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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 New York).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 14, 2013.

I hereby appoint the Honorable CHRIS 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.

STRONG LEADERSHIP AND MEANINGFUL REFORMS ARE NEEDED

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

Mr. MULLIN. I began running a business when I was only 20 years old. Back then, if you worked hard and followed the rules, you had a pretty good shot at getting ahead. Today, it seems the deck is increasingly stacked against those who work hard and pursue their own dreams, especially if you're a business owner.

More and more, businesses are faced with consistent uncertainty caused by Washington's inability to take action on today's pressing problems. The failure of uncertainty, with tax rates near chaos in the markets and a never-ending stream of impractical regulations, is a cloud of doubt that has been cast over the entire economy. For most business owners, it is a daily struggle just to keep the doors open in large part because the government itself is a consistent obstacle.

The National Federation of Independent Businesses recently released figures from December indicating the mood of businesses is at a recession level. Seventy percent of business owners that were surveyed identified the current environment as a bad time to expand, and political uncertainty topped the list for the reasons not to attempt economic growth.

Lee Buddrus, a resident of Muskogee, Oklahoma, and president of Acme Engineering & Manufacturing Corporation, told me that a lot of small businesses are struggling just because they had to go in debt to stay afloat during the recession. Mr. Buddrus went on to tell me, ''Now they're not able to make the kind of money they need to to pay down their debts,'' due in large part to the environment the government has created.

As a freshman Member, I join a small group of Members in Congress who have owned a business. I have felt the weight of the current hostile business climate and faced unprecedented difficulties in ensuring my business succeeded. I step on the floor of the United States House of Representatives with a firsthand understanding of how high the hurdles are for a business to succeed and just simply jump over.

Last month, when President Obama was sworn in to his second term, I was reminded of something he said 4 years ago, in his first inauguration. The President said:

> The question we ask today is not whether our government is too big or too small, but whether it works—whether it helps families find jobs at a decent wage, care they can afford, a retirement that is dignified.

Unfortunately, all we have seen from this President is reckless spending and heavy-handed regulation.

At the time of the President's first inauguration, the national unemployment rate was 7.8 percent. At the time of his second inauguration, it was exactly the same, and this month unemployment rose to 7.9 percent. While the rate of unemployment has been mostly stagnant, the national debt has not. In the past 4 years of failed Obama policies, the Nation has added $6 trillion of new debt onto the backs of citizens and businesses. Today, our national debt stands at $16.4 trillion. Broken down by American citizens, that's $52,210 for every man, woman, and child in this country.

We must get back on the right track and bring optimism into the business climate. First, we must pull back some of the regulations that bind the hands of our Nation's job creators. Second, Congress must make the difficult decisions we were elected to make and restrain government spending. Businesses cannot grow or expand in a climate of higher interest rates and higher taxes. Third, we have to be about creating a job-friendly environment.

I came to Congress as a businessman who simply got fed up with the government hindering my ability to create jobs. My mission every day is to make it easier for businesses to start to expand and to be successful.

In business, we know first you must face a problem honestly and then come up with real solutions that actually solve the problem. The economic policy of government trying to spend its way to prosperity has failed. Those of us in business know it's the private sector that creates real jobs, not the government.

Strong leadership and meaningful reforms are needed to move the looming

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cloud of doubt from our economy. Adding more hurdles will not get this job done. It is time we as elected leaders lead. Sometimes it's lonely, but it's the right thing to do.

REPUBLICANS APPROVE OF HARMFUL SEQUESTER

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

Mr. HOYER. The gentleman who preceded me is new to the Congress of the United States. I've been here for a little longer than that, some 32 years. This is the least confidence-building Congress, last Congress and this Congress, in which I have ever served. It is taking us from fiscal crisis to fiscal crisis. It is creating cliffs where no cliffs ought to exist, and they undermine the confidence of business, America, Americans, and indeed, the rest of the world that needs a stable and secure America to ensure that we keep the kind of stability that Americans want here at home and around the world.

We will be dealing with a bill today and tomorrow that could be considered in an hour. We're going to take two days to consider it. And while we consider that, while we fiddle, while the sequester threatens to burn our economy, jobs, and confidence, we do nothing. We have not done anything to avoid the sequester for the last 7 weeks of this year, and nothing in this Congress. As a matter of fact, other than completing the work of making sure the folks who were damaged by Sandy were assisted, which should have been done in the last Congress, we've done nothing here of real substance in 7 weeks, but we are about to confront the sequester.

I want every American to know, I want every person who relies on the Federal Government—and that is mainly all of us—that if Democrats were in charge of this House the sequester would not go into effect. Why? Because we would adopt an alternative policy that would cut spending so that we could move towards deficit and debt reduction, which we need to do as a country, and we would make a balanced proposal that the Senate Democrats will offer this day, and that we wanted to offer and CHRIS VAN HOLLEN offered last night in the Budget Committee, but which as not made in order.

□ 1010

In his State of the Union speech, the President talked about the American people deserve a vote. He's right. The American people deserve to know how Members are going to vote on issues of consequence to them, their families, their lives, their jobs, and their country. But we were denied a vote last week on this issue, which was a substitute for the sequester, and we are again denied this week a substitute for the sequester.

Some of my Republican friends try to say, Oh, it's the President who wanted the sequester. That is dead flat wrong. Rob Nabors did mention the sequester after the Republicans passed the sequester in this House in July of 2011. They call it the Cut, Cap, and Balance Legislation. Its fallback position was ''sequester.'' It was a policy that all, I think, but two Republicans voted for when it passed this House. It was a policy that they promoted and supported. It is a bad policy. It's an irrational policy. It is a policy that will have great adverse consequences.

At a town meeting, I said the sequester works like this: if you have a food budget and a movie budget and somebody loses their job, the sequester says you cut food by 10 percent and movies by 10 percent. No rational American family would do that. They'd say this month we're not going to the movies or this 6 months we're not going to the movies, but we're going to make sure we put food on our table. Sequester says, No, we cut food by 10 percent and movies by 10 percent.

Sequester is an irrational response to our failure as a Congress, correct, to get our finances on a sustainable path. We need to do that. And Democrats are suggesting a balanced way to do it. By the way, every bipartisan commission that has dealt with this issue has recommended a balanced process to get from where we are to where we need to be.

We're going to go on break next week as if we've done our job. We haven't. We ought to be spending time today, tomorrow, next week, and the week thereafter in avoiding the irrationality of the sequester process, but I have a list of Republicans here, all of whom say, Bring it on. The sequester is okay. Well, if we do the sequester, we're going to find out it's not okay.

Mr. Speaker, I urge the majority leader and I urge the Speaker to bring forth substantive legislation that is balanced and which will avoid the sequester taking place. It's bad for our people; it's bad for our country. It's bad policy.

DR. JULIAN DAVIDSON, AN AMERICAN PATRIOT

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

Mr. BROOKS of Alabama. Mr. Speaker, Dr. Julian Davidson passed away on January 31, 2013.

I have personally known Julian Davidson and his wife, Dorothy, for only a few years. But I know enough about Julian Davidson, what he did, and how he lived to know that he was an American patriot who will be sorely missed by his family, the Tennessee Valley, America, and me.

Julian Davidson was born in the small town of Oakman in Walker County, Alabama, on September 2, 1927. He was a proud son of Oakman and Walker County; however, his destiny lay elsewhere.

At the age of 17, Julian Davidson hitchhiked to Montgomery, Alabama, and without permission and despite being underage, enlisted in the Navy during World War II. He served with distinction on gunships loading heavy ammunition into gun turrets. Julian Davidson's naval service gave him an enduring respect and admiration for America's warfighters who serve in harm's way.

After the Navy, Julian Davidson attended classes during the day and worked at a pool hall at night to obtain an electrical engineering degree from Auburn University. After graduation, Julian Davidson joined the Tennessee Valley Authority where he rose to senior design engineer.

In 1961, Julian Davidson began work for the United States Ballistic Missile Defense Organization as an aerospace research engineer, thus beginning his life's passion in a career in missile defense that spanned half a century.

Julian Davidson once briefed Secretary of Defense Robert McNamara concerning using the Nike Zeus missile system for a possible anti-satellite role. Army leadership didn't believe McNamara would do it, so they sent in Julian Davidson, then a junior member of the briefing team to make the presentation. Julian related that ''for some reason, McNamara was very interested and asked how long it would take and how much it would cost.'' I answered 15 months and $15 million. He didn't flinch. He said, Do it. We went through about six decision milestones in that 15-minute briefing.

In time, Julian Davidson became Director of the Advanced Ballistic Missile Defense Agency and one of the youngest people to achieve the rank of senior executive service with the Federal Government.

In 1979, Julian met Dorothy Smith. In 1981, they married in Fairfax, Virginia. Julian loved and admired Dorothy for her intelligence and spark. Julian Davidson used to say that Dorothy ''is the glue that holds everything together.'' He wrote in a speech:

> I'd like to thank my wife, Dorothy, who in addition to running her company, takes care of family matters, allowing me to do the things that interest me the most, missile development and testing.

Julian Davidson was quick witted when he added:

> I want you to know the rumor is not true that Dorothy does all the maintenance jobs around the home because I refuse to. I would be happy to do these tasks, except she will not allow me to borrow her tools.

In the 1990s, Julian and Dorothy Davidson settled in Huntsville, Alabama, a community Julian loved very much. Julian started Davidson Technologies in 1996 with just two employees.

Julian Davidson emerged as a leading figure in the Tennessee Valley and believed that if everyone worked for the betterment of the community, regardless of personal gain, everyone benefited. Julian sought to leave our community and country better than he found it, and he did that.

Julian Davidson is a former chairman of the Air Force Studies Board of

the National Research Council, member of the Defense Sciences Board, and vice chairman of the Technology Assessment Committee of the United Space Command for the National Research Council.

Julian Davidson twice received the Army Exceptional Civilian Service Award. He has received the Air Force Meritorious Civilian Service Award, the MDA Pioneer Award, and the Medaris Award. He is a member of the United States Army Strategic Defense Employees Hall of Fame, the Alabama Technology Hall of Fame, and the Auburn Alumni Engineering Council.

Julian Davidson's impact on America is enormous. He is known by many as the ''father of missile defense in America.''

Julian Davidson is survived by his wife, Dorothy; his four children, Diana Lyn, Janice Faye, Randall Eugene, and Robert Lee; his two grandchildren, Wendy Faith Holderfield and William Blair Peyton; and three great grandchildren, Teagan Holderfield, Shelby Holderfield, and Michaela Holderfield.

America and the Davidson family have lost a great man and a true patriot, and we are all better for having known Dr. Julian Davidson.

END HUNGER NOW

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

Mr. MCGOVERN. Mr. Speaker, President Obama's State of the Union speech was memorable and important for a number of reasons. I'm pleased the President talked about gun violence, climate change, voting rights, and, of course, jobs and the economy.

I'm especially pleased that, for the first time in more than a decade, the State of the Union had a real focus on poverty and the need to help those who economically are the most vulnerable in our Nation.

Poverty is the root cause of many of our Nation's problems. Those in poverty face challenges that middle- and higher-income families simply do not have to face. And to be frank, there are too many voices in the United States Congress that are silent on this issue.

So I commend the President for talking about poverty, which we must confront and address if we are truly to fulfill our mandate to form a more perfect Union.

