducing this legislation. It is important that this legislation become law and I look forward to working with my colleagues to enact it.

In order to be designated as a unit in the National Park System, the Department of the Interior must first conduct a special resources study to determine whether an area possesses nationally significant natural, cultural or recreational resources to be eligible for favorable consideration.

This is exactly what my bill does—it asks the Department of the Interior to take the first step in determining what I already know—that the Lower Mississippi River Area would be a suitable and feasible asset to the National Park Service.

As many from Louisiana are already aware, this area has vast historical significance with cultural history. In the 1500s, Spanish explorers traveled along the banks of the river. In 1682, Robert de LaSalle claimed all the land drained by the area. In 1699, the site of the first fortification on the Lower Mississippi river, known as Fort Mississippi. Since then, it has been home to ten different fortifications, including Fort St. Phillip and Fort Jackson.

Fort St. Philip, which was originally built in 1749, played a key role during the Battle of New Orleans when American soldiers blocked the British Navy from going upriver. Fort Jackson was built at the request of General Andrew Jackson and partially constructed by famous local Civil War General, P.G.T. Beauregard. This fort was the site of the famous Civil War battle known as the ''Battle of Forts'' which is also referred to as the ''night the war was lost.'' As you can see, from a historical perspective, this area has many treasures that provide a glimpse into our past. These are treasures that have national significance and they should be maintained and preserved.

In addition, there are many other important and unique attributes to this area. This area is home to the longest continuous river road and levee system in the U.S. It is also home to the ancient Head of Passes site, to the Plaquemines Bend, and to two National Wildlife Refuges.

Finally, this area has a rich cultural heritage. Over the years, many different cultures have made this area home, including Creoles, Europeans, Indians, Yugoslavs, African-Americans and Vietnamese. These cultures have worked together to create the infrastructure for the transport of our Nation's energy, which is being produced by these same people off our shores in the Gulf of Mexico. They have also created a vibrant fishing industry that contributes to Louisiana's economy.

I think it is easy to see why this area would make an excellent addition to the National Park Service. However, the longer Congress takes to act, the greater the opportunity for these treasures and their rich history to erode away. Unfortunately, this area has weathered the passing of several hurricanes, including Katrina and most recently Isaac, and is now suffering from the impacts of the BP oil spill. All of these events threaten to destroy these historical assets, but this need not be the case. These assets need protection and this is the first step in securing it. That is why I am re-introducing this bill—to conduct a study to determine the suitability and feasibility of including this area in the system and ultimately to begin the process of adding this area as a unit of the National Park Service. I look forward to working with my colleagues to quickly enact this bill.

By Mr. JOHANNS (for himself and Mrs. FISCHER):

S. 317. A bill to require the Inspector General of the Environmental Protection Agency to include certain assessments in reports; to the Committee on Environment and Public Works.

Mr. JOHANNS. Mr. President, I rise today to discuss changes needed at the Environmental Protection Agency to rebuild public trust and transparency.

The reviews of this agency are almost unanimous from my constituents in Nebraska. Quite frankly, my constituents are frustrated, and sometimes just plain angry. While the details and specific issues will vary from one industry to another, the theme seems to always be the same: Nebraskans think EPA doesn't understand domestic businesses, nor do they understand job creation—from specific industries, to their employees, to their customers. They think the agency is not transparent, is arrogant, and oftentimes unresponsive. I hear this from ag producers, I hear it from the construction industry, I hear it from electricity providers, I hear it from city managers and mayors.

Do you know what else. These folks don't speak with an R or a D beside their name but, rather, an A for American. Their message is loud, it is very clear, and it is unmistakable: EPA is overreaching, overbearing, and overstepping boundaries that have long existed. The request is always the same. They ask: Senator, what can you do? What can you do to change how they act?

Nebraskans' frustration is driven by both what EPA is trying to do—meaning the content of their rules and standards—as well as how the agency is making its decisions. So today I will be introducing several proposals to address these two areas.

My first proposal addresses how EPA conducts business by increasing transparency in policy decisions. I am introducing a bill that brings agency guidance documents under the coverage of the Congressional Review Act. As currently written, the CRA covers only substantial agency rules. Meanwhile, EPA has made use of what they call guidance documents to simply circumvent the accountability that comes with the rulemaking process, while still making major policy changes. Using guidance documents also shields the policy change from being reversed by Congress under the Congressional Review Act.

Perhaps, though, the most obvious example was the use of a guidance document to expand the regulatory reach of EPA and the Corps of Engineers over bodies of water not currently covered. They did this by expanding the definition of ''waters of the United States'' under the Clean Water Act. The changes are extremely controversial, so the agencies chose a path that intentionally minimized oversight and legal responsibility. In other words, they did an end-run around us—they did an end-run around the American people and Congress.

My bill closes this loophole by ensuring that guidance documents are covered by the Congressional Review Act just as similar regulations would be.

Senators Barrasso, Grassley, Paul, Coats, and Fischer have agreed to cosponsor this commonsense change, and I want to say thank you to them for this critical support.

The idea behind this is simple and straightforward: Major policy changes pursued through the use of guidance documents need to come here. They need to have our scrutiny, the scrutiny of the public, and the congressional oversight rules need to apply. It is that straightforward.

My second proposal likewise promotes transparency by addressing how the agency responds to our States. It says simply this: If a State is developing its plan to implement a rule or a standard established by the EPA under the Clean Air Act, any reasonable request that a State makes to the agency for technical support, data, or modeling must be honored.

Here is why this is important: State governments are equal partners in much of the work the EPA does. That is the law. In fact, the law specifically recognizes the prominent role States have. Section 101 of the Clean Air Act, for example, notes that:

> . . . air pollution control at its source is the primary responsibility of States and local governments.

The law further declares that its purpose is, in part:

> . . . to provide technical and financial assistance to State and local governments in connection with the development and execution of their air pollution prevention and control programs.

Also, section 101 of the Federal Water Pollution Control Act declares:

> It is the policy of the Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution . . .

Unfortunately, the EPA is not honoring that language—although it is abundantly clear—and is instead treating State agencies as second-class citizens. For evidence of this, we need look no farther than the text of a recent court opinion.

In a case last year involving the Clean Air Act, the DC Circuit Court of Appeals ultimately struck down an EPA rule known as the Cross-State Air Pollution Rule or the transport rule. Here is what the court said:

> (t)he Federal Government sets air quality standards for pollutants. The States have the primary responsibility for determining how to meet those standards and regulating sources within their borders.

Well, the trouble, according to the opinion, is that the EPA ignored the law. That is truly what the court ruled: EPA snubbed their nose at us, Congress, and therefore the law. It did not give the States the time needed to develop a plan to meet the standards. Instead, EPA tried to force-feed States the implementation plan EPA developed.

I can say with some certainty that my home State of Nebraska is much better off when allowed to develop a plan tailored to our State, rather than to accept a ''one size fits all,'' ''my way or the highway,'' overreaching Federal plan.

The court explained it this way:

> . . . (t)he Clean Air Act affords States the initial opportunity to implement reductions required by EPA under the good neighbor provision. But here, where EPA quantified States' good neighbor obligations, it did not allow the States the initial opportunity to implement the required reductions with respect to sources within their borders.

The court's conclusion in turn was absolutely and abundantly clear:

> . . . EPA's Transport Rule violates federal law. Therefore, the rule must be vacated.

That is the holding of the court.

My bill targets the relationship between EPA and the States, and takes steps to restore the equal footing that has been eroded over the past several years by the EPA. My bill says, very simply, if a State has a question about the data or the modeling driving a standard, the EPA cannot shut them out or slow-walk their request. They have to be responsive. So no more hiding the ball, as the saying goes, just simple transparency and a true partner working relationship.

The third good government bill I am introducing addresses broad frustration with what I would call the EPA bombshells. By that I mean the agency's failure to obey current law directing them to publish regulatory agendas. This is remarkable. It is remarkable that EPA continues to struggle with telling the public what rules are coming. But they do.

As a child, I always enjoyed birthday parties and all the surprises. But EPA regulations are no party for people, and they shouldn't come as a surprise.

Well, it turns out that several executive orders and existing statutes instruct EPA to tell the public what exactly is on its regulatory agenda. Section 602 of the Regulatory Flexibility

Act, for example, requires the agencies to publish:

During the months of October and April of each year . . . a regulatory flexibility agenda which shall contain a brief description of the subject area of any rule which the agency expects to propose . . .

Also, Executive Order 12866 requires the EPA to update its regulatory agenda twice a year.

These updates are supposed to be published in a document known as the Unified Agenda. It seems clear to me; unfortunately, not clear to EPA. EPA has ignored these requirements. It failed to publish an agenda in the spring of 2012, it published nothing in October, and then waited until December 2012 to publish anything at all. That is not acceptable. The administration simply played hide-the-ball until after the election.

My bill instructs the EPA Office of Inspector General—known as EPA's OIG—to assess whether EPA obeys the law and publishes its regulatory agenda according to deadlines. The OIG is tasked with reviewing what EPA does and reporting on problems, abuses, and efficiencies. My legislation simply directs the OIG to include in its reports a tally of whether EPA has met its legal requirements to publish planned regulations.

My point here is that EPA simply needs to meet its legal requirements. It needs to be transparent, which means simply to be honest with the American people about new regulations it is planning.

My fourth and final EPA bill puts some teeth behind my request that the agency deal with the American people in an honest way. It shouldn't be needed, but it is. It simply says we will reduce EPA's budget if the agency fails to meet its legal deadlines for regulatory agenda setting. If a deadline passes and the agency has not published its agenda, then the Office of the Administrator loses $20,000 per week until the deadline is met. If this approach sounds familiar, that is because this bill is modeled after a provision in the highway bill that passed with substantial bipartisan margins in both the Senate and the House last year. Section 1306 of the highway bill authorizes the rescission of $20,000 per week from agencies that fail to complete documents required by transportation projects. The rationale is straightforward and accepted by Congress: If an agency does not complete its work according to reasonable schedules, then the budget gets decreased.

I have outlined four commonsense solutions designed to respond to reasonable concerns of real people and to respond to their heartfelt frustration with this agency. But, above all, they promote transparency and they promote responsible government.

I urge my colleagues to assist and cosponsor these proposals that bring transparency and a dose of reality to an out-of-control Federal agency.

By Mr. DURBIN (for himself and Mr. COCHRAN):

S. 323. A bill to amend title XVIII of the Social Security Act to provide for extended months of Medicare coverage of immunosuppressive drugs for kidney transplant patients and other renal dialysis provisions; to the Committee on Finance.

Mr. DURBIN. Mr. President, today I am introducing the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act with my colleague Senator THAD COCHRAN.

More than 26 million American adults are living with chronic kidney disease. Fortunately, many of these individuals are able to improve their condition through medication and lifestyle change.

But more than half of a million Americans live with irreversible kidney failure or end-stage renal disease. They have only two choices to survive—both of them hard. They can receive regular and frequent dialysis or they can receive a kidney transplant.

In 1972, Congress made a commitment to individuals with end-stage renal disease, or ERSD, to cover the treatment they needed, including possible transplants, under Medicare, regardless of their age.

Organ transplantation is a medical success story. Thousands of kidney transplants are done every year, and for the patients fortunate enough to receive a donated organ, the quality and length of their lives can be dramatically improved.

But not everyone who needs a donated kidney receives one. There are currently more than 100,000 Americans on the waiting list for a kidney transplant.

Last year, 15,000 transplants were performed while more than 30,000 people were added to that waitlist.

Derek Haney is one of the lucky ones who beat those odds and received a kidney transplant.

Derek is a brave young man raised in Effingham, IL, a small city in central Illinois.

In 2008 the unexpected happened. Derek became chronically ill. After regular trips to the hospital, Derek's doctors discovered that his kidneys were only functioning at 10 percent. At the age of 23, Derek was diagnosed with end stage renal disease.

For the next two and a half years of his life, Derek underwent dialysis. Three times a week he would go in a 4-hour dialysis treatment, while he waited for a kidney. The dialysis treatments meant that Derek had to put his college plans on hold, but he continued to work full-time and never gave up hope.

On July 15, 2010, Derek got his new kidney.

Two and a half years later, Derek is still healthy. He is pursuing a degree in business administration at a local community college. He hopes to transfer soon to a university where he can work toward a CPA license.

Fortunately for Derek and his family, Medicare covered the expense of dialysis—more than $75,000 a year for 2½ years. Medicare also paid for Derek's kidney transplant at a cost of about $110,000.

For the last two and a half years, Medicare has covered the expensive immunosuppressive medication Derek must take for the rest of his life to ensure that his body doesn't reject his new kidney.

Here's the problem: Derek's Medicare coverage runs out in July.

Without Medicare coverage, Derek will be burdened with prescription drug costs of roughly $1500 per month—more than he and almost any family could afford.

There is an unfair and unrealistic gap in coverage for people with end stage renal disease who, like Derek, are neither elderly nor disabled.

For those transplant recipients, Medicare coverage, including coverage of immunosuppressive drugs, ends 36 months after transplantation.

If only the need to continue the immunosuppressive drugs also ended 36 months after transplantation. But it doesn't.

Without immunosuppressive drugs to prevent rejection, many patients find themselves back in a risky and frightening place—in need of a new kidney.

A recent New England Journal of Medicine report estimates that extending immunosuppressive drug coverage to people who now lose it after 36 months will save Medicare approximately $200 million a year by helping to prevent kidney rejections.

Extending immunosuppressive drug coverage saves lives and it saves money.

Sadly, Derek isn't alone. It is estimated that over 45,000 successful transplant recipients are at risk of losing their immunosuppressive drug coverage.

This makes no sense morally, medically or economically.

I am pleased to join my Republican colleague, Senator COCHRAN, in introducing the Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act.

This bipartisan legislation would allow kidney transplant recipients to continue Medicare coverage for the purpose of immunosuppressive drugs only. All other Medicare coverage would end 36 months after the transplant.

Our legislation will reduce the need for dialysis and repeated kidney transplants. It will provide reliable, sustained access to critically important, life-saving medications for thousands of Americans.

In both moral and economic terms, this is the right decision and I urge our colleagues to join us in passing this reasonable, targeted, lifesaving bill.

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

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

S. 323

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Comprehensive Immunosuppressive Drug Coverage for Kidney Transplant Patients Act of 2013''.

SEC. 2. EXTENDED MONTHS OF COVERAGE OF IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT PATIENTS AND OTHER RENAL DIALYSIS PROVISIONS.

(a) MEDICARE ENTITLEMENT TO IMMUNOSUPPRESSIVE DRUGS FOR KIDNEY TRANSPLANT RECIPIENTS.—

(1) KIDNEY TRANSPLANT RECIPIENTS.—Section 226A(b)(2) of the Social Security Act (42 U.S.C. 426–1(b)(2)) is amended by inserting ''(except for eligibility for enrollment under part B solely for purposes of coverage of immunosuppressive drugs described in section 1861(s)(2)(J))'' before '', with the thirty-sixth month''.

(2) INDIVIDUALS ELIGIBLE ONLY FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—

(A) Section 1836 of the Social Security Act (42 U.S.C. 1395o) is amended—

(i) by striking ''Every'' and inserting ''(a) IN GENERAL.—Every''; and

(ii) by inserting at the end the following new subsection:

''(b) INDIVIDUALS ELIGIBLE FOR IMMUNOSUPPRESSIVE DRUG COVERAGE.—Beginning on January 1, 2014, every individual whose insurance benefits under part A have ended (whether before, on, or after such date) by reason of section 226A(b)(2) is eligible for enrollment in the insurance program established by this part solely for purposes of coverage of immunosuppressive drugs.''.

(B) CONFORMING AMENDMENT.—Sections 1837, 1838, and 1839 of the Social Security Act (42 U.S.C. 1395(p), 42 U.S.C. 1395(q), 42 U.S.C. 1395(r)) are each amended by striking ''1836'' and inserting ''1836(a)'' each place it appears.

(3) ENROLLMENT FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1837 of the Social Security Act (42 U.S.C. 1395(p)) is amended by adding at the end the following new subsection:

''(m)(1) Any individual who is eligible under section 1836(b) to enroll in the medical insurance program established under this part for purposes of coverage of immunosuppressive drugs may enroll only in such manner and form as may be prescribed by regulations, and only during an enrollment period described in this subsection.

''(2) An individual described in paragraph (1) may enroll beginning on the first day of the third month before the month in which the individual first satisfies section 1836(b).

''(3) An individual described in paragraph (1) whose entitlement for hospital insurance benefits under part A ends by reason of section 226A(b)(2) on or after January 1, 2014, shall be deemed to have enrolled in the medical insurance program established by this part for purposes of coverage of immunosuppressive drugs.''.

(4) COVERAGE PERIOD FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—

(A) IN GENERAL.—Section 1838 of the Social Security Act (42 U.S.C. 1395q) is amended by adding at the end the following new subsection:

''(g) In the case of an individual described in section 1836(b), the following rules shall apply:

''(1) In the case of such an individual who is deemed to have enrolled in part B for coverage of immunosuppressive drugs under section 1837(m)(3), such individual's coverage period shall begin on the first day of the month in which the individual first satisfies section 1836(b).

''(2) In the case of such an individual who enrolls in part B for coverage of immunosuppressive drugs under section 1837(m)(2), such individual's coverage period shall begin on the first day of the month in which the individual first satisfies section 1836(b) or the month following the month in which the individual so enrolls, whichever is later.

''(3) The provisions of subsections (b) and (d) shall apply with respect to an individual described in paragraph (1) or (2).

''(4) In addition to the reasons for termination under subsection (b), the coverage period of an individual described in paragraph (1) or (2) shall end when the individual becomes entitled to benefits under this title under section 226(a), 226(b), or 226A.''.

(B) CONFORMING AMENDMENTS.—Section 1838(b) of the Social Security Act (42 U.S.C. 1395q(b)) is amended, in the matter following paragraph (2), by adding ''or section 1837(m)(3)'' after ''section 1837(f)'' each place it appears.

(5) PREMIUMS FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1839 of the Social Security Act (42 U.S.C. 1395r) is amended—

(A) in subsection (b), by adding at the end the following new sentence: ''No increase in the premium shall be effected for individuals who are enrolled pursuant to section 1836(b) for coverage only of immunosuppressive drugs.''; and

(B) by adding at the end the following new subsection:

''(j) DETERMINATION OF PREMIUM FOR INDIVIDUALS ONLY ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—The Secretary shall, during September of each year, determine and promulgate a monthly premium rate for the succeeding calendar year for individuals who enroll only for the purpose of coverage of immunosuppressive drugs under section 1836(b). Such premium shall be equal to 35 percent of the monthly actuarial rate for enrollees age 65 and over, determined according to paragraph (1), for that succeeding calendar year. The monthly premium of each individual enrolled for coverage of immunosuppressive drugs under section 1836(b) for each month shall be the amount promulgated in this subsection. Such amount shall be adjusted in accordance with subsections (c) and (f).''.

(6) GOVERNMENT CONTRIBUTION.—Section 1844(a) of the Social Security Act (42 U.S.C. 1395w(a)) is amended—

(A) in paragraph (3), by striking the period at the end and inserting ''; plus'';

(B) by adding at the end the following new paragraph:

''(4) a Government contribution equal to the estimated aggregate reduction in premiums payable under part B that results from establishing the premium at 35 percent of the actuarial rate under section 1839(j) instead of 50 percent of the actuarial rate for individuals who enroll only for the purpose of coverage of immunosuppressive drugs under section 1836(b).''; and

(C) by adding at the end the following flush matter:

''The Government contribution under paragraph (4) shall be treated as premiums payable and deposited for purposes of subparagraphs (A) and (B) of paragraph (1).''.

(7) EXTENSION OF SECONDARY PAYER REQUIREMENTS FOR ESRD BENEFICIARIES ELIGIBLE FOR COVERAGE OF IMMUNOSUPPRESSIVE DRUGS.—Section 1862(b)(1)(C) of the Social Security Act (42 U.S.C. 1395(y)(b)(1)) is amended by adding at the end the following new sentence: ''With regard to immunosuppressive drugs furnished to an individual who enrolls for the purpose of coverage of immunosuppressive drugs under section 1836(b) on or after January 1, 2014, this subparagraph shall apply without regard to any time limitation, except that when such individual becomes entitled to benefits under this title under sections 226(a) or 226(b), or entitled to or eligible for benefits under this title under section 226A, the provisions of subparagraphs (A) and (B), and the time limitations under this subparagraph, respectively, shall apply.''.

(8) ENSURING COVERAGE UNDER THE MEDICARE SAVINGS PROGRAM.—Section 1905(p)(1)(A) of the Social Security Act (42 U.S.C. 1396d(p)(1)(A)) is amended by inserting ''or an individual who is enrolled under part B for the purpose of coverage of immunosuppressive drugs under section 1836(b)'' after ''section 1818''.

(9) PART D.—Section 1860D–1(a)(3)(A) of the Social Security Act (42 U.S.C. 1395w–101(a)(3)(A)) is amended by inserting ''(but not including an individual enrolled solely for coverage of immunosuppressive drugs under section 1836(b))'' before the period at the end.

By Mr. CORNYN (for himself, Mr. MCCONNELL, Mr. ROBERTS, Mr. HATCH, Mr. COCHRAN, Mr. GRASSLEY, Mr. SHELBY, Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Ms. COLLINS, Mr. ENZI, Mr. CRAPO, Ms. MURKOWSKI, Mr. CHAMBLISS, Mr. GRAHAM, Mr. ALEXANDER, Mr. BURR, Mr. COBURN, Mr. THUNE, Mr. ISAKSON, Mr. VITTER, Mr. CORKER, Mr. BARRASSO, Mr. WICKER, Mr. JOHANNS, Mr. RISCH, Mr. KIRK, Mr. COATS, Mr. BLUNT, Mr. MORAN, Mr. PORTMAN, Mr. BOOZMAN, Mr. TOOMEY, Mr. HOEVEN, Mr. RUBIO, Mr. JOHNSON of Wisconsin, Mr. PAUL, Mr. LEE, Ms. AYOTTE, Mr. HELLER, Mr. SCOTT, Mr. FLAKE, Mr. CRUZ, and Mrs. FISCHER):

S.J. Res. 7. A joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget; to the Committee on the Judiciary.

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

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

S.J. RES. 7

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE—

''SECTION 1. Total outlays for any fiscal year shall not exceed total receipts for that fiscal year, unless two-thirds of the duly chosen and sworn Members of each House of Congress shall provide by law for a specific excess of outlays over receipts by a roll call vote.

''SECTION 2. Total outlays for any fiscal year shall not exceed 18 percent of the gross domestic product of the United States for the calendar year ending before the beginning of such fiscal year, unless two-thirds of the duly chosen and sworn Members of each House of Congress shall provide by law for a specific amount in excess of such 18 percent by a roll call vote.

''SECTION 3. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year in which—

''(1) total outlays do not exceed total receipts; and

''(2) total outlays do not exceed 18 percent of the gross domestic product of the United States for the calendar year ending before the beginning of such fiscal year.

''SECTION 4. Any bill that imposes a new tax or increases the statutory rate of any tax or the aggregate amount of revenue may pass only by a two-thirds majority of the duly chosen and sworn Members of each House of Congress by a roll call vote. For the purpose of determining any increase in revenue under this section, there shall be excluded any increase resulting from the lowering of the statutory rate of any tax.

''SECTION 5. The limit on the debt of the United States shall not be increased, unless three-fifths of the duly chosen and sworn Members of each House of Congress shall provide for such an increase by a roll call vote.

''SECTION 6. The Congress may waive the provisions of sections 1, 2, 3, and 5 of this article for any fiscal year in which a declaration of war against a nation-state is in effect and in which a majority of the duly chosen and sworn Members of each House of Congress shall provide for a specific excess by a roll call vote.

''SECTION 7. The Congress may waive the provisions of sections 1, 2, 3, and 5 of this article in any fiscal year in which the United States is engaged in a military conflict that causes an imminent and serious military threat to national security and is so declared by three-fifths of the duly chosen and sworn Members of each House of Congress by a roll call vote. Such suspension must identify and be limited to the specific excess of outlays for that fiscal year made necessary by the identified military conflict.

''SECTION 8. No court of the United States or of any State shall order any increase in revenue to enforce this article.

''SECTION 9. Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except those for repayment of debt principal.

''SECTION 10. The Congress shall have power to enforce and implement this article by appropriate legislation, which may rely on estimates of outlays, receipts, and gross domestic product.

''SECTION 11. This article shall take effect beginning with the fifth fiscal year beginning after its ratification.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 31—CELEBRATING BLACK HISTORY MONTH

Mrs. GILLIBRAND (for herself, Ms. MIKULSKI, Mr. FRANKEN, Ms. LANDRIEU, Mrs. BOXER, Mr. CARDIN, Mr. WHITEHOUSE, Mr. COCHRAN, Mr. LEVIN, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. COONS, Mr. SCHATZ, Mr. BEGICH, Mr. MANCHIN, Mrs. HAGAN, Mrs. SHAHEEN, Mr. CASEY, Mr. BROWN, Mr. WICKER, Mr. UDALL of Colorado, Mr. NELSON, Mr. SCHUMER, Mr. PRYOR, Ms. CANTWELL, Mr. PORTMAN, Mr. ISAKSON, Mr. WYDEN, Mr. WARNER, Mr. MERKLEY, Mr. DURBIN, Mrs. MCCASKILL, Ms. STABENOW, Mrs. FEINSTEIN, Mr. COWAN, and Mr. REED of Rhode Island) submitted the following resolution; which was considered and agreed to:

S. RES. 31

Whereas, in 1776, the United States of America was imagined, as stated in the Declaration of Independence, as a new nation dedicated to the proposition that ''all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness'';

Whereas, on November 19, 1863, President Abraham Lincoln, in reference to the Declaration of Independence, stated, ''Four score and seven years ago our fathers brought forth, upon this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.'';

Whereas the history of the United States includes injustices and the denial of basic, fundamental rights at odds with the words of the founders of the United States and the sacrifices commemorated at Gettysburg, Pennsylvania;

Whereas the injustices committed in the United States include approximately 250 years of slavery, 100 years of lynchings, denial of both fundamental human and civil rights, and withholding of the basic rights of citizenship;

Whereas inequalities and injustices in our society still exist today;

Whereas Sojourner Truth, Frederick Douglass, Harriet Tubman, W.E.B. Dubois, Booker T. Washington, Charles Hamilton Houston, the Tuskegee Airmen, Lena Horne, Ralph Bunche, Jackie Robinson, Constance Baker Motley, James Baldwin, Dorothy Height, Thurgood Marshall, and Shirley Chisholm each lived a life of incandescent greatness while many African Americans lived, toiled, and died in obscurity, never achieving the recognition they deserved, but paved the way for future generations to succeed;

Whereas many African-American men and women worked against racism to achieve success, such as James Beckwourth, Bill Pickett, Colonel Allen Allensworth, Clara Brown, and many others who were pivotal in the exploration and westward expansion of the United States;

Whereas pioneers such as David Dinkins, Mae Jemison, Arthur Ashe, Oprah Winfrey, James Earl Jones, Clarence Thomas, Ursula Burns, Alice Walker, Ronald Brown, Alexis Herman, Kenneth Chenault, and Magic Johnson have all served as positive beneficiaries of our forefathers and as great role models and leaders for future generations;

Whereas, on November 4, 2008, and again on November 6, 2012, the people of the United States elected an African-American man, Barack Obama, as President of the United States, and African Americans continue to serve the United States at the highest levels of the government and Armed Forces;

Whereas Carter G. Woodson, the ''Father of Black History'', stated, ''We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else.' '';

Whereas Black History Month, celebrated during the month of February, dates back to 1926 when Carter G. Woodson set aside a special period of time in February to recognize the heritage and achievement of black Americans;

Whereas, on February 22, 2012, President Barack Obama and First Lady Michelle Obama, along with former First Lady Laura Bush, celebrated the groundbreaking of the National Museum of African American History and Culture on the National Mall in Washington, D.C.;

Whereas Hiram Rhodes Revels, Blanche Kelso Bruce, Edward William Brooke, Carol Moseley Braun, Barack Obama, and Roland Burris have all served as African-American firsts in the exclusive body known as the United States Senate; and

Whereas, on January 2, 2013, Tim Scott became the first African American to serve as Senator of South Carolina, and on February 7, 2013, William ''Mo'' Cowan became the first African American to represent Massachusetts in the Senate since 1978: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges that all of the people of the United States are the recipients of the wealth of history given to us by black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path that lies ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to recognize the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and to understand the experiences that have shaped the United States;

(5) remembers the injustices that African Americans have endured and commends the African-American community for overcoming those injustices and changing the course and nature of history by forging the fight for equality; and

(6) agrees that while the United States began in division, the United States must now move forward with purpose, united tirelessly as one Nation, indivisible, with liberty and justice for all, and honor the contribution of all pioneers who help ensure the legacy of these great United States.

SENATE RESOLUTION 32—CONGRATULATING THE NORTH DAKOTA STATE UNIVERSITY FOOTBALL TEAM FOR WINNING THE 2012 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I FOOTBALL CHAMPIONSHIP SUBDIVISION TITLE

Mr. HOEVEN (for himself and Ms. HEITKAMP) submitted the following resolution; which was considered and agreed to:

S. RES. 32

Whereas the North Dakota State University (referred to in this preamble as ''NDSU'') Bison won the 2012 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') Division I Football Championship Subdivision title game in Frisco, Texas, on January 5, 2013, in a hard fought victory over the Sam Houston State University Bearkats by a score of 39 to 13;

Whereas the NDSU Bison and coach Craig Bohl had an incredible 2012 season with 14 wins and 1 defeat;

Whereas NDSU has won 10 NCAA Football Championships;

Whereas, during the championship game, the NDSU Bison offense scored 39 points against the Sam Houston State Bearkats;

Whereas Coach Bohl and his staff have instilled character and confidence in the NDSU players and have done an outstanding job with the Bison football program;

Whereas the leadership of President Dean Bresciani and Athletic Director Gene Taylor

has helped bring both academic and athletic excellence to NDSU; and

Whereas the 2012 NCAA Division I Football Championship Subdivision title was a victory not only for the NDSU football team, but also for the entire State of North Dakota: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the North Dakota State University football team, the 2012 National Collegiate Athletic Association Division I Football Championship Subdivision champions;

(2) commends the North Dakota State University players, coaches, and staff for their hard work and dedication; and

(3) recognizes the students, alumni, and loyal fans for supporting the Bison on their successful quest to capture another Division I trophy for North Dakota State University.