One of the most devastating effects of poverty is hunger, and we cannot end hunger now if we're not talking about it. This is a big problem, and it is a costly problem. This is a problem that is not going away unless we act.

Mr. Speaker, over 50 million people are hungry in America. There are more than 50 million people who struggle to put food on their tables. Many of these are hardworking people whose jobs just do not pay enough to feed their families. Many are jobless, and many are homeless.

□ 1020

We need to use every opportunity we have to talk about it and to shine a light on the plight of the hungry, to take hunger out of the shadows and rededicate ourselves to the need to End Hunger Now.

As I said last week, just because over 50 million people in this country struggle to put food on their tables doesn't mean that we have mass starvation in America. Thankfully, we have developed a safety net that helps protect the vast majority of the hungry. SNAP, or food stamps, is one of the most important parts of that safety net.

There are a myriad of different initiatives being used to combat hunger in America. There are public, private, and nonprofit initiatives that are all very successful in their own ways. The problem is that these efforts—from Federal to State to local governments and from nonprofits, like churches and food banks, to for-profit businesses—are often working independently of each other. They are not always connected.

Mr. Speaker, we need to work smarter and more efficiently if we are going to End Hunger Now. We need to bring everyone together and connect the dots. We need a plan. That's why I've called for a White House Conference on Food and Nutrition. Over the years, there have been citywide, countywide, and statewide hunger summits. Food banks, hospitals, colleges, and universities have all held these events, but there has not been one nationwide hunger summit convened by the White House since President Nixon hosted such a summit in 1969—over 44 years ago.

We need this conference today more than ever because hunger is getting worse in America, not better. Our deficit and our debt are forcing us to do more with less, and that means we need to be more efficient and streamlined with our resources. Our Federal agencies should be talking to each other and addressing hunger in a more comprehensive and holistic way.

Why shouldn't the Departments of Labor, of Health and Human Services, of Housing and Urban Development, and, yes, the Department of Defense sit down and talk about the impact hunger and nutrition have on their efforts and how best they can address this problem?

As these agencies coordinate, we will need to involve antihunger safety net nonprofits, like our food banks, religious institutions, schools, and hospitals; and we need to bring in the business community, including the food and beverage community, financial institutions and manufacturers. We need to bring our doctors and nurses, our teachers and pastors, our business leaders and politicians, and, yes, the hungry together in one room to develop one plan to End Hunger Now. Then we need to agree to implement and execute the plan.

Mr. Speaker, hunger is a political condition. We have the means and the knowledge to End Hunger Now. We just don't have the political will. While hunger is a political condition, it should not be a partisan issue. A White House Conference on Food and Nutrition is the forum that we need to galvanize political will to finally end hunger in America.

Ending hunger takes bold leadership. It takes Presidential leadership because the President is the only one who can call everyone together, who can get everyone in the same room and on the same page in order to come up with one meaningful and achievable plan. We need the President to rise to the occasion and to say that we are going to End Hunger Now.

Mr. Speaker, I call on the White House to host a Conference on Food and Nutrition. I call on the White House to commit to ending hunger in America just as they are working to reduce obesity and to improve nutrition. I call on the White House to End Hunger Now, and I ask my colleagues, Republicans and Democrats, to join in all efforts to End Hunger Now. Mr. Speaker, ending hunger now is more than a nice phrase. It is something we must do. It is our moral obligation. It is what a great country like America should do—End Hunger Now.

SEQUESTRATION AND DEFENSE SPENDING

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

Mr. BLUMENAUER. Mr. Speaker, part of the air of unreality in Washington is the myth of our inability to contend with budget reductions and the threat of sequestration in stabilizing America's financing. No doubt the draconian hand of across-the-board cuts in every program from food safety to border control to air traffic control would be foolish and destructive.

Let me be clear. The major problem in all of this is here in Congress and our political structure, which creates self-inflicted crises. Sequestration and the postal deficit are just two examples. We know what to do, but you would never know it because we spend most of our efforts around here describing and decrying the problems rather than doing something about them.

Let me repeat. The amount of budget reduction is something that can, in fact, be managed if only we change how America does business. Nowhere have the cries been more anguished than about the impact of sequestration on the Department of Defense, ironically, from many of the same people who insisted on the sequestration gimmick in the first place. As is widely recognized, sequestration over the next 10 years when applied to the Pentagon's budget would only reduce it in inflation-adjusted terms to what it was in 2007 when the most powerful military in the world was engaged in a war in Iraq and the challenge in Afghanistan.

If Members of Congress pay attention to the facts, they will see a clear path to dramatically reduce Pentagon spending without undermining America's position of being the most powerful Nation on the planet.

Nobody has done a better job of highlighting a path forward, an area of opportunity, than Walter Pincus, writing in the pages of The Washington Post over the course of the last couple of years as he details the sweep of our nuclear weapons program and the spending trajectory. This morning is his latest offering and should be required reading for every Member of Congress, and the ones who whine the loudest should be forced to read it twice. He details the vast array of nuclear weapons that are ready to be deployed within 30 minutes, a relic of our contending with the former Soviet Union, where deterrence was the order of the day and when we were relying on massive assured mutual destruction of that huge country with overwhelming force.

Now, not even the most delusional think we need a fraction of that firepower for today's threats, like North Korea, and it certainly wouldn't work against a nuclear weapon falling in the arms of some radical extremist. That, by the way, is most likely to happen with Pakistan's proven nuclear capability than Iran's, which is still being developed.

The cost of this overwhelming force, including its three delivery systems, ought to give people pause. Consider the 14 Ohio class submarines, each with 24 ICBMs and each missile armed with five warheads, each three times the explosive power of the bombs dropped on Japan. We've got 118 B–52 strategic bombers and, of course, all of the land-based missiles where people are in the silos, ready to launch at a moment's notice. It is, by any stretch of the imagination, extravagance that borders on lunacy.

The $80 billion the White House was forced to promise for the upgrades on the nuclear weapons complex and the at least $100 billion to replace the strategic delivery systems that were extracted in return for votes to pass the START treaty are obvious places to begin retrenchment. There are tens, if not hundreds, of billions of dollars to be saved over the next 10 years by refocusing our defense posture for the threats of today and the likely ones of tomorrow. Let's start cutting this massive Cold War deterrence based on the threat of nuclear weapons we've never been able to use, don't want to use, shouldn't use, and can't afford.

I invite my colleagues, especially those on the other side of the aisle, to join us in getting real and getting specific. There is a clear path forward that should command the support of Republicans and Democrats alike to achieve fiscal stability. Let's rein in outrageous crop insurance abuses. Don't fight health care reform—accelerate it. The work we're doing in Oregon, if applied nationally, could save up to $1.5 trillion over the next 10 years. Pay for the privilege of taking America's mineral wealth by reforming the Mining Act of 1872, and slash the fossilized nuclear weapons program.

SOBER TRUTH ON PREVENTING UNDERAGE DRINKING ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. ROYBAL-ALLARD) for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Speaker, last week, I introduced H.R. 498, to reauthorize the Sober Truth on Preventing Underage Drinking Act, better known as the STOP Act.

The original STOP Act passed with bipartisan support in 2006. It was based on the recommendations of the 2003 Institute of Medicine report, which outlined the extent of the underage drinking problem in the United States. At that time, 20 percent of eighth graders, 42 percent of 10th graders, and 58 percent of 12th graders reported being drunk in their lifetimes.

□ 1030

Designed to address this public health crisis, the STOP Act established an interagency committee to coordinate Federal efforts to reduce and ultimately prevent underage drinking.

The law financed public health research on underage drinking, and it authorized a national media campaign to educate parents about the dangers of consuming alcohol before the age of 21.

The STOP Act also provided grants to communities throughout the country to enhance their underage drinking prevention efforts. As a result of this comprehensive approach, we have seen positive results in both national statistics and in communities across America.

According to the 2012 Monitoring the Future survey, the lifetime use of alcohol by 8th-, 10th-, and 12th-graders is at the lowest level in years. Unfortunately, there is more that needs to be done.

Despite the progress we have made, alcohol continues to be the number one drug of choice among youth, and the consequences are devastating.

In addition to costing society over $62 billion a year, underage drinking by youths 15–20 years of age is a major cause of homicide, suicide, and motor vehicle accidents. And it results in the deaths of approximately 5,000 youths every year. Adding to this tragedy is the fact that all of these consequences are preventable. This makes reauthorization of the STOP Act even more necessary.

H.R. 498 continues the successful programs of the original STOP Act and adds a grant program to train pediatric health care providers on the best practices for screening and treating substance abuse among youth.

Mr. Speaker, the reauthorization of the STOP Act is an important bipartisan effort to help prevent the needless suffering and costs associated with underage drinking. I urge my colleagues to join me and my original cosponsors, Congressman FRANK WOLF and Congresswoman ROSA DELAURO, by cosponsoring the STOP reauthorization bill, H.R. 498, so we can continue to move forward in our efforts to address this public health crisis affecting our children.

DOING NOTHING IS NOT AN OPTION

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

Mr. KILMER. Mr. Speaker, I rise today with sincere appreciation for the opportunity I have to represent my region in our Nation's Capital. Throughout the past year, whether it was in Gray's Harbor or Port Angeles, Bremerton, or Tacoma, what I heard from folks around my region is they want solutions to our problems. People want to get back to work. They want to start new businesses. They want to explore new frontiers of science and technology. They want to help build our Nation's bridges and roads. They want to refurbish our schools and buildings. I'm passionate about these issues, and I'm committed to working with my colleagues from both sides of the aisles to find new ways to move this economy forward.

Over the past 6 weeks, I've had the opportunity to meet with constituents to talk about their top concerns. And whether it's back in Washington State, or visits with folks who've traveled 3,000 miles to our Nation's capital, the number one thing that I hear about is the reckless and devastating impact that impending across-the-board cuts would have on our families and on our communities.

I've heard from educators and administrators that they face dramatic cuts that would lead to ballooning class sizes and significant cuts to financial aid.

I've heard from parents who are afraid for their kids who have autism, fearful that their kids won't be able to get the services that they rely on.

I've heard from tribal leaders who say that these cuts will scale back community policing on our reservations and jeopardize patient access to the Indian Health Service.

And as someone who has spent the last decade working in economic development, I've heard from small business owners who say that all of this uncertainty is making them hesitant to hire new workers and expand their production lines. Virtually every meeting that I have had has detailed how reckless and wrong-headed these across-the-board cuts would be.

Yesterday, testifying before the House Armed Services Committee, Deputy Secretary of Defense Ashton Carter pointed out that these cuts aren't happening because we've

thought about them strategically. They're not happening because we've identified wasteful spending. They're not happening because we've discovered some new technology that makes it cheaper to keep our Nation safe. They're only happening because they are, as he put it, ''the collateral damage of political gridlock.''

We've already seen the effects of these looming cuts in Washington State. The Puget Sound Naval Shipyard, the largest employer in my district, had to postpone its career fair because of all of this budget uncertainty. This is a no brainer—we have the work and we have the workers, but they can't hire because Congress hasn't done its job. Puget Sound Naval Shipyard needs to be able to actively recruit and hire workers. Our local economy needs it, and our national security depends on it. And yet, here we are.

Later today, we will be focusing on legislation that doesn't solve this problem, isn't going to pass the Senate, and isn't going to become law. And after we finish legislative business tomorrow, we're all being sent home for a week. This leaves us with just 4 legislative days for us to act before these across-the-board cuts go into effect.