SENATE RESOLUTION 33—COMMEMORATING THE 150TH ANNIVERSARY OF EMPORIA STATE UNIVERSITY

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

S. RES. 33

Whereas, in 1863, the State of Kansas founded the Kansas State Normal School to provide opportunities for higher education in the fields of teaching, mechanic arts, agriculture, and various other arts and sciences;

Whereas the Kansas State Normal School became the Kansas State Teachers College in 1923, Emporia Kansas State College in 1974, and Emporia State University in 1977;

Whereas Emporia State University has prepared thousands of teachers in the United States through its nationally acclaimed teacher education programs;

Whereas Emporia State University is the host of the National Teachers Hall of Fame, which recognizes and honors exceptional career educators from throughout the United States;

Whereas Emporia State University offers outstanding and highly accredited programs, including programs in education, business, and library and information management;

Whereas Emporia State University is the alma mater of more than 75,000 proud alumni; and

Whereas the quality of Emporia State University as an institution of higher learning is a reflection of the extraordinary caliber of its educational professionals and students: Now, therefore, be it

Resolved, That the Senate recognizes and extends its congratulations to the educational professionals, students, and alumni of Emporia State University for 150 years of excellence in higher education.

SENATE RESOLUTION 34—COMMEMORATING THE 150TH ANNIVERSARY OF KANSAS STATE UNIVERSITY

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

S. RES. 34

Whereas Kansas State University was established by the Territory of Kansas on February 9, 1858, as the Bluemont Central College Association, in response to the desire to provide higher education opportunities to farm families and working class individuals in Kansas;

Whereas on February 3, 1863, Kansas became one of the first States to accept the terms and conditions of the Act of July 2, 1862 (commonly known as the ''First Morrill Act'') (7 U.S.C. 301 et seq.), which created the land-grant system of colleges and universities;

Whereas Kansas State Agricultural College, which is known today as Kansas State University, received a land-grant charter on February 16, 1863, making it the first operational land-grant institution in the United States;

Whereas since the inception of Kansas State University, the university has expanded the main campus in Manhattan to include campuses in Olathe and Salina;

Whereas students attending Kansas State University hale from all 50 States and 90 countries;

Whereas more than 200,000 alumni are proud to call Kansas State University their alma mater;

Whereas the commitment of Kansas State University to education is unparalleled; and

Whereas the history and stature of Kansas State University are secured by the exceptional caliber of the educational professionals and students: Now, therefore, be it

Resolved, That the Senate recognizes and congratulates Kansas State University for 150 years of fulfilling the mission of a land-grant university.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 13, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 13, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 13, 2013, at 3 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on February 13, 2013, at 10 a.m. in SD–430.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 13, 2013, at 10 a.m. to conduct a hearing entitled ''Solutions to the Crisis Facing the U.S. Postal Service.''

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 13, 2013, at 9:30 a.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled ''Comprehensive Immigration Reform.''

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

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 13, 2013, at 3:15 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on February 13, 2013, at 10 a.m.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on February 13, 2013, at 4 p.m. in room 432 of the Russell Senate Office building.

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

PRIVILEGES OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Brian Huysman and Mellissa Duru, fellows in my office, be granted the privilege of the floor for this session of the 113th Congress.

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

RESOLUTIONS SUBMITTED TODAY

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 31, S. Res. 32, S. Res. 33, and S. Res. 34.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. BLUMENTHAL. I ask unanimous consent the resolutions by agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements relating to the resolutions be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, are printed in today's RECORD under ''Resolutions Submitted.''

ORDERS FOR THURSDAY, FEBRUARY 14, 2013

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, February 14, 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; and that following any leader remarks, the Senate resume executive session and consideration of the nomination of Senator Hagel to be Secretary of Defense.

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

PROGRAM

Mr. BLUMENTHAL. Mr. President, earlier today cloture was filed on the Hagel nomination. That cloture vote is expected on Friday.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BLUMENTHAL. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order.

There being no objection, the Senate, at 6:46 p.m., adjourned until Thursday, February 14, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

BUREAU OF CONSUMER FINANCIAL PROTECTION

RICHARD CORDRAY, OF OHIO, TO BE DIRECTOR, BUREAU OF CONSUMER FINANCIAL PROTECTION FOR A TERM OF FIVE YEARS. (NEW POSITION)

NATIONAL LABOR RELATIONS BOARD

RICHARD F. GRIFFIN, JR., OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2016, VICE WILMA B. LIEBMAN, TERM EXPIRED.

SHARON BLOCK, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2014, VICE CRAIG BECKER.

DEPARTMENT OF JUSTICE

KAROL VIRGINIA MASON, OF GEORGIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE LAURIE O. ROBINSON, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH P. AUCOIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. BRIAN S. PECHA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. VICTOR W. HALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. PRISCILLA B. COE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. CHRISTINA M. ALVARADO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. JAMES R. MCNEAL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DANIEL L. GARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MARK J. FUNG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ALMA M.O.L. GROCKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. WILLIAM K. DAVIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. DANIEL J. MACDONNELL

CONFIRMATIONS

Executive nominations confirmed by the Senate February 13, 2013:

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WILLIAM H. ETTER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KENNETH E. TOVO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY NURSE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. BARBARA R. HOLCOMB

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. PATRICK D. SARGENT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major general

BRIG. GEN. BRIAN C. LEIN
BRIG. GEN. NADJA Y. WEST

THE JUDICIARY

WILLIAM J. KAYATTA, JR., OF MAINE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT.

IN THE AIR FORCE

AIR FORCE NOMINATION OF KORY D. BINGHAM, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL A. COOPER AND ENDING WITH SUSAN MICHELLE MILLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH VICTOR DOUGLAS BROWN AND ENDING WITH RODNEY M. WAITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH WALTER S. ADAMS AND ENDING WITH CARL E. SUPPLEE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH JOHN J. BARTRUM AND ENDING WITH GEORGE L. VALENTINE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH KIMBERLY L. BARBER AND ENDING WITH JANET L. SETNOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH DINA L. BERNSTEIN AND ENDING WITH WILLIAM R. YOUNGBLOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH TIMOTHY LEE BRININGER AND ENDING WITH CHRISTOPHER J. RYAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

AIR FORCE NOMINATIONS BEGINNING WITH FRANCIS XAVIER ALTIERI AND ENDING WITH KEVIN M. ZELLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

IN THE ARMY

ARMY NOMINATION OF JONATHAN A. FOSKEY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF MARION J. PARKS, TO BE COLONEL.

ARMY NOMINATION OF KAREN A. PIKE, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH DEREK S. REYNOLDS AND ENDING WITH BRIAN D. VOGT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH EDWARD A. FIGUEROA AND ENDING WITH MICHAEL C. VANHOVEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH JACK C. MASON AND ENDING WITH TODD B. WAYTASHEK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH RUTH E. APONTE AND ENDING WITH MICHAEL J. ZINNO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH LESLIE E. AKINS AND ENDING WITH MARC W. ZELNICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH TIMOTHY G. ABRELL AND ENDING WITH JOHN A. ZULFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

ARMY NOMINATIONS BEGINNING WITH RAFAEL E. ABREU AND ENDING WITH R010075, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JACKIE W. MORGAN, JR., TO BE MAJOR.

MARINE CORPS NOMINATION OF DANA R. FIKE, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF SAMUEL W. SPENCER III, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF LARRY MIYAMOTO, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH GEORGE L. ROBERTS AND ENDING WITH PAUL A. SHIRLEY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH RICHARD D. KOHLER AND ENDING WITH GARY J. SPINELLI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH ERIC T. CLINE AND ENDING WITH ROBERT S. SCHMIDT, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH JOSE L. SADA AND ENDING WITH BRIAN J. SPOONER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH FREDERICK L. HUNT AND ENDING WITH CHAD E. TIDWELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH TODD E. LOTSPEICH AND ENDING WITH DONALD E. WILLIAMS,

WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH JASON B. DAVIS AND ENDING WITH JOHN F. REYNOLDS, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH TRAVIS M. FULTON AND ENDING WITH GARY S. LIDDELL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH BRYAN DELGADO AND ENDING WITH RODOLFO D. QUISPE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH DAVID B. BLANN AND ENDING WITH ALLEN L. LEWIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH MICHAEL GASPERINI AND ENDING WITH TIMOTHY W. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH STEPHEN R. BYRNES AND ENDING WITH JAMES N. TIMMER, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

MARINE CORPS NOMINATIONS BEGINNING WITH PETER K. BASABE, JR. AND ENDING WITH MICHAEL A. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

IN THE NAVY

NAVY NOMINATION OF HARRY E. HAYES, TO BE COMMANDER.

NAVY NOMINATION OF SHEMEYA L. GRANT, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER J. KANE AND ENDING WITH LUKE C. SUBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

NAVY NOMINATIONS BEGINNING WITH JEANINE F. BENJAMIN AND ENDING WITH BENJAMIN F. VISGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 23, 2013.

EXTENSIONS OF REMARKS

HONORING THE LIFE AND SERVICE OF ANTONIO MANIBUSAN PALOMO

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Ms. BORDALLO. Mr. Speaker, I rise today to recognize and memorialize the life and achievements of Antonio Manibusan Palomo, who passed away on February 3, 2013. Antonio, best known as Tony, was an accomplished journalist and author, as well as a fervent public servant, and a dedicated community leader.

Tony was born on June 13, 1931 to Vicente Gogo Palomo and Delores Mendiola Manibusan. As a boy, Tony attended the Padre Palomo and Agana Elementary Schools. At the young age of 10, Tony's education was interrupted by the outbreak of World War II. Surviving the invasion and occupation of Guam by the Japanese Imperial Army, Tony continued his schooling at George Washington High School, Belmont Abbey Preparatory School in Belmont, North Carolina, and Marquette University, Milwaukee Wisconsin, where he studied Journalism. While continuing his education at Marquette, Tony worked as an editorial aide for the Milwaukee Sentinel, sharpening his journalistic skills. Tony graduated from Marquette University in 1954.

After graduation, Tony returned to Guam to work for the Guam Daily News, then as publisher/editor of the Pacific Profile, as editor of the Pacific Journal, and as editor/publisher of the The Pacifican. During this time, Tony gathered as much information as he could interviewing and speaking to survivors of the Second World War. In 1984, Tony's book, An Island in Agony, was published. Tony never hesitated to share his vast knowledge and love of Guam history with many people, speaking on many occasions at different venues, and teaching at the University of Guam.

Tony's ever–expanding knowledge of Guam and its government and his public speaking skills led him into public service in the political arena. Recruited by the Republican Party of Guam, Tony was elected into the 12th, 14th, and 15th Guam Legislatures where he chaired the Committee on Rules. He chaired the 15th Guam Legislature's Committee on Federal–Territorial Relations and was also a member of the Commission on Self–Determination. Always interested in federal–territorial relations, Tony was elected as president of Guam's First Constitutional Convention, tasked with the development of a constitution for Guam, which would also strengthen the island's relations with the Federal government. With all of this experience, Tony was well qualified to serve as the U.S. Department of the Interior's Guam Field Representative until his retirement in 1994.

I am deeply saddened by Tony's death and know that many people on Guam and throughout the Pacific are mourning the loss of this statesman, diplomat, and friend. My thoughts and prayers are with his wife Margarita Balajadia Palomo, their ten children, Antonio Rafael, Viviana Margarita (deceased), Victoria Maria, Roman Vicente, Juan Pedro, Simeon Francisco, Jose Geraldo, Verona Dolores, Eloy Benigno, and Nicholas Sylvestre; 16 grandchildren; one great grandchild; and one great grandchild on the way, family, and friends. Tony will be missed by all who knew him and his legacy will live on through his family, his work, and his cultural contributions to our community.

CONGRATULATING AZERBAIJAN ON SUCCESSFUL SATELLITE LAUNCH

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. ALEXANDER. Mr. Speaker, as a member of the House Azerbaijan Caucus, I rise today to congratulate our close friend and ally, Azerbaijan, on the occasion of the successful launch of their first satellite (Azerspace–1). Built in the United States, by Orbital Sciences Corporation, this historic event is yet another testament to the expanding relationship between our two countries and will provide important communications services to Azerbaijan, Central Asia, the Middle East, Europe and Africa. The launch of Azerspace–1 is the culmination of hard work and cooperation between the Government of Azerbaijan and the US private sector. Along with recent purchases of aircraft from Boeing, Azerbaijan has placed their confidence in the United States aeronautics and aerospace sectors to help foster greater economic development. I urge my fellow colleagues to join me in congratulating Azerbaijan on this historic event.

JOSHUA BEDELL TO COMPETE IN THE INTERNATIONAL WORLDSKILLS COMPETITION IN CNC MILLING

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise today to recognize the outstanding achievement of Mr. Joshua Bedell. Through perseverance and commitment to his skill, Bedell will represent the United States at the International WorldSkills Competition in CNC Milling in Leipzig, Germany.

Bedell was recently awarded the silver medal in CNC Milling in November at the WorldSkills America's competition in Brazil. At this event, The United States competed against 23 other countries in preparation for the WorldSkills Competition.

In June of 2011, Bedell won the college/postsecondary gold medal in CNC Milling at the SkillsUSA Championships.

The program, SkillsUSA, strives to impose and teach leadership, citizenship and character development during technical training. The organization highlights their respect for work, ethics, workmanship, scholarship, and safety.

To compete at the international CNC Milling competition, every candidate must complete a project that contains a minimum of three modules. Each module requires the competitor to develop a CNC program from a complex drawing using MasterCam, to set up a machining center that will assemble the final part.

During the WorldSkills CNC Milling contest, Bedell, along with other competitors, must create the CNC program based on drawings while utilizing a CAM system. Competitors, themselves, must select and mount tools for competition.

Every two years, hundreds of young people from 53 member countries, or regions, compete in the prestigious WorldSkills Competition. The contestants are then judged in front of the public in contests that are run and judged by industries that use international standards. Competing in the event truly symbolizes excellence in the craft.

The WorldSkills International has come to symbolize pure expertise in vocational training.

Joshua Bedell is one of only 20 members of the World team, all who must be under the age of 23, who will represent the United States of America at the World Skills competition.

As Bedell prepares to compete at the CNC Milling competition, I offer him my best wishes as he represents our proud nation and proves the dedication to his craft in Leipzig, Germany at the biennial WorldSkills Competition.

ROTA CULTURAL AND NATURAL RESOURCES STUDY ACT

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. SABLAN. Mr. Speaker, today I am re-introducing the Rota Cultural and Natural Resources Study Act, which authorizes the Secretary of the Interior to report to Congress on the feasibility and suitability of designating certain areas on the island of Rota as a unit of our magnificent national parks system. This same measure passed the House in both the 111th and the 112th Congresses. I hope that we can quickly bring the bill to the floor in the 113th Congress for passage again and send the measure back to the other body for its agreement.

The cultural and natural resources of Rota merit our persistence. In 2005 a National Park Service reconnaissance survey determined

that these resources meet the standards of national significance and are not adequately represented anywhere else in our national parks. The next step in the very thorough and methodical process of choosing which areas of our Nation should become part of the system is the determination of feasibility and suitability, which my bill authorizes.

Rota's cultural resources are truly unique. People first arrived on the island some 3,500 years ago. Remnants of their ancient settlements are found at several sites and include the iconic latte stone houses. These consist of two parallel rows of limestone columns with each column supporting a hemispherical capstone upon which a wooden framed house was placed. A quarry for these columns and capstones is also among the archaeologically important sites that could eventually be part of a Rota National Park.

Also of national significance are Rota's natural resources, not least of which is the native limestone forest there that provides habitat to the endangered Mariana crow, the Aga. This rare species is protected under both local and federal laws; and its future could be further assured if areas of its already limited range were incorporated into a park.

The Rota Cultural and Natural Resources Study Act was passed by the House in both the 111th and 112th Congress with broad bipartisan support. One important reminder made then and worth repeating is that passage of the Act gives the Rota study no special preference. There are other suitability and feasibility studies, which Congress has approved and which are waiting in turn for the National Park Service to have the resources to conduct. The bill I am introducing simply ensures that the island of Rota is in that queue.

That is not to say there is no urgency to completing a study. Rota is very much at a crossroads. Land use changes are taking place that could affect eventual park boundaries. Rare and endangered species, such as the Aga, would be safer with the permanent protection of a park. The economy of Rota, which could be developed around themes of eco-tourism, needs a high value destination that park designation would provide. These are some of the many reasons that the people of Rota support the park study and why I am introducing the bill today.

I want to thank all those Members who are original cosponsors of the Rota Cultural and Natural Resources Study Act. And I want to thank the hundreds of House Members who voted in favor of this study in the 111th and 112th Congresses. I ask that you do so again, when this bill returns to the floor in the 113th Congress

ART ON THE BRIX

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and honor Alyssa Graves, owner of Art on the Brix for receiving the Business of the Year Award from the Greater Golden Chamber of Commerce.

This award is given to an outstanding chamber member that has contributed substantially to the Chamber of Commerce community.

Art on the Brix combines low stress art classes in a playful setting. With the attitude of ''go outside the lines'', Art on the Brix inspires all types of people to relax and get creative. Alyssa Graves had a dream to bring an artistic experience to Golden and she has achieved just that.

I extend my deepest congratulations and appreciation to Alyssa Graves and Art on the Brix for this well deserved recognition from the Greater Golden Chamber of Commerce. I have no doubt her commitment to the people of Golden has made our community a better place for all of us to live.

TRIBUTE TO THE JUNIOR LEAGUE OF DES MOINES

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate the Junior League of Des Moines (JLDM) for being selected as the 2013 organizational inductee to the Iowa Volunteer Hall of Fame by the Iowa Commission on Volunteer Service. The Junior League of Des Moines is being recognized for their efforts as outstanding Iowans who have selflessly given their time and talents to benefit their state.

Obtaining a coveted induction to the Iowa Volunteer Hall of Fame is the most prestigious statewide honor a volunteer can attain. Members of this exclusive club have changed their communities forever through their volunteer service and will be forever enshrined in the State Historical Museum.

In 1926, Mrs. Ruth Wallace Wijkman founded the Junior Social Service League of Des Moines with a mere 10 members. In 1931, Wijkman's organization of humble beginnings would formally affiliate with the Association of Junior Leagues to become the Junior League of Des Moines. Today, after more than 80 years, the JLDM is stronger than ever with hundreds of members that remain committed to the mission of tirelessly building a better community. Whether the task at hand is education and caring for children, expanding opportunities for young people in Des Moines, or building playgrounds with their bare hands, the JLDM is never shy when it comes to improving the world around them.

Mr. Speaker, the example set by this extraordinary group of women demonstrates the rewards of hard work, dedication and service. The Junior League of Des Moines' efforts truly embody the Iowa spirit, and I am honored to represent them in the United States Congress. I know that all of my colleagues in the House will join me in congratulating the JLDM on their award, thanking them for their service, and wishing them future success as they continue to change lives.

ARBOR DAY 2013—CITY OF HOUSTON

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. POE of Texas. Mr. Speaker, I regret not being able to be here in Memorial Park with all of you this morning, but I am joining you in celebration today from Washington, DC. Memorial Park is my favorite place to run. The three-mile, crushed granite trail was once shaded and surrounded by the most beautiful trees. As you all know, the 2011 Texas drought took its toll and because of it, there's one thing that is becoming more and more noticeably absent: our Texas trees.

In 2006, I obtained $28.5 million in funding for beautification, erosion prevention and flood-control programs in the Houston area. One year later, over 20,000 trees were planted along Will Clayton and Highway 59. Thousands more trees have been planted along Houston Freeway, which I call Treeways. Many of the trees were planted by civic groups and non-profits. Apache Corporation was one of the groups that donated thousands of trees. I want to thank the thousands of volunteers who showed up that rainy, muddy morning during a Texas Gully Washer to help plant trees. Today, the trees are maturing and thriving—I smile every time I see them. I now refer to our highways as treeways.

I support the goals and ideals of National Arbor Day, and I wholeheartedly support the planting as well as the management of healthy trees in our community. I would like to recognize the City of Houston, the Houston Parks and Recreation Department, Memorial Park Conservancy, Apache Corporation and the citizens of Houston as they celebrate the value and beauty of trees in our community. By planting trees today, we are taking the necessary steps to ensure the quality of life for those who come after us.

In 2009, Mayor Bill White started the Million Trees + Houston program. The goal was to plant more than a million new trees in the City of Houston, and today, Houston Parks and Recreation along with Apache Corporation will plant its 3 millionth tree.

And that's just the way it is.

HONORING THE ACHIEVEMENTS OF ANNA MURPHY, OF STAFFORD SPRINGS AND HANNA DE BRUYN, OF OLD LYME

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. COURTNEY. Mr. Speaker, I rise today to honor the achievements of two Connecticut students being recognized for their contributions to their communities. Anna Murphy, 11, and Hanna De Bruyn, 16, have been selected by the Prudential Spirit of Service awards for their commitment to community service and the impact of their efforts.

First, I recognize state honoree and top-two finalist from the State of Connecticut, Anna Murphy of Stafford Springs. Anna led a fundraising effort through a penny drive to help local families heat their homes during harsh New England winters. So far, Anna has raised more than $1,400. It is a yearly tradition in Anna's family to collect pennies to donate to families to pay for heating oil. Inspired by that example, Anna organized her classmates and local business to contribute to the fund, so far filling the gas tanks in two homes. For her contributions, Anna will receive $1,000, a trip to Washington, DC in May and an engraved silver medallion.

Next, I recognize distinguished finalist Hanna De Bruyn of Old Lyme, Connecticut. A student at Lyme-Old Lyme High School, Hanna raised more than $25,000 for children with rare brain cancers by hosting yearly races beginning in 2010. The funds have been donated through Caroline's Miracle Foundation, a local organization started by the family of a young child suffering from one of these afflictions. For her efforts, Hanna will be awarded with an engraved bronze medallion.

The Prudential Spirit of Service awards have promoted youth volunteer work and recognized students whose efforts have helped families and causes in their communities. The organization reviews a pool of nearly 5,000 candidates from across the nation nominated by elementary, middle, and high schools, as well as other civic organizations. Created in 1995 by Prudential Financial in partnership with the National Association of Secondary School Principals (NASSP), the awards emphasize the importance our Nation places on service to others and encourage all young Americans to contribute to their communities.

Mr. Speaker, I ask all my colleagues to join me in honoring Hanna De Bruyn, Anna Murphy, and the rest of these distinguished honorees from Connecticut and across the Nation, for their contributions to their communities and for embodying the core value of service that we all share.

HONORING ED MOODY, ''MR. FRANKLIN''

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mrs. BLACKBURN. Mr. Speaker, I rise today to pay tribute to a great leader, a great citizen, and a great man. Ed Moody, ''Mr. Franklin,'' was a dear friend to many and a guiding force to a wonderful community. All those who knew him will miss him.

World War II veteran, owner of Moody Tires, and Elder Emeritus of The People's Church, Ed Moody dedicated his life to the service of others. He was a member of the Franklin Noon Rotary Club, trustee for the Williamson County Hospital, and served on the Williamson County Chamber of Commerce. From the YMCA to the Franklin Rodeo, there are not many areas of life in Williamson County that have not been touched by Ed Moody's admirable dedication.

There are those souls, Mr. Speaker, whose lights guide the way even after they are dimmed. Ed Moody's legacy will be one of great influence and will shape the future of Williamson County for generations to come. I ask my colleagues to join with me in celebrating the life and service of ''Mr. Franklin'' as we offer our sympathies to Eileen and their family.

TRIBUTE TO EAGLE SCOUT CONNOR MULLEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Connor Mullen of Boy Scout Troop 152 in Adel, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained for more than a century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. For his project, Connor coordinated the construction of a permanent structure for his high school's band director to use for rehearsals during the marching band season. This structure will ensure the director's safety as it facilitates greater instruction through a ''bird's eye view.'' The work ethic Connor has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. Connor's remarkable accomplishment represents more than a decade of commitment to the Boy Scouts—and his achievement is made all the more incredible by his triumph over leukemia. I am honored to represent Connor and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

HONORING COLT A. NUTTER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Colt A. Nutter. Colt is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1171, and earning the most prestigious award of Eagle Scout.

Colt has been very active with his troop, participating in many scout activities. Over the many years Colt has been involved with scouting, he has not only earned 65 merit badges, but also the respect of his family, peers, and community. Most notably, Colt has contributed to his community through his Eagle Scout project. Colt led a crew of 16 scouts and adults in cleaning brush and trees from Keller Cemetery in Clay County, Missouri. Additionally, the team fenced and gated the cemetery and recovered burial stones lost in the overgrowth.

Mr. Speaker, I proudly ask you to join me in commending Colt A. Nutter for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING F. JOSEPH LOUGHREY

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the accomplishments of one of my constituents, F. Joseph Loughrey, the incoming chairman of the board of Hillenbrand, Inc. headquartered in Batesville, Indiana.

This month, Mr. Loughrey will assume the chairmanship of the board of directors of Hillenbrand, Inc. He has served as a director of the company since early 2009. That same year, he retired from Cummins Inc., headquartered in Columbus, Indiana, after serving 35 years in a variety of roles, most recently as vice chairman of the board of directors and as the company's president and chief operating officer. Mr. Loughrey served on the Cummins board from 2005 until 2009 and previously served as a director of Tower Automotive, Inc. and Sauer-Danfoss, Inc.

Mr. Loughrey currently serves on a number of boards, including as chairman for Conexus Indiana and as a member of the boards of AB SKF, Vanguard Group, Lumina Foundation for Education, the V Foundation for Cancer Research, and Oxfam America. He is also chairman of the advisory council to the College of Arts & Letters at the University of Notre Dame, where he additionally serves on the advisory board to the Kellogg Institute for International Studies.

I ask the entire 6th Congressional District to join me in congratulating Mr. Loughrey for his upcoming tenure as chairman of the board of Hillenbrand, Inc. For more than a century, the Hillenbrand companies have served as a staple in the Indiana and American corporate landscape, premiering innovative products in the funeral services, medical, and engineering industries. Joseph's leadership will continue to be a vital part of that success.

IN RECOGNITION OF DEPTFORD TOWNSHIP MLK CONTEST WINNERS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. ANDREWS. Mr. Speaker, I rise today in recognition of the Deptford Township Martin Luther King Jr. contest winners. These students, as well as all who participated in the contest, celebrated the life an achievement of one of our nation's most influential leaders. As we advance as a nation, it is of the utmost importance to always take the time to appreciate and reflect upon the figures who sacrificed for the betterment of our country. This annual contest serves as a great reminder of the progress we have made, as well as the struggle that made that progress possible. The following are the winners of this year's Martin Luther King Jr. Celebration contest:

Marcus Henriquez, Charlotte Lawrence, Sabrina Mannino, Cara Murphy, Jazmine Tucker, Julianna Wintersteen, Mackenzie Wurst, Ava Yelverton, Ashley Currie, Ingenue McBeth, Faith McCoy, Landon Sentak, Kennedy Davis, Aidan Doerr, Hanna Shein, Darrin

Bryant, Carl Carter, Isabella Connearney, Chelsea Moore, Julia Rafferty, Victoria Delgado, Alaina Foy, Emma Fisher, Danica Godshall, Ethan Kindt, Mya Christian, Michael Faulls, Julia Guevara, Yukta Narayan, Simran Kaur, Olivia Voit, Xavier Woods, Briana Culbert, David Maturo, Bellarose Bostwick, Ashlee Jarmen, Malcolm Miller, Zachary Morgan, Morgan Warren, Amaris Bussie, Olivia Jaci, Ileanna Jones, Daisy Schreiner, Jade Rivera, Farrah Sacharok, Ciara Blas, Joshua DeGuzman, Alina Hoover, Jania Long, Juliana Pit, Hailey Fair, Alexandra Lowry, Santos Diaz, Tehya Dickinson, Anaya Jones, Jacqueline Reagan, Emily Reed, Chloe Reyes, Donovan Clement, Brendan Connor, Gianna McIntyre, Tianna Smith, Rocco Laltrella Bruce, Asiya Robinson, Kimberly Sorbello, Marco Viloria, Gianna Wolfe, Olivia Devine, Camryn Ransom, Hunter Young, Colin Schumacher, Angel Mangini, Nicholas Marengo, Hailey Parker, Sydney Shute, Ashley Baresich, Christopher Deeley, Jaiana Ray, Ashley Scheld, John Cooper, Megan Grace, Nathan Jackson, Mariela Dimalaluan, Deziree Faith Johannesen, Devon Moss, Millicent Sannoh.

CONGRATULATING SHRI NARENDRA MODI ON HIS REELECTION AS CHIEF MINISTER OF GUJARAT

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, in one of my first acts of the 113th Congress as the Ranking Member of the Foreign Affairs Subcommittee on Asia and the Pacific which has broad jurisdiction for U.S. policy affecting the region, including India, I rise today to congratulate Shri Narendra Modi on his reelection as Chief Minister of India's Gujarat state.

Shri Modi's new term as Chief Minister will be his fourth—an historic achievement for the Honorable Narendra Modi and his some 60 million constituents, as no other CM has served Gujarat for as many terms. Shri Modi became the longest-serving CM of Gujarat in 2007.

Since 2001, CM Modi has led a decade of unprecedented growth and development in Gujarat. Because of his extraordinary leadership, Gujarat is now an economic powerhouse with companies like Ford and General Motors also setting up factories in a move that promises to strengthen U.S.-India trade and investment.

I thank Mr. Sanjay Puri, founder and President of the Alliance for U.S.-India Business (AUSIB), for the outstanding work he has done and continues to do in the U.S. Congress to promote U.S.-Gujarat trade and the Vibrant Gujarat initiative which has become an example of CM Modi's visionary approach for inclusive development.

CM Modi's philosophy of bringing development to ''the doorstep of every poor person, every farmer, every worker'' is a philosophy that resonates beyond the boundaries of Gujarat because it is a philosophy that transcends caste, culture, regional and religious differences.

I believe CM Modi's approach to empowerment is why Gujarat is now the global gateway to India. His philosophy of inclusiveness is the reason why delegates from more than 121 countries attended the Vibrant Gujarat 2013 Summit to explore business opportunities and forge strategic partnerships. It is the reason why voters support Shri Modi time and again.

Shri Modi's vision is rare. His leadership is remarkable. But his connection to Mahatma Gandhi is what strikes me most. Gujarat is Gandhi's land. By providence or otherwise, it is also the land where Shri Modi serves. As such, it is little wonder that Gujarat State, having historically given leadership to the entire Nation and now ranked first in economic freedom in India, continues to brighten the hopes and dreams of so many.

With such accomplishment, it is my sincere hope that the United States will take a new look at Gujarat and support more openly and fully the ideas of CM Modi as he works for the betterment of the world's economy by creating jobs at home and abroad for purposes of improving the lives of people across the globe.

HONORING JORDAN K. DONNER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jordan K. Donner. Jordan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1376, and earning the most prestigious award of Eagle Scout.