We were elected to this body to help people. Stopping these damaging, nonstrategic, across-the-board cuts to avoid undermining our economy should be our top priority. We should be working day and night until we have a solution. By doing nothing, we risk putting our fragile economy back into a recession. By doing nothing, we refuse the commitments we've made. We're cutting education, kicking kids off Head Start, hurting small businesses, and gutting research and innovation—the foundations of our long-term economic growth.

By doing nothing, we hurt the men and women who spend their days protecting our Nation and providing essential services to the American people. And by doing nothing, Congress is spending the wrong message to the American people.

Mr. Speaker, we need to get America back to work. And, Mr. Speaker, we need to get Congress working again, too. Doing nothing is not an option. Let's put an end to these gimmicks, and let's stop kicking the can down the road. Let's stop these series of self-imposed crises that fissure the trust and predictability that the private sector needs.

Let's work together to reach a balanced compromise to replace the across-the-board cuts with a smart, balanced approach to addressing our fiscal challenges and getting our economy growing again. Let's maintain our commitment to our Nation's most vulnerable and preserve retirement security for our seniors. And let's get America back to work.

PROTECT FUNDAMENTAL RIGHT TO VOTE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, this month the Supreme Court will hear arguments in Shelby v. Holder, a case that challenges the constitutionality of section 5 of the Voting Rights Act. It is imperative that the Voting Rights Act be upheld in its entirety, for without it, a fundamental piece of our democracy will be out of reach for millions in this country.

Mr. Speaker, I stand here after two decades, and I'm supposed to be standing here representing a district that has been altered twice. But, Mr. Speaker, I stand here representing a district that has been altered three times—that many times—in this last two decades. As we saw in the recent election, discrimination on the basis of race is a persistent reality throughout many localities in States protected by section 5 of the Voting Rights Act. Without these protections, voters are at risk of losing their fundamental right to vote and to have that vote counted.

The Voting Rights Act provides a remedy to protect voters, either by addressing actual instances of discrimination or by preventing discrimination from happening in the first place.

□ 1040

Section 5 provides localities the opportunity to prove that they are fully committed to ensuring everyone has the right to vote, and sets out clear criteria for doing so. In this way, section 5 of the Voting Rights Act encourages localities to establish fair voting practices, but demands real proof of the progress.

I cannot tell you how many cases that come to the attention of the Justice Department, almost on a monthly basis, of discrimination in this area. The Constitution is unequivocally clear that the Congress has the authority to protect voters. That is why Congress spent so much time in 2006 reviewing all the data and hearing from all sides.

The 2006 reauthorization was recognition that discrimination still exists but that Congress has a responsibility to ensure that every voter must continue to exercise their right.

If every State would prove to the voters that they are willing not to discriminate, there would not be the need; but that has not happened. Even States not covered have had difficulty of allowing minorities to express themselves.

Now, I have been a victim of discrimination through redistricting and cracking and packing and every other technique that can happen in redistricting. Mr. Speaker, until we, in this country, can guarantee that voters will be handled fairly, there is no way that we should be talking about doing away with section 5 of the Voting Rights Act.

CELEBRATING THE 150TH ANNIVERSARY OF KANSAS STATE UNIVERSITY

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

Mr. HUELSKAMP. Mr. Speaker, I rise today to recognize the first land-grant college in America. Founded on February 16, 1863, Kansas State University has faithfully served the people of Kansas and this great Nation for 150 years.

K-State was one of the first schools to offer a degree in home economics. K-State has helped feed a hungry world through innovative wheat, beef, and sorghum research; and Kansas State University is preparing for the next generation of animal research with the construction of the National Bio and Agri-Defense Facility Research Laboratory.

Let me extend my heartfelt congratulations to Kansas State University for the last 150 years as we look forward to many more successes in the next 150 years.

REAUTHORIZATION OF SECTION 5 OF THE VOTING RIGHTS ACT

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

Ms. JACKSON LEE. Mr. Speaker, I've always had such great respect for this distinguished body, the holder and interpreter of democracy, the institution that proudly protects the Constitution that was written by those who saw in this land this bright and shining sun from sea to shining sea, enormous opportunity for freedom.

So many people came to this Nation, and they came in many different ways. We don't carry the way we came into the future, as much as the fact that we are grateful of the opportunity that this Nation has given us.

The Nation has been able to turn the tide on embracing democracy in its fullest because of the Constitution and the laws, because we adhere to the three branches of government. So although my ancestors came to this Nation in bondage that lasted for hundreds of years, slavery, that has its remnants continuously as we move throughout society, there are now laws that can ensure, no matter how you came to this country, no matter what language you spoke, you are, in fact, deserving of the protection of the Constitution.

And so out of that protection came the 14th and 15th Amendments. Those amendments provided that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, and not deny any person in the jurisdiction equal protection.

The 15th Amendment provides that the right of citizens to vote shall not be denied or abridged by the United States or any State on account of its race, color, or previous servitude.

And, finally, each amendment allows this Congress to enforce laws; and that was the basis of the authority of the President that came from Texas, President Lyndon Baines Johnson, who joined with a young, brilliant minister of the gospel, a man who ultimately sacrificed his life, Dr. Martin Luther King, Jr., to engage in debates and discussion that resulted in the 1964 Civil Rights Act and the 1965 Voting Rights Act.

And here we are today with the opportunity for people from all walks of life and all communities to be able to vote and to have, as of September 28, 2011, the upholding of the pre-clearance provision, a very special provision of the Voting Rights Act by a district court, Federal court in the District of Columbia.

Shelby v. The United States now is before the Supreme Court. And my argument, Mr. Speaker, is that this is no time to eliminate pre-clearance. I'm reminded of a letter that I wrote to the U.S. Attorney's Office, Attorney General Eric Holder, just in my city alone, the city of Houston, to report 15 voter abuse cases.

Without the pre-clearance, where would we be?

Or the proposal to eliminate the North Forest Independent School District Board of Trustees over a school district that has worked hard to survive which will be subjected to the pre-clearance to determine whether not only the students will be denied their rights to learn in a school district they love and is fighting for their education, but that elected persons will be denied the right to serve and others denied the right to vote for them.

The Voting Rights Act protects all voters. It gives them all the right to vote—one vote, one person. And Shelby County has raised issue that they should not be subjected to pre-clearance, that they are beyond that. The district court, the Federal court decided, in Washington, D.C., that they were wrong, that pre-clearance is constitutional.

And we know that well because when we had the privilege of reauthorizing section 5 in 2006, building on the leadership of my predecessor, the Honorable Barbara Jordan, who came to the United States Congress only because, along with Andrew Young, the first who came out of the Deep South since Reconstruction, only because America had seen fit to pass the Voting Rights Act of 1965, because I can assure you, with personal stories from the Honorable Barbara Jordan told to us in her lifetime, that she ran and ran and ran and ran and could not be elected in Houston, Texas.

The Barbara Jordan that was admired by many could not be elected until after the passage of the Voting Rights Act because there were abuses and prohibitions and intimidation of African Americans being able to vote.

And so today I believe it is extremely important that, as the Supreme Court takes this case up on February 27, that we stand in the midst of the 15,000 sheets of documentation, when I had the privilege of joining with my Judiciary Committee colleagues to reauthorize the Voting Rights Act and, specifically, section 5, and writing amendments to ensure its sanctity and security for a period of years, that we did not do it frivolously. We did it with authority, Mr. Speaker, and I am asking that America stand against the elimination of the Voting Rights Act. Join us on February 27.

I rise today to speak about the need to protect democracy, to protect the voice of the American people, and to ensure the right to vote continues to be treated as a right under the Constitution rather than being treated as though it is privilege.

If you are a Constitutional Scholar this is an exciting time because the United States Supreme Court has a very active docket this term, deciding on matters which have great import to every American.

And pursuant to that, in less than two weeks the Supreme Court will hear the case of Shelby County Alabama v. Holder. The issue in this case is whether Congress' decision in 2006 to reauthorize Section 5 of the Voting Rights Act under the pre-existing coverage formula of Section 4(b) of the Voting Rights Act exceeded its authority under the Fourteenth and Fifteenth Amendments and thus violated the Tenth Amendment and Article IV of the United States Constitution.

The challenge to the constitutionality of Section 5 in this case was brought by Shelby County, Ala., which is a majority white suburb of Birmingham.

In rejecting the County's arguments, Judge Bates agreed with an earlier unanimous decision, by a three-judge panel of the D.C. District Court, which likewise upheld the constitutionality of Section 5, in a case brought by a local Texas utility district, which is my home state.

That earlier decision, however, was vacated in 2009 when the Supreme Court decided that the utility district could pursue a statutory "bailout" from Section 5 coverage.

Unlike the Texas utility district, Shelby County freely admitted that it has a recent history of voting discrimination that disqualified it from "bailing out."

I am joined by my colleagues here today to call on all Americans to reject and denounce tactics and measures that have absolutely no place in our democracy. I call on African-Americans, Hispanic and Latino Americans, as well as Asian-American voters to band together to fight for their right to vote and to work together to understand their voting rights which are granted to citizens of our nation by our laws and our Constitution.

I call on these citizens to stand against harassment and intimidation, to vote in the face of such adversity. The most effective way to curb tactics of intimidation and harassment is to vote. Is to stand together to fight against any measures that would have the effect of preventing every eligible citizen from being able to vote. Voting ensures active participation in democracy.

As a Member of this body, I firmly believe that we must protect the rights of all eligible citizens to vote. Over the past few decades, minorities in this country have witnessed a pattern of efforts to intimidate and harass minority voters through so-called "Voter Id" requirements. I am sad to report that as we head into the 21st century, these efforts continue.

Never in the history of our nation, has the effect of one person, one vote, been more important. A great Spanish Philosopher, George Santayana once said "Those who cannot learn from history are doomed to repeat it." Our history has taught us that denying the right to vote based on race, gender or class is a stain on the democratic principles that we all value. The Voting Rights Act was a reaction to the actions of our passed and a way to pave the road to a new future.

The Voting Rights Act (VRA) was adopted in 1965 and was extended in 1970, 1975, and 1982. This legislation is considered the most successful piece of civil rights legislation ever adopted by the United States Congress. Contrary to the prevailing rumor that the Act is due to expire, leaving minorities with no rights, the Act is actually due for reauthorization in the 2nd session of the 108th Congress—there is no doubt about whether it will continue to protect our rights in the future.

The VRA codifies and effectuates the 15th Amendment's permanent guarantee that, throughout the nation, no person shall be denied the right to vote on account of race or color. Adopted at a time when African Americans were substantially disfranchised in many Southern states, the Act employed measures to restore the right to vote to citizens of all U.S. states.

By 1965, proponents of disenfranchisement made violent attempts to thwart the efforts of civil rights activists. The murder of voting-rights activists in Philadelphia and Mississippi gained national attention, along with numerous other acts of violence and terrorism.

Finally, the unprovoked attack on March 7, 1965, by state troopers on peaceful marchers crossing the Edmund Pettus Bridge in Selma, Alabama, en route to the state capitol in Montgomery, persuaded the President and Congress to overcome Southern legislators' resistance to effective voting rights legislation. President Johnson issued a call for a strong voting rights law and hearings began soon thereafter on the bill that would become the Voting Rights Act.