Jordan has been very active with his troop, participating in many scout activities. Over the many years Jordan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jordan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jordan K. Donner for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

INTRODUCTION OF THE BIPARTISAN VOLUNTARY PROTECTION PROGRAM ACT

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. PETRI. Mr. Speaker, today, Rep. GENE GREEN and I are introducing the bipartisan Voluntary Protection Program (VPP) Act to make permanent one of the federal government's most successful workplace health and safety programs.

This legislation would codify a successful program, the Voluntary Protection Program, operated by the Occupational Safety and Health Administration (OSHA) that recognizes and rewards employers who voluntarily work to improve the health and safety of their worksites. The program is currently operating but has never been authorized in law and was proposed to be cut by the Obama administration's fiscal year 2011 budget. While the administration backed away from those cuts in its more recent budget proposals, this legislation would put the program on a more solid foundation by specifically authorizing it in law.

Since the VPP was created in 1982, it has grown to include more than 2,200 worksites and more than 921,000 employees. A 2007 report noted that federal VPP worksites saved the government more than $59 million by avoiding injuries and that private sector VPP participants saved more than $300 million. Participating workplaces have an illness and injury rate that, on average, is 50 percent below that of their industry.

Business owners in my district have reported to me that the relationship between OSHA and businesses has become more adversarial over the past couple years. While OSHA does have a responsibility to enforce workplace safety laws, it has been my experience that most employers want to run safe workplaces. The VPP program provides a mechanism for OSHA to build a more constructive relationship with employers who have demonstrated a willingness to invest in workplace safety. This creates an incentive for other employers to follow suit, improving safety and saving money on enforcement costs at the same time.

I hope that our colleagues will join us in authorizing this bipartisan and successful workplace safety program.

THE INTRODUCTION OF THE INDONESIAN FAMILY REFUGEE PROTECTION ACT OF 2013

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am introducing legislation with my colleagues, Rep. FRANK PALLONE JR., Rep. CHRIS SMITH, Rep. LUIS GUTIERREZ, Rep. MADELEINE BORDALLO, Rep. RUSH HOLT, which would simply allow Christian Indonesian citizens fleeing persecution, many of whom arrived during a five-year timeframe (January 1, 1997–November 30, 2002) and were denied asylum solely for missing the one-year filing deadline, the opportunity to reopen their claims during the two-year period following enactment.

Beginning in 1997, many Indonesian Christians fled religious persecution in Indonesia, where extreme violence and destruction of churches drove them from their homes. These individuals came to this country, seeking relief from extreme violence and persecution for their religious beliefs, but were unable to make the one-year filing deadline. They deserve the opportunity to have their claims heard.

The United States has long sought to protect refugees fleeing persecution and provide a process to fairly consider their claims. This bill does not, in itself, grant asylum, but merely removes a procedural barrier to their claims being considered. These individuals seeking asylum deserve a second chance to avoid the persecution they have fled and remain united with their families.

50TH ANNIVERSARY OF THE CITY OF PORTAGE, MICHIGAN

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. UPTON. Mr. Speaker, I rise today to recognize the 50th anniversary of the City of Portage, Michigan—A Natural Place to Move.

On February 18, 1963, residents of Portage Township voted 3,762 to 2,315 in favor of becoming a city. On December 31, 1963, the City of Portage was formally incorporated. From just over 20,000 residents in 1963, Portage is now home to over 46,000. Historically, Portage grew as a crossroads for traders in the 19th century and benefitted from fertile farmland and abundant natural resources.

Today, Portage is a vibrant community with affordable, safe housing in well-maintained neighborhoods; hundreds of successful commercial and industrial businesses; and is the retail crossroads of southwest Michigan. This strong, diverse community is family-focused and proudly boasts over 2,000 acres of park and recreational space, 56 miles of bikeways, three nature preserves and seven lakes that connect its citizens and visitors to each other and the natural world.

The City of Portage is a robust community that excels with an accredited public safety department, low tax rate, accredited senior citizen center, comprehensive and efficient city services, diverse employment opportunities, an excellent public school system, award-winning district library and world-class healthcare that together facilitate an economic climate that allows Portage residents to thrive. Quite simply, it is a great place to live, work, and play.

Mr. Speaker, I am proud to recognize the City of Portage and applaud the city on its 50th anniversary. A momentous milestone for a remarkable community.

HONORING ADAM E. COCKRIEL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Adam E. Cockriel. Adam is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Adam has been very active with his troop, participating in many scout activities. Over the many years Adam has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Adam has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Adam E. Cockriel for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

BELLAIRE HIGH SCHOOL YOUNG REPUBLICANS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. POE of Texas. Mr. Speaker, last November, we once again witnessed a remarkably low turn-out among this nation's youth. Sadly, the majority of the youngest demographic group, our nation's future, Republican and Democrat alike, failed to take part in the democratic process. I met a group of young high school students trying to buck that trend.

The Bellaire High School Young Republicans, led by Michelle Knesbach, Jennifer Knesbach, and Michael Scheinthal, push to create a spirit of activism at their high school, in the city of Houston, and around the state of Texas. At the age of fourteen, these three students began working on local campaigns, block walking on weekends and helping fundraise on school nights. Soon after, the three started the High School Republicans of Texas, an official auxiliary of the state party which focuses on giving a voice to those too young to vote, and encourages activism among their schoolmates. Through voter registration drives and get out the vote campaigns in their community, the Bellaire High School Republicans engage young people in the political process, making a difference on Election Day.

I met this group at a dinner I spoke at and was impressed by their initiative. I was invited to speak at their school, and when I walked into the building, taking me back to the days of too much homework and pop quizzes, I was surprised that around 300 students came to the event during their lunch break. We had a discussion, about Hamas, about drug cartels, about policy and bipartisanship, topics that I often find bore people twice their age; yet they were intrigued. An age group, often overlooked, often deemed to not care, was just as fascinated, cared just as much, about these vital topics as anyone. The Bellaire Young Republicans and the High School Republicans of Texas are changing the status quo by inspiring their classmates to avoid being a part of another disappointing statistic.

Campaign events of the future will be full of young faces. Students too young to vote learn that they can make a difference, impact their state, and impact their country. Further merit should be credited to the Bellaire Young Republicans as they fight for ideas that are widely rejected by their peers as they work to end the ''youth involvement drought'' slowly eroding the Republican Party and the Conservative Movement. Looking into the young crowd, I knew there was hope for my party and for my county.

And that's just the way it is.

HONORING THE LEGACY OF GEORGE WASHINGTON

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. WOLF. Mr. Speaker, today I rise to reintroduce legislation that would reestablish the legal public holiday for Washington's Birthday from the third Monday of February to the actual date of George Washington's birth on February 22.

I have long admired President Washington and have found inspiration in public service from studying his life. Unfortunately, I have found that students today have a dearth of knowledge about our nation's beginnings and the man from Virginia who led the colonies to form the union known as the United States of America.

In 2011, two-time Pulitzer Prize winning history author David McCullough observed, ''We're raising young people who are, by and large, historically illiterate.'' How can we adequately explain the importance of George Washington to our children when we do not even take time to recognize his actual birthday? We must reestablish Washington's Birthday on the 22nd to honor his legacy and in doing so call upon schools across the nation to focus on Washington as the soldier, legislator and president who shepherded our young nation through war, political turmoil, rebellion and expansion as no other single individual was capable of doing.

I believe Congress has unwittingly contributed to this lack of historical understanding by relegating Washington's Birthday to the third Monday of February to take advantage of a three-day weekend. We need to change the focus from celebrating sales at the mall to celebrating the significance of President Washington's birth to the birth of our nation.

There is a reason the birthday of President George Washington is the only legal federal holiday observed for a president of the United States. He is called the ''father of our country'' because he is without compare in our nation's history.

Washington's Birthday has been celebrated since the final days of the Revolutionary War. French and American troops paraded through Newport, Rhode Island, in 1781 and celebrations were held in Richmond, Virginia, in 1782. Organized by French General Rochambeau and others who knew him personally, these celebrations drew special attention to the bravery, courage, leadership and perseverance of the Revolutionary War hero.

From the beginning of our country, the importance of this day has been recognized. As President James Buchanan said in 1860, ''. . . when the birthday of Washington shall be forgotten, liberty will have perished from the earth.'' In response, President Rutherford B. Hayes signed legislation in 1879 that made Washington's Birthday a holiday for District federal workers. The holiday was extended to all federal workers in 1885.

This legislation I reintroduce today is not without precedent. In 1975, Congress amended the Uniform Monday Holiday Act and President Gerald R. Ford signed legislation into law returning the annual observance of Veterans Day from the fourth Monday in November to its original date of November 11, beginning in 1978.

The Uniform Holiday Bill signed in 1968 and effective in 1971 was intended to ensure three-day weekends for federal employees by celebrating four national holidays on Mondays: Washington's Birthday, Memorial Day, Veterans Day and Columbus Day. Originally called Armistice Day to mark the signing of an Armistice on the 11th hour, of the 11th day, of the 11th month in 1918 that ended World War

I, the date of November 11 holds historic and patriotic significance as a day of thanks and remembrance for all veterans. The law change brought widespread public protest and 46 states refused to recognize any day other than November 11 to honor the sacrifice made first by World War I veterans and subsequently by all veterans.

The restoration of the observance of Veterans Day to November 11 not only preserves the historical significance of the date, but helps focus attention on the important purpose of Veterans Day as a celebration to honor America's veterans for their patriotism, love of country, and willingness to serve and sacrifice for the common good.

Likewise, we need to restore the observance of Washington's Birthday to February 22 to preserve the date of his birth for history and to focus attention on his life of service and duty to his country. Even George Washington's home state of Virginia, where he was born and raised, which he served in elected office, where he accepted General Cornwallis' surrender, and where he is buried, celebrates Washington's Birthday in accordance with the Uniform Monday Holiday Act. I believe all school children in every state should dedicate February 22 each year to learning about our greatest leader, foremost patriot, first president and the only six-star general in the nation's history.

Posterity has shown that the traditions he started, including civilian control of the military and presidential term limits, have distinguished our government from so many failed countries born in revolution from the colonial powers of the 18th century. President Washington exemplifies the best that America and Americans have to offer the world; principled leadership, personal bravery, a sense of duty and public service, patriotism, recognition of our unique role in world history, and a reverence for his Creator. His enduring service deserves to be remembered on his actual birthday.

My legislation is supported by George Washington's Mount Vernon Estate. Executive Director Jim Rees said, "The holiday was far more meaningful when it revolved around George Washington, and schools were able to focus on his sterling example of character and leadership."

I am extremely pleased that David McCullough supports my legislation as well. His letter, copied below, says "Celebrating George Washington's Birthday on February 22 is a simple, solid, self-evident statement of respect for one of the greatest of all Americans, for his whole founding generation, and for so much that we owe them."

The legislation is also supported by other prominent authors and scholars that have published extensive works on Washington's life. Scholar and history professor Gordon Wood stated "I agree wholeheartedly that Washington's Birthday ought to be separated from the Uniform Monday Holiday Act. He is unique as a president and founder." In addition, my legislation is supported by noted Washington historian Ron Chernow, historians Peter Henriques and Richard Brookhiser and history professors from the University of Georgia, LaSalle University, James Madison University and Brandeis University.

Mr. Speaker, it is only right that we hold February 22 as a date of reverence to commemorate the unique person without whom the tide of American history may well have taken a different turn. I urge my colleagues to join in cosponsoring this legislation to forever honor President George Washington's Birthday.

JANUARY 19, 2012.

DEAR MR. WOLF: The place of George Washington in the American story, his all-important example of courage and integrity in leadership, can hardly be overstated and must never be taken lightly.

Nor should we celebrate his birthday on any day but February 22, any more than we would wish to move July 4 about to suit some convenience of the moment.

How can it reasonably be argued otherwise?

Celebrating George Washington's birthday on February 22 is a simple, solid, self-evident statement of respect for one of the greatest of all Americans, for his whole founding generation, and for so much that we owe them.

Sincerely,

DAVID MCCULLOUGH.

WE MUST TAKE STRONG ACTION ON CLIMATE CHANGE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Ms. SCHAKOWSKY. Mr. Speaker, John F. Kennedy said, "When written in Chinese, the word 'crisis' is comprised of two characters. One represents danger and the other represents opportunity." Those words ring true with regard to perhaps the greatest crisis facing our world: climate change. We face imminent and continuing danger, but we also have an opportunity to change course and leave behind a better planet for future generations.

Global warming is happening. The ten hottest years on earth since 1880 have all occurred since 1997. According to the New York Times, 2012 was the hottest year ever in the continental United States, a full degree hotter (in terms of average temperature) than the previous record. More than 60 percent of the country, including much of the Midwest, experienced severe drought. Wildfires spread throughout areas of the western United States, and severe storms ravaged the east coast.

We face serious danger. Over the next few centuries, sea levels could rise an average of 12 feet, swallowing coastal areas in the U.S. and around the world. According to the Intergovernmental Panel on Climate Change, drought and famine could lead to decreased water availability, increased starvation, and new instability in many regions of the world—particularly Africa, Southeast Asia, and Latin America.

This crisis presents an opportunity. This Congress has a unique ability to take leadership in addressing what is a planetary problem for us right now. We can act now, or we can let our opportunity pass by. The choice should be clear.

I support a comprehensive approach to climate change. I was a strong proponent for the American Clean Energy and Security Act, which passed the House in 2009. That legislation would have introduced a renewable energy standard, subsidized important research and development of clean technologies and energy efficiency, and created a cap and trade system to reduce greenhouse gas emissions. It would have had a significant impact in curbing the warming of our planet, and I believe it should be the model for action taken in the current congress.

As a member of the Environment and the Economy subcommittee and of the Waxman-Whitehouse climate change task force, I will continue to push for comprehensive and immediate action. I promise to collaborate with anyone from either side of the aisle to work toward constructive and meaningful solutions. We must act together to forge a legislative solution to this crisis while we can still do something about it.

The time is now. This is our moment—all of us—Republicans and Democrats. We must act to preserve and protect the planet for our children and grandchildren, and for their children and grandchildren. We cannot afford to be on the wrong side of history.

HONORING CHASE LEE BEELER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Chase Lee Beeler. Chase is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Chase has been very active with his troop, participating in many scout activities. Over the many years Chase has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Chase has led his troop in various positions including Assistant Senior Patrol Leader, has earned the rank of Foxman in the Tribe of Mic–O–Say and is a Brotherhood Member in the Order of the Arrow. Chase has also contributed to his community through his Eagle Scout project. Chase designed and constructed six benches out of recycled telephone poles and installed a flag pole for Hillcrest Transitional Housing in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Chase Lee Beeler for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING LTC WILLIAM ANTON

HON. JOSEPH J. HECK

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. HECK of Nevada. Mr. Speaker, I come to the floor today to recognize the exemplary service and outstanding achievements of LTC William Anton, a member of the Army Ranger Hall of Fame and a resident of southern Nevada.

LTC Anton was recently awarded the prestigious Knowlton Award—an honor recognizing significant contributions in the field of Army intelligence—by our nation's Military Intelligence Corps.

After serving with distinction in Vietnam, service which earned him a 2009 induction

into the Army Ranger Hall of Fame, Bill began a career in Army intelligence.

In 1979, while in command of an electronic warfare company, Bill developed a key intelligence-gathering tool that was still being used a decade later during Operation Desert Storm.

The details of the intelligence system Bill developed are still considered classified but rest assured it was an asset to our troops in battle and may have saved American lives as it gathered intelligence on our enemies.

The Knowlton Award was named after Revolutionary War hero LTC Thomas Knowlton of Connecticut who was commissioned by George Washington to raise a regiment to perform desperate and delicate intelligence services and LTC Bill Anton has exemplified this tradition with his service to our country.

I congratulate LTC Bill Anton on this well-deserved honor.

HONORING THE LIFE AND SERVICE OF RICHARD SCHNELLER

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. COURTNEY. Mr. Speaker, I rise today with great solemnity to share with you the recent death of Richard Schneller.

Richard ''Dick'' Schneller, a tireless Connecticut resident who celebrated his 90th birthday just last March, leaves behind a storied life of service to his family, his state, and his country. A native of Essex, Dick attended Mount Hermon School and went on to receive a Bachelor of Science degree from Yale University in 1943. Following graduation, Dick served his country with the United Sates Navy as a Lieutenant and participated in several South Pacific D-Day island invasions. After his military discharge, Dick applied his skills to his family's business, becoming President of The Verplex Company in 1952 and serving until 1972.

Dick proudly served his community and his government as a five-term State Senator representing Connecticut's 20th Senatorial district. From the time he entered the State Senate in 1975 until his departure in 1984, Dick maintained a fierce dedication to service of his state and his community. As a State Senator, Dick served successively on a number of committees, including the Education Committee and the Appropriations Committee. He served as chairman of the State Urban and Development Committee. Dick also held the title of Senate Majority Leader for the final three years of his tenure in the State Senate.

In addition to his commitment to the betterment of Connecticut government, Dick also played significant administrative roles in a broad range of local institutions. In his home town of Essex, Dick served for seven years as Chairman of the Essex Democratic Town Committee, was a member of the Essex Board of Finance, and was a member and chairman of the Regional District #4 Board of Education. He was also Charter President of the Essex Rotary Club and Founding Treasurer of the Essex Community Fund. Some of his other involvements in local organizations include his work as Trustee of the University of Connecticut, the Connecticut Conservation Association, Middlesex Hospital, Connecticut College, Yale-New Haven Hospital, Mount St. John's School and the Middlesex County Y.M.C.A.. Dick proudly served as the President and Chairman on the Board of the Goodspeed Opera House.

Dick recognized the importance and inherent value in serving in a community, through his commitment to service in government, and also through his devotion to his local congregation, the Congregation Beth Shalom, of which he was a lifelong member.

On a personal note, Dick was a generous mentor for me and many others of a younger generation, serving in the Connecticut General Assembly. He imparted experience and good judgment to us all and was a great inspiration for those of us thinking about entering public service.

Mr. Speaker, I ask all my colleagues to join me in honoring the life and service of Dick Schneller, and sharing our condolences with the family he leaves behind.

HONORING JIM SWEENEY

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. NUNES. Mr. Speaker, I rise today alongside my colleagues, Representative COSTA and Representative VALADAO, to honor the life and career of Jim Sweeney, who passed away on February 8, 2013. Mr. Sweeney was the legendary coach of the Fresno State football team, leading the Bulldogs for nearly two decades and leaving an indelible imprint on his team, his school, and his community.

The son of a hardscrabble miner, Mr. Sweeney worked in the mines during his college summers. Afterward, he coached high school football for several years in his native Montana and then became an assistant coach of the Montana State Bobcats in 1960. Appointed head coach in 1963, he served five years in that position and eight years as head coach of the Washington State Cougars before becoming head coach at Fresno State, the position that would define his career.

During his nineteen years at Fresno State, interrupted by a two-year stint on the coaching staffs of the Oakland Raiders and St. Louis Cardinals, Mr. Sweeney elevated the Bulldogs to national prominence. A charismatic, no-nonsense leader, he brought an infectious enthusiasm to the entire community and inspired fierce loyalty in his players. He implanted an enduring team spirit with his resounding renditions of team fight songs and his inception of the ''Bulldog born, Bulldog bred'' chant that players still invoke today. In Fresno, Mr. Sweeney won eight conference titles and five bowl games on his way to amassing 144 victories, the most of any head coach in Bulldog history. Among his many well-deserved accolades, the team's football field was renamed in his honor.

Personifying excellence, hard-work, and integrity, Mr. Sweeney was well-loved in his community and is a true California icon. His trademark wit and unceasing passion will be missed by the legions of fans and admirers he has left behind.

HONORING CRAIG SCOTT GRISWOLD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Craig Scott Griswold. Craig is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 345, and earning the most prestigious award of Eagle Scout.

Craig has been very active with his troop, participating in many scout activities. Over the many years Craig has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Craig has contributed to his community through his Eagle Scout project. Craig designed and constructed new stairs and landings for the One–Room Schoolhouse operated by the Putnam County Historical Society at the City Park in Unionville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Craig Scott Griswold for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING MIKE WALKER

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mrs. BLACKBURN. Mr. Speaker, the mark of a great community is found in its leadership. Hard working, always professional, and dedicated to long-term vision are the key qualities of a strong local leader. For the past 23 years, Brentwood, Tennessee has had the great honor of Mike Walker's leadership as City Manager.

Mike Walker has a strong history in leading and leading well. Serving as the administrative head of Brentwood's municipal government, Mike has been responsible for full service government including a $60 million annual budget and 250 employees. In addition to his outstanding service to the City of Brentwood, Mike's legacy of excellence reaches to Oak Ridge, Knoxville, and the International City/County Management Association.

It takes a great number of talented people to keep a city running. Keeping such an excellent city like Brentwood on the right track requires more than talent; it requires excellence, dedication, and leadership. The City of Brentwood has been lucky to have Mike Walker leading the way. I ask my colleagues to join with me, Linda, Lauren, Evan, and Travis, in celebrating Mike's outstanding legacy of service and commitment.

NATIONAL GUARD STATE PARTNERSHIP PROGRAM ENHANCEMENT ACT

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Ms. BORDALLO. Mr. Speaker, today I have introduced the National Guard State Partnership Program, SPP, Enhancement Act which strengthens and expands this critical capacity building program. The National Guard provides unique capacity building capabilities to Combatant Commanders and U.S. Ambassadors via 65 comprehensive partnerships between National Guard units across the United States and partner nations. The SPP directly supports the broad national interests and security cooperation goals of the United States by engaging partner nations via military, sociopolitical, and economic conduits at the local, state, and national levels. The program's public diplomacy effectiveness lies in its ability to leverage the full breadth and depth of U.S. defense and interagency capabilities from within the state-country relationship.

The goals of the program reflect an evolving international affairs mission for the National Guard emphasizing its unique state-federal and civil-military characteristics to interact with both the active and reserve forces of foreign nations, interagency partners, and international nongovernmental organizations. The value of the SPP lies in its ability to concentrate a small component of the U.S. defense structure—a state's National Guard—on a single country or region in support of U.S. Government policies and objectives. This concentrated focus supports the development of long term personal relationships and interagency coordination mechanisms that would not otherwise exist.

The SPP has the potential of being increasingly more important tool for Combatant Commanders and U.S. Ambassadors in achieving long-term US objectives. The program has developed from assistance and partnership with primarily Eastern European nations to a program that supports all the non-CONUS combatant commanders. Of particular interest to me are the opportunities that SPP poses for our rebalance to the Asia-Pacific region. I believe the SPP brings unique capabilities to US Pacific Command in expanding and strengthening bilateral relations with many Asian and Pacific nations. The program can help to demonstrate the U.S. commitment to the region and our allies.

The bill I introduce today helps the SPP by codifying the program's use of funding and spells out the roles that National Guard units can play in their capacity building. The legislation is needed to ensure the program meets its intended goals. The legislation first establishes the process through which funds appropriated to the National Guard may be used to support the program's goals. This is merely a codification of Department of Defense guidance and National Guard Bureau process. Additionally, the legislation outlines the mechanism through which partnerships may be requested and approved. The bill ensures that Department of Defense, a state National Guard and Department of State's equities are considered in the context of broader program goals. Finally, the legislation expands the roles that a National Guard may perform when in support of the State Partnership Program. The capabilities and missions outlined in this legislation leverage the very unique capabilities inherit in the National Guard which would strengthen our relations with allies and nations across the globe. The dual role of the National Guard provides them a unique opportunity to support Combatant Commander as well as an Ambassadors needs in a given country. I believe this legislation is necessary to codify current practices and enhance the program's positive impact.

Finally, I would note that a version of this legislation passed by voice vote, last year, during consideration of amendments to the National Defense Authorization Act for Fiscal Year 2013. The program has broad support in Congress and I urge my colleagues to support this measure.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. COFFMAN. Mr. Speaker, on January 3, 2009, the day I took office, the national debt was $10,627,961,295,930.67.

Today, it is $16,498,229,961,731.67. We've added $5,970,268,665,801 to our debt in 4 years. This is a $5.9 trillion in debt our nation, our economy, and our children could have avoided with a Balanced Budget Amendment. We must stop this unconscionable accumulation of debt.

HONORING NATHAN T. ITAO

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nathan T. Itao. Nathan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 351, and earning the most prestigious award of Eagle Scout.

Nathan has been very active with his troop, participating in many scout activities. Over the many years Nathan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Nathan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Nathan T. Itao for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

LESSONS FROM THE ROMAN EMPIRE

HON. TREY GOWDY

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GOWDY. Mr. Speaker I submit the following paper on lessons learned from the Roman Empire from Rachel Castellani, a 6th grade student from Southside Christian School in Simpsonville, SC. Rachel wrote,

> I believe that what I have learned can help me with politics and economics. I think that if the Romans had not gone and taken some of the risks they had taken and maybe had been less violent, the empire might still be alive today. A topic I want to talk about is the economy. If you are trying to encourage the lower class citizens (plebians) why do you raise tax rates higher? This is the same thing happening to America, I don't want to be left in the same situation. Let's lower taxes and form new business in America. Don't let our nation crumble like Rome's!

INTRODUCTION OF THE NATIONAL WILDLIFE REFUGE REVIEW ACT

HON. JOHN FLEMING

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. FLEMING. Mr. Speaker, today, I am reintroducing, along with a number of our colleagues, the National Wildlife Refuge Review Act. This legislation is necessary because under current law, the U.S. Fish and Wildlife Service can administratively create a national wildlife refuge regardless of size, location or support from the local communities without any input from the Congress.

There may have been some logic in granting this federal agency an unfettered ability to establish a national wildlife refuge in 1903 when the first was created by President Theodore Roosevelt. However, with our national debt exceeding $16.5 trillion, it is now imperative that the Congress carefully review each significant expenditure of our tax dollars.

During the past four years, the Fish and Wildlife Service has administratively established more than ten national wildlife refuges including two in Kansas and Florida that involve more than 1 million acres of private property and a price tag exceeding $1 billion. Under current law, the Service first establishes these refuges and then comes to the Congress seeking funds to actually obtain the lands through either fee title or conservation easements.

On October 25, 2011, the Service testified before the Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs and stated that requiring a Congressional authorization would "Impede the Service's ability to be strategic, flexible, nimble and responsive to strategically grow the Refuge System."

Mr. Speaker, this is the same federal agency that has an operations and maintenance backlog exceeding $3 billion, with dozens of refuges infested by invasive species, with overgrown trails and full of potholed roads. By their own admission, they lack the financial resources to fix more than 3,300 mission critical projects. During the past two years, it has become increasingly clear that the Service is incapable of effectively managing what they already own. The Congress has a responsibility to curb their insatiable appetite for property acquisition. For far too long, this agency has placed too much emphasis on growing the refuge system rather than maintaining it.

What I am suggesting is neither a new or radical idea. In fact, under current law, no Administration can create or expand a national

park, a wilderness area, a national forest, a Wild and Scenic River, a National Heritage Area or a National Conservation Area; construct a Bureau of Reclamation Water Recycling project; modify the Coastal Barrier Resources System; or remove property from the National Wildlife Refuge System. The House Natural Resources Committee routinely considers dozens of these types of bills each year.

It is also important to note that Congress has legislatively created more than 60 national wildlife refuges throughout the United States. In my own Congressional District, the Red River National Wildlife Refuge was established by an Act of Congress. In fact, including public hearings, Committee markups and action in both the House and the Senate, it took exactly six months to get this legislation to President Bill Clinton, who signed the bill into law on October 13, 2000. Even by the standards articulated by the Fish and Wildlife Service, this period of time demonstrated that the Congress can act swiftly when there is public support for the establishment of a specific refuge.

Under my bill, all new national wildlife refuges established after January 3, 2013 would require a Congressional authorization. This bill does not affect the existing 560 refuges, nor does it require that additions to these units obtain Congressional approval. This is a modest and commonsense solution. It is past time for the Congress to exercise its oversight responsibility before the Fish and Wildlife Service creates huge new financial burdens on taxpayers.

As the Chairman of the Natural Resources Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs, I can assure my colleagues that there is nothing inherently unique or urgent about the establishment of a new refuge that requires the Fish and Wildlife Service to unilaterally act on its own, while putting our taxpayers on the financial hook for billions in land acquisition costs.

I urge my colleagues to join in this important effort to protect the taxpayers of the United States by cosponsoring the National Wildlife Refuge Review Act.

IN HONOR OF TROOP 127

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to congratulate the outstanding community service efforts of Boy Scout Troop 127 of the Riegelsville, Bucks County Council, Pennsylvania.

As a father of three boys who are involved in Scouting and as an Eagle Scout myself, I understand the principles and values that scouting has to offer. In 2012 alone, Troop 127 has accomplished a number of activities that embody that embody what it means to be a Scout.

Some notable examples of service in the last year include: Reaching out to help others during the hardship that took place after Hurricane Sandy by assisting the American Red Cross for two days at Palisades High School shelter. They honored their country by assisting with the Eagle Scout project of Brandon Youpa, a project that was two years in planning and resulted in the honoring of veterans both past and present within their community. They even worked to preserve the environment by cleaning up a staggering eight miles of the Delaware Canal.

The members of Troop 127 are prime examples of what it means to be a Boy Scout. They are conscious of country, the values of their country, those less fortunate than themselves, and of their faith. The members of Troop 127 have shown maturity and are valued members of our community. Becoming a Boy Scout bestows a great level of responsibility on the young men who are willing to take up Scouting's values. The community looks to the young men of Troop 127 as leaders now and in the years to come.

I sincerely hope that the scouts of Troop 127 continue down the challenging and rewarding path that the Boy Scouts has to offer. The Scouts commitment to the betterment of oneself and the pursuit of something greater are something any young man can benefit from. I applaud them on their service accomplishments this past year, extend my best wishes for their continued success and service.

HONORING COLLINS ALAN BEATTY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Collins Alan Beatty. Collins is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Collins has been very active with his troop, participating in many scout activities. Over the many years Collins has been involved with scouting, he has not only earned 36 merit badges, but also the respect of his family, peers, and community. Most notably, Collins has led his troop in various positions including Assistant Patrol Leader, has earned the rank of Brave in the Tribe of Mic–O–Say and is an Arrowman in the Order of the Arrow. Collins has also contributed to his community through his Eagle Scout project. Collins removed old landscaping and planted new shrubs along a walking trail at Chinn Elementary in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Collins Alan Beatty for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING DANIEL C. REESE AND HIS APPOINTMENT TO CHAIRMAN OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION COMMISSIONER'S COUNCIL ON GREENWAYS AND TRAILS

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. ROE of Tennessee. Mr. Speaker, today I would like to recognize Mr. Daniel C. Reese of Tennessee's First District, who has been appointed Chairman of the Tennessee Department of Environment and Conservation Commissioner's Council on Greenways and Trails. This council is an organization that encourages our communities to utilize green spaces, promotes volunteerism in the community, and works hard to preserve our natural and cultural resources. Through his efforts on the council, Dan has set a great example for East Tennessee.