Congress adopted this far-reaching statute in response to a rash of instances of interference with attempts by African American citizens to exercise their right to vote—a rash that appears to be manifesting itself again in this nation. Perhaps a legislative measure is needed to respond in a way that the VRA did.

The Supreme Court upheld the constitutionality of the VRA in 1966 in a landmark decision—*South Carolina* v. *Katzenbach*, 383 U.S. 301, 327–28:

> Congress had found that case-by-case litigation was inadequate to combat widespread and persistent discrimination in voting, because of the inordinate amount of time and energy required to overcome the obstructionist tactics invariably encountered in these lawsuits. After enduring nearly a century of systematic resistance to the Fifteenth Amendment, Congress might well decide to shift the advantage of time and inertia from the perpetrators of the evil to its victims.

It seems that the ''obstructionist tactics'' that threatened the aggrieved parties in Katzenbach have returned. The advantages of ''time and inertia'' that were shifted from bigoted bureaucrats to minority victims are slowly shifting back against their favor when educators, government leaders, and agencies are allowed to contravene the policy and legal conclusions given by the highest court in the country.

Several factors influenced the initiation of this civil rights legislation. The first was a large shift in the number of African Americans away from the Republican Party. Second, many Democrats felt that it was a mistake of its Southern members to oppose civil rights legislation because they could lose more of the African American and liberal votes.

No right is more fundamental than the right to vote. It is protected by more constitutional amendments—the 1st, 14th, 15th, 19th, 24th and 26th—than any other right we enjoy as Americans. Broad political participation ensures the preservation of all our other rights and freedoms. 3 State laws that impose new restrictions on voting, however, undermine our strong democracy by impeding access to the polls and reducing the number of Americans who vote and whose votes are counted.

VOTER IDENTIFICATION

There have been several restrictive voting bills considered and approved by states in the past several years. The most commonly advanced initiatives are laws that require voters to present photo identification when voting in person. Additionally, states have proposed or passed laws to require proof of citizenship when registering to vote; to eliminate the right to register to vote and to submit a change of address within the same state on Election Day; to shorten the time allowed for early voting; to make it more difficult for third-party organizations to conduct voter registration; and even to eliminate a mandate on poll workers to direct voters who go to the wrong precinct.

These recent changes are on top of the disfranchisement laws in 48 states that deprive an estimated 5.3 million people with criminal convictions—disproportionately African Americans and Latinos—of their political voice.

Voter ID laws are becoming increasingly common across the country. Today, 31 states have laws requiring voters to present some form of identification to vote in federal, state and local elections, although some laws or initiatives passed in 2011 have not yet gone into effect. Some must also be pre-cleared under the Voting Rights Act prior to implementation. In 16 of those 31 States, voters must (or will soon be required to) present a photo ID—that in many states must be government-issued—in order to cast a ballot.

Voter ID laws deny the right to vote to thousands of registered voters who do not have, and, in many instances, cannot obtain the limited identification states accept for voting. Many of these Americans cannot afford to pay for the required documents needed to secure a government issued photo ID. As such, these laws impede access to the polls and are at odds with the fundamental right to vote.

In total, more than 21 million Americans of voting age lack documentation that would satisfy photo ID laws, and a disproportionate number of these Americans are low-income, racial and ethnic minorities, and elderly. As many as 25% of African Americans of voting age lack government-issued photo ID, compared to only 8% of their white counterparts. Eighteen percent of Americans over the age of 65 do not have government-issued photo ID.

Laws requiring photo identification to vote are a ''solution'' in search of a problem. There is no credible evidence that in-person impersonation voter fraud—the only type of fraud that photo IDs could prevent—is even a minor problem. Multiple studies have found that almost all cases of alleged in-person impersonation voter ''fraud'' are actually the result of a voter making an inadvertent mistake about their eligibility to vote, and that even these mistakes are extremely infrequent.

It is important, instead, to focus on both expanding the franchise and ending practices which actually threaten the integrity of the elections, such as improper purges of voters, voter harassment, and distribution of false information about when and where to vote. None of these issues, however, are addressed or can be resolved with a photo ID requirement.

Furthermore, requiring voters to pay for an ID, as well as the background documents necessary to obtain an ID in order to vote, is tantamount to a poll tax. Although some states issue IDs for free, the birth certificates, passports, or other documents required to secure a government-issued ID cost money, and many Americans simply cannot afford to pay for them. In addition, obtaining a government-issued photo ID is not an easy task for all members of the electorate. Low-income individuals who lack the funds to pay for documentation, people with disabilities with limited access to transportation, and elderly.

Americans who never had a birth certificate and cannot obtain alternate proof of their birth in the U.S., are among those who face significant or insurmountable obstacles to getting the photo ID needed to exercise their right to vote. For example, because of Texas' recently passed voter ID law, an estimated 36,000 people in West Texas's District 19 are 137 miles from the nearest full service Department of Public Safety office, where those without IDs must travel to preserve their right to vote under the state's new law.

In addition, women who have changed their names due to marriage or divorce often experience difficulties with identity documentation, as did Andrea, who recently moved from Massachusetts to South Carolina and who, in the span of a month, spent more than 17 hours online and in person trying without success to get a South Carolina driver's license.

Voter ID laws send not-so-subtle messages about who is and is not encouraged to vote. As states approve laws requiring photo ID to vote, each formulates its own list of acceptable forms of documentation. Another common thread emerging from disparate state approaches is a bias against robust student electoral participation.

Henceforth, students at Wisconsin colleges and universities will not be able to vote using their student ID cards, unless those cards have issuance dates, expiration dates, and signatures.

Currently, only a handful of Wisconsin colleges and universities are issuing compliant IDs. Nor will South Carolina, Texas, or Tennessee accept student identification at the polls.

Policies that limit students' electoral participation are particularly suspect, appearing on the heels of unprecedented youth turnout in the 2008 election.

Four states with new voter identification mandates, including my home state of Texas, South Carolina, Mississippi, and Alabama, are required under the Voting Rights Act to have these voting changes pre-cleared by either the Department of Justice (DOJ) or a panel of federal judges. Before they may be implemented, DOJ must certify that these laws do not have the purpose or effect of restricting voting by racial or language minority groups.

Thus far, South Carolina and Texas both have submitted applications to DOJ that have been formally opposed in written submissions. DOJ has requested further information from both states, and the applications are on hold. Alabama's ID requirements do not take effect until 2014, so the state has not yet applied to DOJ for preclearance. Mississippi's voter ID requirement was approved by voters on November 8, 2011, so a preclearance request has not yet been submitted.

In countries scattered across this earth, citizens are denied the right to speak their hearts and minds. In this country, only a few decades ago, the right to vote was limited by race, sex, or the financial ability to own land. When a vote is not cast, it is a referendum on all those who fought so hard and tirelessly for our rights. When a vote is cast, it is cast not only for you and the future but also for all those who never had the chance to pull a lever.

We are still working to make Martin Luther King's dream a reality, a reality in which our government's decisions are made out in the open not behind cigar filled closed doors.

The time to take back the country is at hand, and we are the ones with the power to do just that. To do so we must allow all citizens who are eligible to vote, with the right to excise this decision without tricks or tactics to dilute their right to vote.

Instances of voter intimidation are not long ago and far away. Just last year I sent a letter to U.S. Attorney General Eric Holder to draw his attention to several disturbing instances of voter intimidation that had taken place in Houston. In a single week there were at least 15 reports of abuse of voter rights throughout the city of Houston.

As a Senior Member of the House Judiciary Committee, I called for an immediate investigation of these instances. Many of these incidents of voter intimidation were occurring in predominately minority neighborhoods and have been directed at African-Americans and Latinos. It is unconscionable to think that anyone would deliberately employ the use of such forceful and intimidating tactics to undermine the fundamental, Constitutional right to vote. However, such conduct has regrettably occurred in Houston, and I urge you to take appropriate action to ensure that it does not recur.

I am here today in the name of freedom, patriotism, and democracy. I am here to demand that the long hard fought right to vote continues to be protected.

A long, bitter, and bloody struggle was fought for the Voting Rights Act of 1965 so that all Americans could enjoy the right to vote, regardless of race, ethnicity, or national origin. Americans died in that fight so that others could achieve what they had been forcefully deprived of for centuries—the ability to walk freely and without fear into the polling place and cast a voting ballot.

Efforts to keep minorities from fully exercising that franchise, however, continue. Indeed, in the past thirty years, we have witnessed a pattern of efforts to intimidate and harass minority voters including efforts that were deemed ''Ballot Security'' programs that include the mailing of threatening notices to African-American voters, the carrying of video cameras to monitor polls, the systematic challenging of minority voters at the polls on unlawful grounds, and the hiring of guards and off-duty police officers to intimidate and frighten voters at the polls.

My colleagues on the other side of the aisle have a particularly poor track record when it comes to documented acts of voter intimidation. In 1982, a Federal Court in New Jersey provided a consent order that forbids the Republican National Committee from undertaking any ballot security activities in a polling place or election district where race or ethnic composition is a factor in the decision to conduct such activities and where a purpose or significant effect is to deter qualified voters from voting. These reprehensible practices continue to plague our Nation's minority voters.

VOTING RIGHTS ACT HISTORY

August 6, 2011, marked the 46th anniversary of the Voting Rights Act.

Most Americans take the right to vote for granted. We assume that we can register and vote if we are over 18 and are citizens. Most of us learned in school that discrimination based on race, creed or national origin has been barred by the Constitution since the end of the Civil War.

Before the 1965 Voting Rights Act, however, the right to vote did not exist in practice for most African Americans. And, until 1975, most American citizens who were not proficient in English faced significant obstacles to voting, because they could not understand the ballot.

Even though the Indian Citizenship Act gave Native Americans the right to vote in 1924, state law determined who could actually vote, which effectively excluded many Native Americans from political participation for decades.

Asian Americans and Asian immigrants also have suffered systematic exclusion from the political process and it has taken a series of reforms, including repeal of the Chinese Exclusion Act in 1943, and passage of amendments strengthening the Voting Rights Act three decades later, to fully extend the franchise to Asian Americans. It was with this history in mind that the Voting Rights Act of 1965 was designed to make the right to vote a reality for all Americans.

And the Voting Rights Act has made giant strides toward that goal. Without exaggeration, it has been one of the most effective civil rights laws passed by Congress.

In 1964, there were only approximately 300 African-Americans in public office, including just three in Congress. Few, if any, black elected officials were elected anywhere in the South. Today there are more than 9,100 black elected officials, including 43 members of Congress, the largest number ever. The act has opened the political process for many of the approximately 6l,000 Latino public officials that have been elected and appointed nationwide, including 263 at the state or federal level, 27 of whom serve in Congress. And Native Americans, Asians and others who have historically encountered harsh barriers to full political participation also have benefited greatly.

We must not forget the importance of protecting this hard earned right.

VOTER ID

An election with integrity is one that is open to every eligible voter. Restrictive voter ID requirements degrade the integrity of our elections by systematically excluding large numbers of eligible Americans.

I do not argue with the notion that we must prevent individuals from voting who are not allowed to vote. Yet a hidden argument in this bill is that immigrants may ''infiltrate'' our voting system. Legal immigrants who have successfully navigated the citizenship maze are unlikely to draw the attention of the authorities by attempting to register incorrectly. Similarly, undocumented immigrants are even less likely to risk deportation just to influence an election.