A graduate of East Tennessee State University, Dan has dedicated his career to working for the people of the Great State of Tennessee. He is a member of the Tennessee Department of Transportation Depot Restoration Demonstration Project, and continues to volunteer his time and expertise to develop additional green spaces within our community.

Mr. Speaker, I commend Daniel for his selfless contributions to our state and wish him the best as he continues to exemplify the Volunteer spirit.

HONORING RAY J. HILLENBRAND

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the extraordinary accomplishments of one of my constituents, Ray J. Hillenbrand, chairman of the board of Hillenbrand, Inc. headquartered in Batesville, Indiana.

Mr. Hillenbrand has been chairperson of the board of Hillenbrand, Inc. since 2008 and previously served as director of Hillenbrand Industries, the company's former parent corporation, from 1970 to 2008 and as chairman of the board from 2001 to 2006. Mr. Hillenbrand was employed by and active for 19 years in the management of Hillenbrand Industries prior to his resignation as senior vice president and member of the office of the president in 1977. On February 27, 2013, Ray will retire from his duties leading the strategic vision of the company as chairman.

For more than a century, the Hillenbrand companies have served as a staple in the Indiana and American corporate landscape, premiering innovative products in the funeral services, medical, and engineering industries. Ray's leadership has been a vital part of that success.

Ray Hillenbrand will forever be a friend and inspiration to people across the Hoosier state. I ask the entire 6th Congressional District to join me in thanking Ray for his excellent service to his business and community and in congratulations for his successful tenure as chairman of the board of Hillenbrand, Inc.

TRIBUTE TO ROBERT L. CORBIN

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. TURNER of Ohio. Mr. Speaker, I am honored to pay tribute to a respected community leader and a dear friend from my congressional district, Mr. Robert L. Corbin. He is part of our ''Greatest Generation'' who fought in the Second World War—an ordinary American who did extraordinary things to serve our country and protect the freedom we cherish today.

As a young man, Bob answered his country's call to duty, at a time when his fellow countrymen needed him the most. He enlisted in the U.S. Army in 1942, and was deployed to Europe, assigned to the 84th Infantry Division. Bob was a 22–year-old Army second lieutenant when he was captured by the Germans and sent to a POW camp for American officers in Poland. After escaping during a botched rescue attempt from the Stalag 13 POW camp, Bob and two other offices endured nine harsh winter nights on the run, to avoid recapture. He wrote a novel chronicling his experiences as a prisoner of war titled, ''Captured! The POW Saga of Frank Battle.'' Looking back on this experience, Bob said: ''I absolutely believe that a number of times God, or a divine being, was looking over our shoulders because the difference between life and death was whether we took the left trail in the woods or the right trail in the woods.''

After his return home, Bob contributed generous amounts of his time and energy to better our community. He earned a bachelor's degree in business administration from Otterbein College, and entered the food service industry. He became CEO of Foodcraft Management Company, and served as president of the Ohio Restaurant Association and the Miami Valley Restaurant Association. He served for 24 years in the Ohio State House of Representatives, from 1977 to 2001. As chair of both the Commerce Committee and the Labor and Finance Committee, Bob earned a reputation as a voice of reason and fairness.

After retiring from the legislature, Bob served a four-year term as a member of the Centerville City Council, where he applied his wisdom and guidance to help make the city a better place to live and raise a family. Bob's career in public service set an example for all of us who work to serve our communities and our nation. At age 90, he recently retired as a member of the Board of Trustees at Sinclair Community College. Bob and his wife Ede have been married for 62 years, and he is the father of two daughters, Lynn and Carol.

Bob Corbin is one of the most honorable men it has been my privilege to know. I ask my colleagues to join me in paying tribute to a truly outstanding citizen for his lifetime of service to our country and to the people of Ohio.

HONORING JAMES ALLEN BIBENS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize James Allen Bibens. James is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the many years James has been involved with scouting, he has not only earned 36 merit badges, but also the respect of his family, peers, and community. Most notably, James has led his troop in various positions including Patrol Leader, has earned the rank of Brave in the Tribe of Mic–O–Say and is a Brotherhood Member in the Order of the Arrow. James has also contributed to his community through his Eagle Scout project. James designed and constructed a large cook box for food storage and cooking utensils for campers at Heartland Presbyterian Center in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending James Allen Bibens for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

BOB ALLEN—A KTRK LEGEND

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. POE of Texas. Mr. Speaker, today I'm honored to recognize a Houston legend, Bob Allen who recently signed off from the sports desk at KTRK Channel 13 after nearly forty years. Bob's last broadcast was Thursday, January 17th after the Houston Texans' closed their electric 2012 season. The timing of his exit was no coincidence; he had high hopes of a Super bowl for the Texans just like the rest of us. Bob has brought sports into our homes for decades. His outstanding career at KTRK may have come to an end but for many of us Houston sports will always be synonymous with Bob Allen.

KRTK hired Bob as a weekend sportscaster all the way back in 1974, but his passion for sports and the news began long before that. Legend has it that when he was just ten years old, Bob took off on his bike from his West University house to the KTRK studios just to get a peek at the newsroom. In those days Guy Savage was the sportscaster. Young Bob was shown the exit that day, but little did they know that this bright eyed young boy would be the future face of sports in Houston.

After Bob joined KTRK it took just six months for him to be named sports director. And the rest is history. Bob has been in our living rooms through some of the greatest sports moments of the last half century; the Rockets championships in the '90s and the Love Ya blue oilers in the 70s just to name a few. I spent many nights after supper watching his sports casts after the Oilers and Astros games with my son Kurt. Bob has told the story of sports to generations of Houstonians. He has interviewed some of the greatest sports legends, including Nolan Ryan, Stan ''the Man'' Musial and George Foreman. Bob even tested out his acting skills with roles in the ABC TV movie Murder at the World Series in 1977, and another sports mystery thriller, Night Game, in '89. He played a sportscaster and an announcer for the Houston Astros, of course.

Bob has also given back to the Houston community in other ways through his charitable work with the Special Olympics and the Sunshine Kids, which helps children struggling with cancer. His commitment to service earned him recognition from the Special Olympics, who awarded him the Spirit of Special Olympics award.

Bob's departure from KTRK marks the end of an era for Houston but it also marks a new beginning for Bob. He dedicated forty years to a fantastic career in sports broadcasting. Now that this chapter is over, he's looking forward to pursuing new projects. He insists that he is resigning, not retiring. He won't stop, that's just the kind of guy he is. When asked about his future he said ''I'll probably end up being busier than I was at 13.'' I don't doubt that one bit. He plans to start a media company that includes public speaking engagements and radio, and he will write a book about working on TV with some of the world's greatest athletes. Bob is a credit to the broadcasting profession and a credit to Texas. We will miss him in our homes but wish him well on his next adventure. Congratulations, Bob, on a fantastic career. And that's just the way it is.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 14, 2013 may be found in the Daily Digest of today's RECORD.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S663–S719

Measures Introduced: Thirty-four bills and five resolutions were introduced, as follows: S. 290–323, S.J. Res. 7, and S. Res. 31–34. **Pages S707–08**

Measures Passed:

Black History Month: Senate agreed to S. Res. 31, celebrating Black History Month. **Pages S717–18**

Congratulating North Dakota State University Football Team: Senate agreed to S. Res. 32, congratulating the North Dakota State University football team for winning the 2012 National Collegiate Athletic Association Division I Football Championship Subdivision title. **Pages S717–18**

Emporia State University 150th Anniversary: Senate agreed to S. Res. 33, commemorating the 150th anniversary of Emporia State University. **Pages S717–18**

Kansas State University 150th Anniversary: Senate agreed to S. Res. 34, commemorating the 150th anniversary of Kansas State University. **Pages S717–18**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–3) **Pages S704–05**

Hagel Nomination—Cloture: Senate began consideration of the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense. **Pages S680–92**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, February 15, 2013. **Page S680**

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 10 a.m., on Thursday, February 14, 2013. **Page S718**

Nominations Confirmed: Senate confirmed the following nominations:

By 88 yeas to 12 nays (Vote No. EX. 20), William J. Kayatta, Jr., of Maine, to be United States Circuit Judge for the First Circuit. **Pages S668, S672–75**

1 Air Force nomination in the rank of general.

5 Army nominations in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, and Navy. **Pages S692–93, S718–19**

Nominations Received: Senate received the following nominations:

Richard Cordray, of Ohio, to be Director, Bureau of Consumer Financial Protection for a term of five years.

Richard F. Griffin, Jr., of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2016.

Sharon Block, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2014.

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

11 Navy nominations in the rank of admiral. **Page S718**

Messages from the House: **Page S705**

Measures Referred: **Page S705**

Executive Communications: **Pages S705—07**

Additional Cosponsors: **Pages S708–09**

Statements on Introduced Bills/Resolutions: **Pages S709–17**

Additional Statements: **Pages S701–04**

Authorities for Committees to Meet: **Page S717**

Privileges of the Floor: **Page S717**

Record Votes: One record vote was taken today. (Total—20) **Page S675**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:46 p.m., until 10 a.m. on Thursday,

February 14, 2013. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S718.)

Committee Meetings

(Committees not listed did not meet)

IMPACT OF FEDERAL BUDGET DECISIONS

Committee on the Budget: Committee concluded a hearing to examine the impact of Federal budget decisions on families and communities, after receiving testimony from Gary D. Alexander, Pennsylvania Secretary of Public Welfare, Harrisburg; Robert Greenstein, Center on Budget and Policy Priorities, and Robert L. Woodson, Sr., Center for Neighborhood Enterprise, both of Washington, D.C.; Tara Marks, Ada, Ohio; and Patrick D. Murray, Arlington, Virginia.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported committee rules, and an original resolution authorizing expenditures by the committee during the 113th Congress.

Also, the committee announced the following subcommittee assignments:

Subcommittee on Aviation Operations, Safety, and Security: Senators Cantwell (Chair), Boxer, Nelson, Lautenberg, Pryor, Klobuchar, Warner, Begich, Schatz, Cowan, Ayotte, Wicker, Blunt, Rubio, Heller, Scott, Cruz, Fischer, and Johnson (WI).

Subcommittee on Communications, Technology, and the Internet: Senators Pryor (Chair), Boxer, Nelson, Cantwell, Lautenberg, McCaskill, Klobuchar, Warner, Begich, Blumenthal, Schatz, Cowan, Wicker, Blunt, Rubio, Ayotte, Heller, Coats, Scott, Cruz, Fischer, and Johnson (WI).

Subcommittee on Competitiveness, Innovation, and Export Promotion: Senators Klobuchar (Chair), Pryor, Warner, Begich, Blumenthal, Cowan, Scott, Blunt, Coats, Fischer, and Johnson (WI).

Subcommittee on Consumer Protection, Product Safety, and Insurance: Senators McCaskill (Chair), Boxer, Pryor, Klobuchar, Blumenthal, Schatz, Cowan, Heller, Blunt, Ayotte, Coats, Cruz, and Fischer.

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard: Senators Begich (Chair), Nelson, Cantwell, Lautenberg, Blumenthal, Schatz, Cowan, Rubio, Wicker, Ayotte, Coats, Scott, and Cruz.

Subcommittee on Science and Space: Senators Nelson (Chair), Boxer, Pryor, Klobuchar, Warner, Blumenthal, Cowan, Cruz, Wicker, Rubio, Heller, Coats, and Johnson (WI).

Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security: Senators Lautenberg (Chair), Boxer, Cantwell, Pryor, McCaskill, Klobuchar, Warner, Begich, Blumenthal, Schatz, Cowan, Blunt, Wicker, Rubio, Ayotte, Heller, Coats, Scott, Cruz, Fischer, and Johnson (WI).

Senators Rockefeller and Thune are ex officio members of each subcommittee.

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Jacob J. Lew, of New York, to be Secretary of the Treasury, after the nominee, who was introduced by Senator Schumer and former Senator Pete Domenici, testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorable reported S. Res. 12, 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, with an amendment.

Also, committee adopted its rules of procedure for the 113th Congress and announced the following subcommittee assignments:

Subcommittee on International Operations and Organizations, Human Rights, Democracy, and Global Women's Issues: Senators Boxer (Chair), Casey, Shaheen, Durbin, Kaine, Paul, Rubio, Risch, and Johnson (WI).

Subcommittee on East Asian and Pacific Affairs: Senators Cardin (Chair), Boxer, Casey, Udall (NM), Murphy, Rubio, Johnson (WI), Flake, and McCain.

Subcommittee on Near Eastern and South and Central Asian Affairs: Senators Casey (Chair), Boxer, Cardin, Shaheen, Coons, Risch, Rubio, Johnson (WI), and McCain.

Subcommittee on African Affairs: Senators Coons (Chair), Cardin, Shaheen, Durbin, Udall (NM), Flake, McCain, Barrasso, and Paul.

Subcommittee on Western Hemisphere and Global Narcotics Affairs: Senators Udall (NM) (Chair), Boxer, Murphy, Kaine, McCain, Rubio, Barrasso, and Paul.

Subcommittee on European Affairs: Senators Murphy (Chair), Casey, Shaheen, Coons, Durbin, Johnson (WI), Risch, Flake, and Barrasso.

Subcommittee on International Development and Foreign Assistance, Economic Affairs, International Environmental Protection, and Peace Corps: Senators Kaine (Chair), Coons, Durbin, Udall (NM), Murphy, Barrasso, Risch, Flake, and Paul.

Senators Menendez and Corker are ex officio members of each subcommittee.

UNITED STATES POSTAL SERVICE

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine solutions to the crisis facing the United States Postal

Service, after receiving testimony from Representatives Issa and Cummings; Patrick R. Donahoe, Postmaster General and Chief Executive Officer, United States Postal Service; Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office; Cliff Guffey, American Postal Workers Union, AFL–CIO, Washington, D.C.; Jeanette Dwyer, National Rural Letter Carriers' Association, and Robert Rapoza, National Association of Postmasters of the United States, both of Alexandria, Virginia; Joel Quadracci, Quad/Graphics, Inc., Sussex, Wisconsin; and R. Richard Geddes, American Enterprise Institute for Public Policy Research, Ithaca, New York.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

An original resolution authorizing expenditures by the committee;

H.R. 307, to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response;

S. 252, The Prematurity Research Expansion and Education for Mothers who deliver Infants Early (PREEMIE) Act;

Also, committee adopted its rules during the 113th Congress, and announced the following subcommittee assignments:

Subcommittee on Children and Families: Senators Hagan (Chair), Mikulski, Murray, Sanders, Casey. Franken, Bennet, Murphy, Warren, Enzi, Kirk, Burr, Isakson, Paul, Hatch, and Roberts.

Subcommittee on Employment and Workplace Safety: Senators Casey (Chair), Murray, Franken, Bennet, Whitehouse, Baldwin, Isakson, Paul, Hatch, and Scott.

Subcommittee on Primary Health and Aging: Senators Sanders (Chair), Mikulski, Hagan, Whitehouse, Baldwin, Murphy, Warren, Burr, Roberts, Murkowski, Enzi, and Kirk.

Senators Harkin and Alexander are ex officio members of each subcommittee.