If for no other reason than after a major disaster be it earth quakes, fires, floods or hurricanes, we must all understand how vulnerable our system is. Families fleeing the hurricanes and fires suffered loss of property that included lost documents. Compounding this was the devastation of the region, which virtually shut down civil services in the area. For example, New Orleans residents after Hurricane Katrina were scattered across 44 states. These uprooted citizens had difficulty registering and voting both with absentee ballots and at satellite voting stations. As a result, those elections took place fully 8 months after the disaster, and it required the efforts of nonprofits, such as the NAACP, to ensure that voters had the access they are constitutionally guaranteed.

We need to address the election fraud that we know occurring, such as voting machine integrity and poll volunteer training and competence. After every election that occurs in this country, we have solid documented evidence of voting inconsistencies and errors. In 2004, in New Mexico, malfunctioning machines mysteriously failed to properly register a presidential vote on more than 20,000 ballots. 1 million ballots nationwide were flawed by faulty voting equipment—roughly one for every 100 cast.

Those who face the most significant barriers are not only the poor, minorities, and rural populations. 1.5 million college students, whose addresses change often, and the elderly, will also have difficulty providing documentation.

In fact, newly married individuals face significant barriers to completing a change in surname. For instance, it can take 6–8 weeks to receive the marriage certificate in the mail, another two weeks (and a full day waiting in line) to get the new Social Security card, and finally three-four weeks to get the new driver's license. There is a significant possibility that this bill will also prohibit newlyweds from voting if they are married within three months of Election Day.

The right to vote is a critical and sacred constitutionally protected civil right. To challenge this is to erode our democracy, challenge justice, and mock our moral standing. I urge my colleagues to join me in dismissing this crippling legislation, and pursue effective solutions to the real problems of election fraud and error. We cannot let the rhetoric of an election year destroy a fundamental right upon which we have established liberty and freedom.

□ 1050

TIME TO GET TO WORK

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

Mr. GARCIA. Mr. Speaker, this afternoon a group of 20 freshman Members of Congress will gather to announce that we are putting aside our partisan differences to do the right thing for the American people. For Democrats, this means that 10 of us are willing to compromise on spending so long as we keep our promise to seniors that they can retire with dignity and have access to affordable, quality health care. My Republican colleagues have said that they are willing to compromise on revenues so long as Democrats meet them halfway.

Like most Americans, to those of us who are new to Washington, ''compromise'' isn't a dirty word. It's what regular, ordinary people do in their daily lives. The American people get it. If you have a problem that arises in your office, you and your coworkers may disagree on how to address it, but your company does not wait until it gets to the last minute to solve it. You simply meet with your colleagues, put differences aside, and find solutions. Not everyone will get what they want, but we move forward. And this is precisely what the American people have sent us to Washington to do. They have sent us here to solve problems on their behalf and not argue all the time.

Mr. Speaker, the challenges before us are serious, and they deserve serious proposals. While our economy is growing, we still have many families that are looking for work or waiting for our economy to grow more quickly. Many parents are working two and three jobs and yet cannot find a way to save money for retirement or send their kids to school. I see this all the time in my community in places like Kendall, Westchester, and Islamorada.

This status quo is unacceptable to me, just as I know it is unacceptable to my Republican colleagues. Yet it seems that when we gather in this Chamber, rather than finding commonsense solutions to our problems, we engage in ideological debates that are designed for political posturing that lead us to nowhere.

At a minimum, if we can't agree on every issue, we should be working hard to solve problems. The American people may not know this, but the fact is that of the 31 days that we met here last month, Members of Congress only gathered six times. And in those 6 days, the only bill of any real significance was the Hurricane Sandy relief—a bill that should have been approved last year. Maybe this is the way Washington works; but in the rest of America, if you show up to your job less than 20 percent of the time—that's about 1 day a week—you probably won't have a job for too long. And yet some of my colleagues find this acceptable. Well, I don't. And I know the

American people won't find this acceptable either.

So I respectfully invite each of my colleagues, Republican and Democrats alike, and even those of you who have been in Washington for a while, to join us for this moment of bipartisanship and work together on behalf of our fellow citizens. Let's remember that it is a privilege to serve the American people. It's time to get to work.

UPHOLDING SECTION 5 OF THE VOTING RIGHTS ACT

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

Mr. VEASEY. As oral arguments are being prepared for the February 27 U.S. Supreme Court hearing in the case of Shelby County v. Holder, which challenges the constitutionality of section 5 of the Voting Rights Act, I stand here today in strong support of upholding section 5 as evidence of its current critical necessity. In my home State of Texas, the need for section 5 of the Voting Rights Act is playing out in a very dramatic fashion.

I'm a plaintiff in the ongoing litigation involving the 2011 Texas redistricting case, Quesada v. The State of Texas. I can personally attest and flatly state that overt and deliberate racial discrimination is still used by leaders in Texas today. I wish that statement were untrue or out of date. It would be wonderful to say that we have progressed past the need for protection under section 5 of the Voting Rights Act. Sadly, this is not the case. Section 5 protects minorities from racial discriminatory voter ID laws, voter suppression tactics, and discriminatory redistricting plans. These protections are needed now as much as ever.

In 2011, just 2 years ago, a map was drawn by the Texas Legislature that didn't merely affect the politics of our State. Overt racial discriminatory tactics were used to isolate and suppress hundreds of thousands of minorities for the purpose of political gain by current partisan leaders of my State. Latino and African American citizens in the State of Texas suffered the most aggressive and deliberate discriminatory blows to our constitutional rights to fairly participate in elections.

Cold and heartless tactics were used that should be simply relics of the past—relics like ''packing'' millions of minority voters together into as few districts as people to dilute the impact of their vote by ''cracking'' the remaining voters to ensure that their vote has no impact at all. Minorities were packed precinct by precinct and block by block in order to contain the impact of their growing population. And yet here we are today, fighting to uphold section 5.

The right to vote and the right for one's voice to be heard through elected representation is a legally enacted and constitutional right that many have bled and died for. Yet we are still fighting for this very right. Some say its time to move on. But, my dear friends, we must never move on while these rights are not just at risk but under attack. And when I detail the discrimination contained within the redistricting process, no one should think I'm acting as a partisan Democrat. The three-judge panel in Federal court that heard the evidence, questioned the witnesses, and delivered the opinion of the Texas redistricting case consisted of two judges appointed by Republican Presidents and one judge appointed by a Democratic President. Their finding of intentional discrimination was unanimous. They could not have made their views any clearer, stating:

> The parties have provided more evidence of discriminatory intent than we have space or need to address here.

This was not a case heard 30 years ago, or even 10 or 5 years ago. The decision was released just last August, barely 6 months ago.

Lastly, those who tell you that there is no recourse for States that no longer discriminate are, at best, dangerously mistaken. The Voting Rights Act contains provisions for States that have over the years exhibited that they are no longer in need of pre-clearance. States can submit evidence to the Department of Justice or the D.C. District Court that they are no longer using racial discriminatory redistricting tactics and apply for a way out of section 5. As a matter of fact, since 2009, more States than ever before in the history of the Voting Rights Act have been granted the right out.

So why are we challenging the constitutionality of a law that is protecting its citizens from racial discrimination when there is, in fact, recourse? I will tell you the sad truth is because, unfortunately, in States like Texas, where the minority population is growing very rapidly and their voting strength is increasing, rather than work to earn the vote of minority citizens, State leaders would rather suppress voters through racially discriminatory tactics.

My friends, our country is better than this. We are better than this. That's why we are here today in support of upholding section 5 of the Voting Rights Act.

□ 1100

EXPANSION OF FEDERAL GOVERNMENT

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

Mr. DUNCAN of Tennessee. Mr. Speaker, one thing that President Obama mentioned in his State of the Union speech the other night, which I hope he follows up on, is his effort to stop the cost of college tuition and fees from going up at such a rapid rate.

I spoke to a class at the University of Tennessee last week—and I've done that many times—and whenever I speak to classes, it shocks the students when I tell them that in my first year at the University of Tennessee it cost $90 per quarter in our tuition. In other words, I went to school for $270. It went up to $105, and then $120, and then $135 a quarter my senior year, so it went up $405. But this was shortly after the Federal student loan program had come in.

Until that program came in, college tuition and fees went up at just the rate of inflation. It went up very slowly—in fact, sometimes less than inflation. But now, and ever since that program has come in, tuition and fees have gone up at three or four or five times the rate of inflation, so that today colleges and universities cost 300, 400, and 500 percent higher than they would have if we had just left things alone. Anything the Federal Government subsidizes, the costs just explode.

When I went to the University of Tennessee—my senior year in high school I had been a bag boy at the A&P making $1.10 an hour—I got a big raise. As a freshman at the university, I became a salesman at Sears and worked there my first 2 years, and I made $1.25 an hour.

Almost everybody who needed to could work part-time and pay all of their expenses and fees in college. Nobody had to borrow money to go to colleges or universities; nobody got out of school with a debt. Then the Federal Government decided to help. And now, what it has resulted in is almost everybody has to borrow money to pay their tuition and fees, and almost everybody gets out of school with some kind of huge debt.

We've seen the same thing happen in medical care. The Federal Government decided to help out. Before the Federal Government got involved in medical care, medical care was cheap and affordable to almost everybody. Doctors even made house calls. We took what was a very minor problem for a very few people and now we've turned it into a massive, major problem for everyone. That seems to be the history of the Federal Government.

I just came from a hearing in the Oversight and the Government Reform Committee, and I will return to that shortly. But in the GAO report on the New York Medicaid program—which is the largest in the country—it tells about a daily payment method resulting in a $5,000 daily rate for institutional residents in the State of New York—$5,000 daily payments. The New York program is paying over twice as much as the average around the country.

We sometimes hear that Medicare and Medicaid can't be cut. We certainly don't want to hurt any lower-income people, but there are some people and companies getting ridiculously, fabulously wealthy off of Medicare and Medicaid. And almost every government program ends up being some sort

of a sweetheart, insider-type deal, giving contracts to companies who hire former Federal employees. It's just scandalous what is going on in this country and it's really hurting this Nation badly—and especially hurting the middle income people that the President says he's so eager to help, but who he will be hurting worse than ever if he keeps expanding the Federal Government at the rate that he wants to.

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 11 o'clock and 3 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. MILLER of Michigan) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

As we meditate on all the blessings of life, we especially pray for the blessing of peace in our lives and in our world. Our fervent prayer, O God, is that people will learn to live together in reconciliation and respect, so that the terrors of war and of dictatorial abuse will be no more.

As You have created each person, we pray that You guide our hearts and minds that every person of every place and background might focus on Your great gift of life and so learn to live in unity.

May Your special blessings be upon the Members of this assembly in the important, sometimes difficult, work they do. Give them wisdom and charity, that they might work together for the common good.

May all that is done this day in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Colorado (Mr. GARDNER) come forward and lead the House in the Pledge of Allegiance.

Mr. GARDNER 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

KYLE CARPENTER, AN AMERICAN HERO

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

Mr. WILSON of South Carolina. Madam Speaker, in February of 2009, Corporal Kyle Carpenter, a constituent and resident of Lexington, South Carolina, enlisted in the United States Marine Corps and went on to complete recruit training at the Marine Corps Recruit Depot at Parris Island, South Carolina. A little over a year later, Corporal Carpenter was deployed to Marjah, Afghanistan, with his unit to carry out his service and protect our families in Operation Enduring Freedom.

On November 21, 2010, Corporal Carpenter suffered devastating injuries when an enemy hand grenade exploded while he was on post. Because of his heroic actions, Corporal Carpenter potentially saved the lives of countless others and has been decorated with a Purple Heart and awarded the Combat Action Ribbon.

I have had the privilege of visiting with Kyle, his mother, Robin, and his father, Jim. Throughout his recovery with the dedicated staff at Walter Reed in Bethesda, Kyle has served as a testament to hard work and valor. Today, Kyle is an intern serving with Chairman JEFF MILLER of the Veterans' Affairs Committee.

I have no doubt that because of Corporal Carpenter's service, American families are more secure. I want to thank Kyle and the Carpenter family for your dedication to our Nation.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

LET'S ACT NOW TO GET RID OF SEQUESTRATION

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

Ms. HAHN. Madam Speaker, when I first came to Congress, I didn't vote for that bill that created the threat of sequestration. I thought it was a bad idea then, and I think it's a bad idea now. Automatic triggers that institute automatic cuts across the board in spending in this country are a bad idea. This manmade crisis is now threatening both our Nation's economy and our national security.

Here are just a couple of ways that that would happen. Ten percent of the FAA's workforce of 40,000 would be furloughed on any given day, resulting in reduced air traffic controllers, longer delays, and economic losses for air transportation and tourism. Fewer air traffic controllers means fewer flights, which means less tourism, and that means fewer jobs in hotels and restaurants—a ripple effect that could cripple our economy.

The Coast Guard would be cut by nearly 25 percent, jeopardizing maritime and navigation safety, the safe flow of commerce along U.S. waterways, and drastically reduce our ability to fight drug trafficking.

The clock is ticking once again. We cannot take our economy and our safety backwards at a time when the American people have worked to build it up.

Let's act now to get rid of this terrible sequestration.

INJUSTICE TO THE VILLAGE OF KING COVE, ALASKA

(Mr. YOUNG of Alaska was given permission to address the House for 1 minute.)

Mr. YOUNG of Alaska. Madam Speaker, this is an injustice what the Secretary of the Interior and the Fish and Wildlife has done to a village called King Cove in Alaska. We had hearings, we had the lands transfer, we had everything going to work so these people could be safe—be safe to go to hospitals, be safe to fly out when the weather was bad. It was an agreement between the State, the Congress, and the village of King Cove. And along comes the Fish and Wildlife and denies them the trade that has to be necessary for this transportation corridor.

I'm urging my Senators to put a hold on the new Secretary of the Interior so she's not confirmed until this Secretary can, in fact, sign the law that will allow them to have safety once and for all. This process has been going on for more than 20 years. We finally got to a solution that's being stopped by this administration, the lack of knowledge about human life, who would rather protect something that does not exist.

This refuge has over 300 miles of road in it, but these people are being denied and need the safety. I'm asking Secretary Salazar, in fact, to take and do his job: overturn the Fish and Wildlife's recommendation, allow my people to be safe, and make sure they can continue to live their lives without the threat of the weather when it can be solved by an act of the Secretary.

COMMEMORATING THE 2-YEAR ANNIVERSARY OF UPRISING IN BAHRAIN

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

Mr. MCGOVERN. Madam Speaker, 2 years ago today the people of Bahrain took to the streets in peaceful protest. They called for democratic freedoms and an end to human rights abuses. The Government of Bahrain responded with violence. It attacked protestors, killing more than 30, and imprisoned and tortured thousands of others. Even doctors who treated protesters were arrested, tortured, and prosecuted.

Two years later, the situation has not improved. In fact, it may be getting worse. More protestors have died, hundreds of political prisoners remain in jail, and authorities responsible for the use of torture remain free.

Despite an active public relations campaign, the Government of Bahrain is not—and I repeat, is not—making a good-faith effort to meet the legitimate demands of its people.

The Obama administration needs to change course with Bahrain and begin implementing a policy that holds Bahrain accountable and promotes democratic freedoms so that we are not here again saying these same things on the third anniversary of the protests.

□ 1210

THE SEQUESTER

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

Mr. DEFAZIO. Sequester. Well, that's inside-the-Beltway jargon. It means stupid, indiscriminate, across-the-board budget cuts. Cut things that are valuable—Coast Guard Rescue—and cut things that are obsolete and unneeded—registration for a draft that doesn't exist—the same percent.

Now, the Republicans are pointing fingers, but I think the finger's going to get pointed right back at them. They're calling it the ''Obamaquester''? Come on now, you've got to be kidding.

Don't they remember their tax pledge to Grover Norquist that has ever forever bound them to starving the Federal Government of revenue? Now look where that got us, when they threatened to default on the debt. It got us the sequester. They refused to compromise and forced us into another self-made arbitrary crisis.

No, it's not an ''Obamaquester''; it's a ''GroverNorquester.''

ATTACK ON CAMP LIBERTY

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

Mr. POE of Texas. Madam Speaker, as the sun was rising in the Iraqi desert, three dozen mortars rained down on Camp Liberty. Camp Liberty is where innocent Iranian exiles, including women and children, live. This unprovoked attack left six people dead and dozens wounded.

Now, who was responsible? Was it the Iraqis, the Iranians? Looks to me like both governments should be held accountable. These dissidents stand for an Iran free of the extreme mullahs and the tyrant Ahmadinejad.

Over 3,000 unarmed freedom fighters currently live at Camp Liberty and remain in imminent danger. The Iraqi Government has proven on more than one occasion it is unwilling to protect Iranian dissidents in Iraq.

The United Nations has the responsibility to ensure these people are moved to safer locations and even other countries. Not one more life should be stolen by those who protect the oppressive Iranian regime and the little fellow from the desert, Ahmadinejad.

And that's just the way it is.

RACE TO THE TOP GRANT ANNOUNCEMENT FOR UNION CITY SCHOOLS

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

Mr. SWALWELL of California. I rise today to congratulate the New Haven Unified School District in Union City in the 15th Congressional District for being named one of 16 nationwide winners in the U.S. Department of Education's Race to the Top grant program. The district will receive over $29 million in funding, which will provide training and equipment to support the outstanding students, teachers, and staff of New Haven Unified.

This is a tremendous achievement, and I am proud of the school's superintendent, Kari McVeigh, and school board members Linda Canlas, Jonas Dino, Michael Ritchie, Sarabjit Cheema, and Michelle Matthews, who had the good sense and worked hard to apply for this competitive grant. I know the 13,000 students from New Haven Unified will benefit from the technology and educational improvements in their schools.

In Union City, this critical funding will help to expand after-school programs, student support, and access to health care for the most vulnerable students, and will provide teachers with the training and techniques needed to improve our classrooms.

I am proud to represent New Haven Unified, Union City, students, educators, and administrators, and look forward to hearing of their many successes.

IT'S TIME TO GET THIS ECONOMY MOVING AGAIN

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

Mr. STUTZMAN. Madam Speaker, this week, President Obama outlined his vision for America: job-killing tax hikes, a job-killing national energy tax, job-killing wage controls, and job-killing stimulus spending.

Equally telling were the items that the President did not mention. He offered no plan to pay off our $16 trillion of debt, no plan to replace the sequester cuts to national defense that he proposed, no plan to save our broken social safety nets, and no plan to restore the confidence of Americans in the real economy.

President Obama believes that every problem can be solved with big government and another tax hike. President Clinton once declared that the era of big government is over. Not this President. President Obama believes more government is the solution to all of our problems.

It's time to get this economy moving again, and my colleagues in the House are ready to work toward real solutions that encourage job growth, empower individuals, and break Washington's spending habits.

SEQUESTRATION

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

Mr. SIRES. Madam Speaker, if we face yet another fiscal cliff in 2 weeks, it is imperative that this Chamber produces a real solution to ward off a financial disaster that could deeply impact the American people.

The idea behind sequestration was to create a worst-case scenario that was so severe that it would force both sides to work together and find a balanced approach to passing a realistic budget reducing our deficits.

Instead of setting the stage for yet another battle to be resolved in the 11th hour, we should be focused on creating jobs and growing our economy. If sequestration goes forward, programs and services that millions of Americans rely on, like Head Start, supplemental nutrition programs like the WIC program, and even FEMA, would be decimated by drastic cuts in our funding.

Additionally, sequestration would slash critical support to police who keep our streets safe, our air traffic controllers who manage our skies, and food inspectors who ensure the food that we eat is safe.

Instead of jeopardizing critical services to our citizens, we need to begin to work on an approach that will avoid sequestration while sensibly reducing our deficit.

HONORING THE LIFE OF DR. BEN CLAYBURGH

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

Mr. CRAMER. Madam Speaker, I rise today to pay tribute to the legacy of a treasured North Dakotan who touched the lives of his wonderful family and all who knew him. Dr. Ben Clayburgh left this world for a better place on January 21, my birthday.

Ben earned many titles during his life. He was a surgeon, a U.S. Army private, a professor, and a passionate political leader. But above all, he was a

healer and a diplomat who inspired those around him.

Grand Forks, North Dakota, will always remember Ben Clayburgh. After serving his country in the U.S. Army as a flight surgeon, he established himself in Grand Forks as a trusted man in medicine and politics, two of his greatest passions.

He served as North Dakota's Republican National Committeeman for 12 years and, in 2004, was honored in becoming the Presidential elector for George W. Bush. His picture hangs in the Hall of Fame at the Ronald Reagan Center in Bismarck, and the memory of his tremendous character will always be in the hearts of those who knew and loved him.

May God bless Ben's memory, his wife, Bev, and the Clayburgh family, his greatest legacy.

HONORING THE SERVICE OF DONALD E. DEVANEY

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

Ms. HANABUSA. Madam Speaker, today I wish to honor Mr. Donald E. Devaney, Retired, the first civilian provost marshal to be appointed by the United States Army. In March 1984 he assumed the position at Tripler Army Medical Center in Hawaii.

During a nearly 30-year assignment at Tripler Army Medical Center, he established a provost marshal office and police department that gained great notoriety by many elements of the United States Government and the local community during a time of uncertainty and many wartime missions. Through Mr. Devaney's leadership, the Tripler Provost Marshal Office has been recognized as a leading law enforcement and security department.

Mr. Devaney's service as a Federal employee is built upon a 30-year career in the Army. In 1953, at the age of 17, he enlisted in the Rhode Island National Guard during the Korean conflict to join his peers in doing his part to serve America. A year later, he switched to Active Duty and was sent to locations in Japan as a military policeman.

As cochair of the U.S. Army Hawaii Retiree Council for more than three decades, he has provided invaluable service to our retiree families and, as a result, facilitated an understanding by them of the ever-improving and changing medical delivery systems we employ.

Madam Speaker, I ask you to join me as we offer our gratitude today to a man that has dedicated his life to service to our country.

DÉJÀ VU ALL OVER AGAIN

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

Mr. KILDEE. Madam Speaker, it's déjà vu all over again. Here we are just 2 weeks—5 legislative days—away from sequestration, and yet the House is about to leave town for a 9-day recess. That's unacceptable. We should be working every day to avoid this sequester and to avert it.

My colleagues on the other side of the aisle seem determined to make sequestration a reality. Democrats stand ready to work in a bipartisan manner to avoid this.