COMPREHENSIVE IMMIGRATION REFORM

Committee on the Judiciary: Committee concluded a hearing to examine comprehensive immigration reform, after receiving testimony from Janet Napolitano, Secretary of Homeland Security; Jose Antonio Vargas, Define America, New York, New York; and Jessica M. Vaughan, Center for Immigration Studies, Steve Case, Revolution LLC, Chris Crane, American Federation of Government Employees, and Janet Murguia, National Council of La Raza, all of Washington, D.C.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Kenneth John Gonzales, to be United States District Judge for the District of New Mexico, who was introduced by Senators Tom Udall and Heinrich, Michael J. McShane, to be United States District Judge for the District of Oregon, who was introduced by Senators Wyden and Merkley, and Nitza I. Quinones Alejandro, Luis Felipe Restrepo, and Jeffrey L. Schmehl, all to be a United States District Judge for the Eastern District of Pennsylvania, who were introduced by Senators Casey and Toomey, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 58 public bills, H.R. 624–681; 1 private bill, H.R. 682; and 9 resolutions, H.J. Res. 27–28; H. Con. Res. 13–14 and H. Res. 64–68 were introduced.

Pages H499–H504

Additional Cosponsors: **Page H504**

Reports Filed: A report was filed today as follows:

H. Res. 66, providing for consideration of the bill (H.R. 273) to eliminate the 2013 statutory pay adjustment for Federal employees, and for other purposes (H. Rept. 113–9). **Pages H498–99**

Speaker: Read a letter from the Speaker wherein he appointed Representative Collins (GA) to act as Speaker pro tempore for today. **Page H457**

Recess: The House recessed at 10:50 a.m. and reconvened at 12 noon. **Page H462**

Chaplain: The prayer was offered by the guest chaplain, Archbishop Emeritus John Quinn, Diocese of San Francisco, San Francisco, California.

Pages H462–63

Suspension: The House agreed to suspend the rules and pass the following measure:

Federal Disaster Assistance Nonprofit Fairness Act of 2013: H.R. 592, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that houses of worship are eligible for certain disaster relief and emergency assistance on terms equal to other eligible private nonprofit facilities, by a ⅔ yea-and-nay vote of 354 yeas to 72 nays, Roll No. 39. **Pages H465–80**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated yesterday, February 12th:

Hydropower Regulatory Efficiency Act of 2013: H.R. 267, to improve hydropower, by a ⅔ yea-and-nay vote of 422 yeas with none voting ''nay'', Roll No. 40. **Page H481**

Committee Elections: The House agreed to H. Res. 64, electing Members to certain standing committees of the House of Representatives. **Page H481**

Permanent Select Committee on Intelligence—Appointment: The Chair announced that the Speaker's appointment of members of the Permanent Select Committee on Intelligence on February 8, 2013 is made notwithstanding the requirement of clause 11(a)(4)(A) of rule X; and the Speaker's appointment, pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of January 3, 2013, and notwithstanding the requirement of clause 11(a)(1)(C) of rule X, of the following Members of the House to the Permanent Select Committee on Intelligence: Representatives Thompson (CA), Schakowsky, Langevin, Schiff, Gutierrez, Pastor (AZ), and Himes. Subsequently, the Chair additionally appointed Representative Sewell pursuant to a unanimous consent request. **Pages H497–98**

Recess: The House recessed at 4:13 p.m. and reconvened at 7:19 p.m. **Pages H497–98**

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13566 of February 25, 2011 with respect to Libya is to continue in effect beyond February 25, 2013—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 113–9). **Page H488**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H479–80 and H481. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:21 p.m.

Committee Meetings

BUSINESS MEETING

Committee on Agriculture: Full Committee held a business meeting to consider oversight plan of the Committee on Agriculture for the 113th Congress and other organizational matters. The Committee approved its Oversight Plan and Committee Rules for the 113th Congress.

IMPACTS OF A CONTINUING RESOLUTION AND SEQUESTRATION ON DEFENSE

Committee on Armed Services: Full Committee held a hearing entitled ''Impacts of a Continuing Resolution and Sequestration on Defense.'' Testimony was heard from Ashton Carter, Deputy Secretary of Defense; General Martin Dempsey, USA, Chairman of the Joint Chiefs of Staff; Raymond T. Odierno, USA Chief of Staff, U. S. Army; Admiral Jonathan W. Greenert, USN, Chief of Naval Operations, U. S. Navy; General James F. Amos, USMC, Commandant of the Marine Corps, U. S. Marine Corps; and General Frank J. Grass, USARNG, Chief, National Guard Bureau.

PERSPECTIVES ON THE FUTURE NATIONAL SECURITY ENVIRONMENT: TECHNOLOGICAL, GEOPOLITICAL AND ECONOMIC TRENDS AFFECTING THE DEFENSE STRATEGIC GUIDANCE

Committee on Armed Services: Subcommittee on Intelligence, Emerging Threats and Capabilities held a hearing entitled ''Perspectives on the Future National Security Environment: Technological, Geopolitical and Economic Trends Affecting the Defense Strategic Guidance''. Testimony was heard from public witnesses.

CONGRESSIONAL BUDGET OFFICE'S BUDGET AND ECONOMIC OUTLOOK

Committee on the Budget: Full Committee held a hearing entitled ''The Congressional Budget Office's Budget and Economic Outlook''. Testimony was heard from Douglas W. Elmendorf, Director, Congressional Budget Office.

Committee on Education and the Workforce: Subcommittee on Health, Employment, Labor and Pensions held a hearing entitled ''The Future of the NLRB: What Noel Canning vs. NLRB Means for Workers, Employers, and Unions''. Testimony was heard from public witnesses.

INFLUENZA: PERSPECTIVE ON CURRENT SEASON AND UPDATE ON PREPAREDNESS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled

''Influenza: Perspective on Current Season and Update on Preparedness''. Testimony was heard from Thomas Frieden, MD, MPH, Director, Centers for Disease Control and Prevention, Department of Health and Human Service; Jesse L. Goodman, MD, MPH, Chief Scientist, Food and Drug Administration, Department of Health and Human Services; and Marcia Crosse, PhD, Director, Health Care, Government Accountability Office.

SATELLITE VIDEO 101

Committee on Energy and Commerce: Subcommittee on Communications and Technology held a hearing entitled ''Satellite Video 101''. Testimony was heard from Eloise Gore, Associate Bureau Chief, Enforcement Bureau, Federal Communications Commission; and public witnesses

A LOOK AT THE FEDERAL HOUSING ADMINISTRATION'S 2012 ACTUARIAL REPORT

Committee on Financial Services: Full Committee held a hearing entitled ''Bailout, Bust, or Much Ado About Nothing?: A Look at the Federal Housing Administration's 2012 Actuarial Report''. Testimony was heard from Carol J. Galante, Commissioner and Assistant Secretary for Housing, Federal Housing Administration.

NEW PERSPECTIVE ON THREATS TO THE HOMELAND

Committee on Homeland Security: Full Committee held a hearing entitled ''A New Perspective on Threats to the Homeland''. Testimony was heard from public witnesses.

U.S. DIRECT ASSISTANCE IN AFGHANISTAN: ENSURING TRANSPARENCY AND ACCOUNTABILITY

Committee on Oversight and Government Reform: Subcommittee on National Security, hearing entitled ''U.S. Direct Assistance in Afghanistan: Ensuring Transparency and Accountability''. Testimony was heard from John F. Sopko, Special Inspector General, Afghanistan Reconstruction.

OVERSIGHT PLAN; AND STATUTORY PAY ADJUSTMENT FOR FEDERAL EMPLOYEES

Committee on Rules: Full Committee held a hearing on H.R. 273, to eliminate the 2013 statutory pay adjustment for Federal employees; and Proposed Oversight Plan of the Committee on Rules for the 113th Congress. The Committee adopted the Oversight Plan of the Committee on Rules for the 113th Congress. The Committee granted, by a record vote of 7 to 4, a closed rule for H.R. 273. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. Section 2 provides that during any recess or adjournment of not more than three days, if in the opinion of the Speaker the public interest so warrants, then the Speaker or his designee, after consultation with the Minority Leader, may reconvene the House at a time other than that previously appointed, within the limits of clause 4, section 5, article I of the Constitution, and notify Members accordingly. Section 3 provides that it shall be in order at any time throughout the legislative day of February 15, 2013, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to a measure condemning the government of North Korea and its February 12, 2013 test of a nuclear device. Section 4 provides that on any legislative day during the period from February 16, 2013 through February 22, 2013 the Journal of the proceedings of the previous day shall be considered as approved and the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution. Section 5 provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4. Testimony was heard from Representatives DeSantis, Hoyer, Jackson Lee, Van Hollen, Bera, and Delegate Norton.

AMERICAN ENERGY OUTLOOK: TECHNOLOGY, MARKET, AND POLICY DRIVERS

Committee on Science, Space, and Technology: Subcommittee on Energy held a hearing entitled ''American Energy Outlook: Technology, Market, and Policy Drivers''. Testimony was heard from Adam Sieminski, Administrator, Energy Information Administration, Department of Energy; and public witnesses.

Committee on Small Business: Full Committee, hearing entitled ''The State of the Small Business Economy''. Testimony was heard from public witnesses.

FEDERAL ROLE IN AMERICA'S INFRASTRUCTURE

Committee on Transportation and Infrastructure: Full Committee held a hearing entitled ''The Federal Role in America's Infrastructure''. Testimony was heard from public witnesses.

HONORING THE COMMITMENT: OVERCOMING BARRIERS TO QUALITY MENTAL HEALTH CARE FOR VETERANS

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''Honoring the Commitment: Overcoming Barriers to Quality Mental Health Care for Veterans''. Testimony was heard from Linda Spoonster Schwartz, Commissioner of Veterans' Affairs, State of Connecticut; Robert A. Petzel, M.D., Under Secretary for Health Veterans, Health Administration, Department of Veterans Affairs; and public witnesses.

BUSINESS MEETING

House Permanent Select Committee on Intelligence: Full Committee held a business meeting on Committee Organization and Rules. The Committee rules for the 113th Congress were adopted.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 14, 2013

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: organizational business meeting to consider committee rules, and an original resolution authorizing expenditures by the committee during the 113th Congress; to be immediately followed by a hearing to examine drought, fire, and freeze, focusing on the economics of disasters for America's agricultural producers, 9:30 a.m., SR–328A.

Committee on Appropriations: to hold hearings to examine the impacts of sequestration, 9:30 a.m., SH–216.

Committee on Armed Services: to hold hearings to examine the nominations of General Lloyd J. Austin III, USA, for reappointment to the grade of general and to be Commander, United States Central Command, and General David M. Rodriguez, USA, for reappointment to the grade of general and to be Commander, United States Africa Command, both of the Department of Defense, 10 a.m., SD–G50.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine Wall Street reform, focusing on oversight of financial stability and consumer and investor protections, 10:30 a.m., SD–538.

Committee on Environment and Public Works: organizational business meeting to consider committee rules, subcommittee assignments, and an original resolution authorizing expenditures by the committee during the 113th Congress, 10 a.m., SD–406.

Committee on Finance: to hold hearings to examine health insurance exchanges, focusing on a progress report, 9:30 a.m., SD–215.

Committee on the Judiciary: business meeting to consider the nominations of Caitlin Joan Halligan, of New York, to be United States Circuit Judge for the District of Columbia Circuit, Patty Shwartz, of New Jersey, to be United States Circuit Judge for the Third Circuit, Pamela Ki Mai Chen, to be United States District Judge for the Eastern District of New York, Katherine Polk Failla, Analisa Torres, and Nelson Stephen Roman, all to be a United States District Judge for the Southern District of New York, Andrew Patrick Gordon, to be United States District Judge for the District of Nevada, Ketanji Brown Jackson, of Maryland, to be United States District Judge for the District of Columbia, Raymond P. Moore, to be United States District Judge for the District of Colorado, Troy L. Nunley, to be United States District Judge for the Eastern District of California, Beverly Reid O'Connell, to be United States District Judge for the Central District of California, Derrick Kahala Watson, to be United States District Judge for the District of Hawaii, Shelly Deckert Dick, to be United States District Judge for the Middle District of Louisiana, William H. Orrick III, of the District of Columbia, to be United States District Judge for the Northern District of California, Mark A. Barnett, of Virginia, and Claire R. Kelly, of New York, both to be a Judge of the United States Court of International Trade, and David Medine, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations: Subcommittee on Energy and Water, hearing entitled ''National Nuclear Administration (NNSA), Weapons Activities Budget'', 10 a.m., 2362–B Rayburn.

Subcommittee on State, Foreign Operations, and Related Programs, hearing entitled ''Embassy Security'', 9:30 a.m., H–140 Capitol. This is a closed hearing.

Committee on Armed Services: Full Committee, hearing entitled ''Framework for Building Partnership Capacity Programs and Authorities to Meet 21st Century Challenges'', 10 a.m., 2118 Rayburn.

Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education, hearing entitled ''Raising the Bar: How Education Innovation Can Improve Student Achievement'', 10 a.m., 2261 Rayburn.

Subcommittee on Workforce Protections, hearing entitled ''Sequestration: Examining Employers' WARN Act Responsibilities'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce: Subcommittee on Health, hearing entitled ''SGR: Data, Measures and Models; Building a Future Medicare Physician Payment System'', 10:15 a.m., 2123 Rayburn.

Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''Our Nation of Builders: Manufacturing in America'', 10 a.m., 2322 Rayburn.

Committee on Financial Services: Full Committee, meeting to adopt the Committee's Oversight Plan for the 113th Congress, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs: Full Committee, hearing entitled ''The Crisis in Mali: U.S. Interests and the International Response'', 10 a.m., 2172 Rayburn.

Committee on the Judiciary: Full Committee, meeting to adopt the Judiciary Committee Oversight Plan for the 113th Congress, 9:30 a.m., 2141 Rayburn.

Committee on Natural Resources: Full Committee, hearing entitled ''The Past, Present and Future of the Federal Helium Program''; and H.R. 527, the ''Responsible Helium Administration and Stewardship Act'', 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform: Full Committee, business meeting to approve the Committee Report entitled ''Billions of Federal Tax Dollars Wasted Annually by New York's Medicaid Program'', 10:15 a.m., 2154 Rayburn.

Full Committee, hearing entitled ''Exploring GAO's High Risk List and Opportunities for Reform'', 10:30 a.m., 2154 Rayburn.

Subcommittee on Energy Policy, Health and Entitlements, hearing entitled ''The Effects of Rising Energy Costs on American Families and Employers'', 1 p.m., 2154 Rayburn.

Subcommittee on Economic Growth, Job Creation and Regulatory Affairs, hearing entitled ''Unintended Consequences: Is Government Effectively Addressing the Unemployment Crisis?'', 2 p.m., 2247 Rayburn.

Committee on Science, Space, and Technology: Subcommittee on Environment, hearing entitled ''The State of Environment: Evaluating Progress and Priorities'', 10 a.m., 2318 Rayburn.

Subcommittee on Research, hearing entitled ''Applications for Information Technology Research and Development'', 2 p.m., 2318 Rayburn.

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity, hearing entitled ''Post 9/11 GI Bill Claims Processing Issues'', 10 a.m., 334 Cannon.

Committee on Ways and Means: Full Committee, business meeting on the Committee's Oversight Plan for the 113th Congress; and hearing entitled ''Tax Reform and Charitable Contributions'', 9:30 a.m., 1100 Longworth.

House Permanent Select Committee on Intelligence: Full Committee, hearing entitled ''Advanced Cyber Threats Facing Our Nation'', 10 a.m., HVC–210.

Next Meeting of the SENATE

10 a.m., Thursday, February 14

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, February 14

House Chamber

Program for Thursday: Begin consideration of H.R. 273—To eliminate the 2013 statutory pay adjustment for Federal employees (Subject to a Rule).

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