Yesterday I met with Federal employees and college leaders from Michigan who are deeply concerned about how the cuts will affect middle class families, students, and senior citizens. Here's sequestration by the numbers:

750,000 jobs eliminated by October;

20 percent reduction in the Pentagon's operating budget;

70,000 children kicked out of Head Start;

21,000 fewer food and drug inspections;

4 million fewer meals served through the senior nutrition programs.

We need to find a balanced and responsible approach to reduce our deficit, for sure, but not let irrational, across-the-board cuts take effect. Doing so will devastate this economic recovery.

□ 1220

INVEST IN AMERICA AND GROW OUR ECONOMY

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

Mr. COHEN. I join in concern about our budget. Advancements to health would be cut in a major way. When I was a child, I had polio, and it has effects on people who have polio in later years. But because of the Federal Government's investment in research like the Salk vaccine and the Sabin vaccine, it has saved many families and children from that devastating disease. And around the world it's been successful, too. There are other diseases like heart disease, Alzheimer's, and cancer that the National Institutes of Health is primarily responsible for the research.

I'm worried about health and also jobs, and a major driver of jobs is research and development, education, and infrastructure spending by the Federal Government. Most of our great advances, whether it's railroads or the Internet or health care, have come through Federal Government partnerships with the private sector. We need to continue those to create a middle class—consumers that can grow our economy out of these problems. It's not just President Obama who says it. It's also who I call the three wise men: Krugman, Stiglitz, and Robert Reich.

Austerity hasn't worked. We need to invest in America and grow our economy.

LET'S DO THE JOB THE AMERICAN PEOPLE SENT US HERE TO DO

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

Ms. JACKSON LEE of Texas. Madam Speaker, more and more, the voices are being raised about the devastating impact of a sequester, a self-inflicted wound of this Congress because we could not come together as the American people have directed us to do. The security of the United States will be in jeopardy if we have the sequester. Men and women who stand on the front lines in protecting this Nation will be in jeopardy. All of those who depend upon Head Start funding, early education funding, title I funds and housing funds, and opportunities for young people to go to college will be in jeopardy.

And so I think it is unfortunate that we are discussing and debating on the floor today H.R. 273, to eliminate the 2013 statutory pay adjustment for federal employees. All of those people who put themselves on the line for us and have already had a pay freeze; all we're talking about is 0.5 percent. None of that will bring down the debt or help the deficit. We're just making noise. What we should be doing is focusing on coming together around a growth and innovation budget and bringing the deficit down. What we should be doing is honoring the Sandy Hook and other victims and passing real gun violence prevention like universal background checks and storing guns.

Madam Speaker, let us do the job the American people sent us to do.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 1:30 p.m. today.

Accordingly (at 12 o'clock and 22 minutes p.m.), the House stood in recess.

□ 1330

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. MILLER of Michigan) at 1 o'clock and 30 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 273, ELIMINATION OF 2013 PAY ADJUSTMENT, AND FOR OTHER PURPOSES

Mr. WOODALL. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 66 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 66

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 273) to eliminate the

2013 statutory pay adjustment for Federal employees. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform; and (2) one motion to recommit.

SEC. 2. 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.

SEC. 3. It shall be in order at any time through 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.

SEC. 4. On any legislative day during the period from February 16, 2013, through February 22, 2013—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) 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, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

POINT OF ORDER

Mr. POLIS. Madam Speaker, I raise a point of order against H. Res. 66 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution, waiving all points of order, waives section 425 of the Congressional Budget Act, therefore causing a violation of section 426(a).

The SPEAKER pro tempore. The gentleman from Colorado makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule and the gentleman from Colorado and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Speaker, I raise this point of order not necessarily out of concern for unfunded mandates, although there are likely some in the underlying bill H.R. 273, but rather as well to demonstrate that in many ways this bill and this process has been a travesty of the civics lesson that Americans learned in school.

I would like to make, Madam Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman shall state it.

Mr. POLIS. What is the process that a Member can use to demand a division of the question on a bill?

The SPEAKER pro tempore. If a matter is divisible, any Member may demand that the matter be divided.

Mr. POLIS. Further parliamentary inquiry.

Does the rule being considered today prohibit a Member from demanding a division of the question?

The SPEAKER pro tempore. The Chair will not interpret the content of the pending measure.

Mr. POLIS. Having heard from the Chair that a motion can be made by any Member to divide the question, I would like to ask unanimous consent to demand a division of the question on today's bill before us.

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

Mr. WOODALL. Madam Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. POLIS. I thank the Speaker, and I understand that it sounds like sitting here in the Chamber one Member objected to a division of the question. I would like to point out that over 400 Members did not object to the division of the question.

I will not ask for a recorded vote on this, although I think it's clear that my side would win over 400-some to 1, perhaps. I did not hear any additional objections from anybody in the Chamber.

Mr. WOODALL. Will the gentleman yield?

Mr. POLIS. Madam Speaker, a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman shall state it.

Mr. POLIS. Is the time under my control yieldable?

The SPEAKER pro tempore. The gentleman controls his time and may yield.

Mr. POLIS. Thank you, Madam Speaker. If we have additional time later, I will yield to the gentleman from Georgia.

Again, there was one objection, one objection in this entire body, to what I believe would be the overwhelming will of this body, which is to simply divide this question, because there are fundamentally two issues before us.

This bill, H.R. 273, introduced 3 weeks ago, was not seen or heard in any committee of jurisdiction of the House, rushed through the Rules Committee under a closed rule to the floor of the House, and yet despite the fact that this bill failed to undergo any appropriate committee of jurisdiction review process, here it is in the House with limited debate at a time when we are edging closer and closer to the spending cliff that our country faces in 2 weeks, which this bill does nothing about.

I know that many of us in this body, myself included, have been tireless advocates for supporting efforts to lower our deficit and balance our budget through a balanced approach. But as Republicans on the Rules Committee acknowledged last night, including Congressman BISHOP, this particular bill would do nothing to solve our Federal debt, as it does not even change the spending caps agreed to in the Budget Control Act. What it does instead is include two completely unrelated measures.

When you consider that the House Republicans have here coupled a Federal employee pay freeze with a freeze on Members of Congress' salary, it leaves the suspicion that is being speculated on by many outside this Chamber that this might, this just might be being done for political purposes and posturing. And one wonders why this institution is held in such low esteem by so many members of the public. It is precisely this kind of political trick.

Let there be no disagreement: This body, since I've joined this body, has never given Members of Congress a pay raise. It simply hasn't. This has largely been an uncontroversial measure. When times are tough economically, Members of Congress should absolutely be the first in line to say, Look, we're not going to take a pay increase. And, in fact, Members of Congress have already foregone their pay increase through October of this year.

So let that come up through the appropriations process, as it is traditionally done. I'm confident this body will act with regard to Member pay. But let us not tie it up with this issue of whether all Federal employees at all different wage levels should have any raise at all this year or not.

Now, an amendment was brought forth yesterday by Congressman BERA of California and Congressman CONNOLLY of Virginia, that divided the bill, just as we tried to do today. And by overwhelming majority, 400 some to 1, we did not do, because it was unanimous consent that was required. Unfortunately, the idea was shut down by the Rules Committee.

I would like to yield 2½ minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Madam Speaker, I appreciate the comments we've just heard. The bill before us today is just the latest partisan jab at Federal employees who are on the front lines protecting and serving our constituents every day.

□ 1340

I remind my colleagues that more than 85 percent of Federal employees do not work here in the D.C. region. They live and work in your districts. They are the law enforcement agents, park rangers, researchers, and health inspectors who make our communities safer. These are middle class families struggling to make ends meet just like everybody else, yet House Republicans have routinely used them as a punching bag, chipping away at their pay and their benefits. So far, the tab is $103

billion and counting. It is time to say, ''Enough.''

I was pleased to join with Congressman BERA and 10 of our colleagues in cosponsoring the amendment Mr. POLIS referred to this partisan bill that at least would have separated the questions of freezing our pay from that of Federal employees. In fact, three such amendments were submitted, but each was rejected by the Republicans in the Rules Committee, underscoring that this really is nothing more than another political potshot at Federal employees and using us as the subterfuge.

If anyone's salary should be frozen as a result of our Nation's fiscal paralysis, it's ours; it's Members of Congress. That's why I introduced an alternative bill, H.R. 636, with Ranking Member CUMMINGS from the Oversight Committee, to freeze Member salaries for the duration of this Congress. Of course, my Republican colleagues fail to acknowledge that we already voted to freeze Member salaries through September of this year, as Mr. POLIS indicated, so there is no real sense of urgency here.

Why aren't we spending this time working on a bipartisan solution to avert the devastating consequences of sequestration 2 weeks from now? The $85 billion in across-the-board cuts in defense and domestic spending for the rest of this fiscal year would slam the brakes on this economy and throw us potentially back into recession.

GDP performance in the fourth quarter shows that. It declined by one-tenth of 1 percent, largely because of shrinkage in public sector investments. That was led by a 22 percent drop in defense spending, the largest since the end of the Vietnam War. My colleagues on the other side of the aisle have shown almost no interest in addressing this threat, despite the pleadings of the Secretary of Defense.

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

Mr. POLIS. I yield 15 seconds to the gentleman from Virginia.

Mr. CONNOLLY. An amendment by our colleague, Mr. VAN HOLLEN from the Budget Committee, to replace sequestration was also rebuffed by the Rules Committee just last night on a partisan vote.

To make matters worse, the House is about to go into recess again tomorrow. In fact, we spent 15 of the 19 weeks from July through the lame duck in recess.

Let's do something productive for the United States economy.

Mr. POLIS. Madam Speaker, I would like to make an inquiry as to how much time remains.

The SPEAKER pro tempore. The gentleman from Colorado has 3¼ minutes remaining, and 10 minutes may be claimed by an opponent.

Mr. POLIS. I would like to yield 1½ minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. I thank my good friend from Colorado.

In 1729, an Irish satirist by the name of Jonathan Swift proposed a novel solution to child hunger and general poverty in Ireland. He recommended that Ireland's poor pull themselves up by their own bootstraps by selling their children as food to the rich. That would nourish the rich, earn the poor parents some much-needed cash, and solve the child hunger problem all at once. Some people took him seriously. Most realized the point that he was trying to make.

Today, the House majority has a somewhat similar kind of modest proposal, without Mr. Swift's sense of humor or irony. To ensure that our elderly are cared for, let's cut the pay of those responsible for their health. To make sure our food and drugs are safe, let's diminish the benefits of those whose job it is to screen for safety and unintended effects. To find a cure for cancer, let's punish the researcher who works daily to save millions of Americans from that disease. To care for our wounded veterans who are sent by this body to fight in foreign lands, let's make their caretakers find a second job.

Madam Speaker, my colleagues on the other side of the aisle may justify their vote today by boasting of freezing their own pay, but that was already accomplished in the fiscal cliff legislation. The bill before us today will freeze, for the third year in a row, every Federal employee's pay. It's an effort to denigrate our Federal workforce in the hope that the government becomes unresponsive, inefficient, and unworthy of our best and brightest. That's why I urge a strong ''no'' vote on H.R. 273. Enough is enough.

Mr. POLIS. Madam Speaker, why are we debating a bill that had to bypass regular order to rush to the floor in February when there's already a moratorium on the increase of pay for Members of Congress, and we should be debating spending, eliminating the deficit, the sequestration?

With 6 legislative days remaining before that fiscal cliff, here we are instead discussing something with regards to Member pay that doesn't even occur until October, and that which has been the tradition of this body for the last 4 years—not to allow Members of Congress a raise—and conflated it with a separate issue with regard to the proper compensation level so that our Federal employees and Federal agencies can compete in the marketplace with private employers and attract the talent they need to succeed.

This rule and this bill suffer from the stench of politicization, and the House should divide these two issues.

Madam Speaker, I'd like to ask unanimous consent to amend the rule to allow for consideration of amendment 4, the Bera-Connolly amendment, with 10 minutes of debate on each side.

The SPEAKER pro tempore. The majority manager would have to yield for that request.

Mr. POLIS. Excellent. Well, I hope that no one objects.

Again, but for three votes cast in the Rules Committee by a 7–4 vote, and but for one solitary objection out of 435 Members of this House of Representatives, we would have divided the question and this body would have avoided being dragged into yet another political game that continues to jeopardize the standing of this body among the American people.

It's clear that each of these issues deserves a separate discussion and a vote. With regard to Federal employee pay, let it come through regular order. Let the committees of jurisdiction debate how the issue is handled, and let it be placed within the context of balancing our budget and an overall budget solution to the automatic cuts that are far more severe than a Member pay freeze and may include unpaid furloughs and other extreme measures within a couple of weeks instead of engaging in stale political gamesmanship.

Let's reduce our debt and deficit and avert the impending sequester.

I yield back the balance of my time.

Mr. WOODALL. Madam Speaker, I rise to claim time in opposition to the point of order.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 10 minutes.

Mr. WOODALL. I'd like to say to my friend that I endorse, Madam Speaker, his request to do away with stale political gamesmanship. I would put in the stale political gamesmanship category making a point of order against an unfunded mandate in the bill and then failing to make any indication that you actually believe there's an unfunded mandate in the bill, but simply using this time to talk about an issue that we have already litigated in a multihour hearing last night.

That said, I know, Madam Speaker, the gentleman's heart is felt in this issue. I would say to the gentleman that, while there was only one objection in this body, I make that objection out of great affection for the gentleman because, as I read the underlying bill, I see absolutely no way to divide this legislation into the components that the gentleman would like to debate.

The gentleman would like to debate a Member pay freeze. The gentleman would like to debate a Federal employee pay freeze.

Mr. POLIS. Will the gentleman yield?

Mr. WOODALL. I yield to the gentleman from Colorado.

Mr. POLIS. The way to divide them is precisely the Bera-Connolly amendment that was brought to our committee yesterday. On a functional level that does divide it.

Mr. WOODALL. I thank the gentleman. In fact, I thought that's where the gentleman's heart lay.

As the gentleman knows, the reason the Bera-Connolly amendment is not on the floor today, among others, is that it is nongermane to this legislation. We cannot subdivide this piece of

legislation to include nongermane components, which, again, I know the gentleman wants to debate those components. And, Madam Speaker, when the House schedules those bills, I look forward to having that debate, too; it's just not in this bill.

One of the great pleasures I've had in this body, Madam Speaker, has been being a part of a majority that is bringing bills that are simple to read and simple to understand. This is a front-and-back bill. I happen to have mine on two pages because I like to flip, but if I had been more conservative with my printer, it would have been a front-and-back page here, Madam Speaker.

What we talked about in the Rules Committee all last night—and it would have created more points of order for germaneness issues and others—was adding amendment after amendment after amendment that did not affect this language, but instead created brand-new debates about brand-new issues.

□ 1350

Again, I associate myself with the comments of my friend from Colorado. I think the American people are absolutely fed up with the way that this process works. But what I think they're fed up with are those bills that stack a transportation issue beside a health care issue beside a Commerce Department issue beside a military issue beside a child care issue, all of these things that are completely unrelated to one another, Madam Speaker.

In this bill, one issue and one vote. And the gentleman is absolutely right: in a vote in the Rules Committee last night, Madam Speaker, we decided not to allow this bill to be complicated with nongermane issue after nongermane issue after nongermane issue. Those measures, these debates can actually come to the floor one item at a time, but we were not going to allow that to subsume what is also an important debate, and that's on the provisions that actually are contained in H.R. 273.

So given, Madam Speaker, that the gentleman observed no unfunded mandates in this bill, because there are no unfunded mandates in this bill, I ask the Chair to reject the point of order for there being unfunded mandates in this bill.

Madam Speaker, if I could conclude by just asking that in order to allow the House to continue its scheduled business for the day, I urge the Members to vote ''yes'' on the question of consideration of this resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

A motion to reconsider was laid on the table.

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

Mr. WOODALL. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida, my friend, Mr. HASTINGS, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. WOODALL. Madam Speaker, House Resolution 66, this rule that we're considering today, will allow for debate on the underlying bill, H.R. 273.

This rule that we're considering today is a little bit unusual in that it not only allows for the underlying resolution, but it also takes care of some housekeeping business that we have here on the floor of the House. For example, all of America, Madam Speaker, has read of the nuclear tests that happened in North Korea, and this resolution allows us to consider tomorrow a bill under suspension of the rules to condemn that activity in North Korea. It's very important business that we are able to take care of here in the House. We would not be able to take care of it but for this rule. I'm glad we considered that here in the rule.

In this underlying bill, Madam Speaker, we're continuing what the President himself continued through March of this year. We're continuing through the end of the calendar year a freeze on the automatic increases in Federal employee pay. Again, I brought down a copy of the resolution, that small, front-and-back bill.

So often you see findings in these bills, Madam Speaker, you see findings about what the Congress believes and why this bill is coming to the floor. And I promise you, Madam Speaker, if you read this resolution—and, again, it's only a page and a half long, so it will be easy to do—you will not find one finding of contempt for Federal employees. In fact, if you had listened to the hearing in the Rules Committee last night, what you saw is universal praise for the hard work that our men and women in the civil service are doing for this country.

We have a lot of work that has to be done. I know it's a popular sport in some districts to kick Federal employees. Federal employees, by and large, work hard, though I'm happy to say you can distinguish, for example, the love and affection that so many of our constituencies have for our men and women in uniform. You see those pay-raise bills move through very quickly, versus a little suspicion that you have from time to time from folks who say, well, golly, I was just down at XYZ Federal office, and I didn't get great service. Golly, Rob, I was on the telephone trying to get results from X, Y or Z agency, and they kept me on hold for 3½ hours. What are my dollars paying for?

I blame us for that, Madam Speaker. We owe better to our Federal employees than to put them in that circumstance. And gradually, not nearly fast enough, but gradually, our Federal employee system is moving towards recognizing hardworking, successful and dedicated employees through merit pay, through merit increases, through bonuses and through bumps—ways to say, do you know what, service matters. Service matters. And a one-size-fits-all pay scale does not work across the Federal system.

I'm very proud, Madam Speaker, I've just been appointed to the Oversight and Government Reform Committee in whose jurisdiction this bill is. I hope we're going to be able to take up those issues and build on that progress that has been made. But in all the conversation you'll hear on this floor—I won't say ''rhetoric,'' Madam Speaker, because, again, I know people's hearts are in this issue—in all the debate you will hear on this House floor, what you will not hear is that $1 is being cut from those merit bonuses. What you will not hear is that $1 is being removed from agencies that have an opportunity to say, Do you know what, job well done. You deserve a bonus. What you will not hear is that $1 is being taken that would have gone to recognize performance above and beyond in the service of our citizenry.

What you will hear is that in line with the recommendations of the much-discussed Simpson-Bowles Commission, a 3-year freeze on Federal automatic salary increases will be continued, upheld. It's been in effect for 2 years and 3 months, and it will continue through the end of the year.

Now, so often I hear, Madam Speaker, my constituents say, Rob, I just want to make sure that Congress is abiding by the same rules you ask everybody else to abide by.

I want to make that clear. That's what my friend from Colorado was discussing. It's not actually a provision in this bill that's extra. It's a function of law. Members of Congress' pay will absolutely be frozen for just as long—just as long. The same rules that apply to everybody apply to the Vice President, Mr. Speaker, apply to the executive branch, apply to folks back home in Georgia, apply across the board to Federal employees, and apply to everybody here in this Chamber.

We had one of the longest, and I would argue most intensive, hearings of our Rules Committee cycle last night, Mr. Speaker, where we explored this bill line by line, detail by detail. I was pleased to be part of that debate. I'm glad we had an opportunity, really, for unlimited time in which to do that. But I believe we crafted a good rule, Mr. Speaker, that will allow for thorough debate of this underlying bill.

Again, I would remind you, Mr. Speaker, and all Members, this bill,

posted on the House Rules Committee Web site, front and back of a sheet of paper, is simple and direct for everyone in this House to be able to read and everyone back home to be able to read so that we can have a thorough debate on this bill this afternoon.

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank my good friend, the gentleman from Georgia, for yielding the customary 30 minutes to me. I rise obviously in opposition to the rule for consideration of H.R. 273, to eliminate the 2013 statutory pay adjustment for Federal employees.

I just heard my colleague from Georgia say that this is a good rule; but I've also heard him say what I agree with very frequently, and that is that this body should proceed toward regular order, allow the committee process to go forward in a meaningful way, to have hearings, and to let the will of the body be worked here in the people's House. I've also heard him talk about closed rules; and it's for that reason that I believe that this process is not a good process because it is a closed rule, and this couldn't, in that sense, be good. There were no hearings.

He talks about this one week, one bill. Why this week for Federal employees? Last night, I talked with six members of the American Federation of Government Employees, some of them older, some of them younger, and all of them agonizing, as are Federal employees around the country.

□ 1400

Let me get to the point. The Republicans have decided that they want to continue in the same shortsighted and counterproductive campaign against Federal employees that we saw in the last Congress. When they introduced this very same bill in the 112th Congress, it passed the House and then went nowhere and accomplished absolutely nothing. I'm quite certain—and I'll bet—that it will face the same fate this time around.

Just last week, the Rules Committee considered H.R. 444, the Require a PLAN Act, which should have been called the ''Republicans Have No Plan Act.'' Instead of offering real solutions to the challenges facing our Nation, my Republican colleagues continue to introduce do-nothing legislation that will do nothing to help the American people.

Obviously, all of us know that we face $85 billion in sequestration cuts in a matter of weeks. These cuts were intended to be a fail-safe. They were supposed to be so unpalatable, so horrible for everyone, that Congress would never allow them to go into effect. Yet, instead of making sure that these massive cuts don't threaten the progress that we've made, my friends on the other side would rather play politics at the expense of the middle class and the working poor, underscoring the working poor.

As the President put it in his State of the Union address: ''Arbitrary deficit reduction is not an economic plan.''

Deficit reduction is a means to an end, not an end in and of itself. It is just one tool that will help us get our country back on the right track. You can't build a house with just a saw. Deficit reduction needs to be part of a comprehensive economic plan, one that will stimulate growth and create jobs.

A serious economic plan is one that does not take potshots at our economy and our Nation's full faith and credit for political purposes. We must, in this people's House, move beyond politics and work to avoid a dangerous backslide in our Nation's economic recovery.

For the life of me, I can't even begin to understand why House Republicans continue to pick on Federal employees. It's as if the people that keep the Capitol clean, the police officers that keep us safe, the countless people that work right here on this Capitol complex do not deserve this paltry raise and are to be picked on.

My AFGE friends were saying to me last night that Federal employees have already contributed $103 billion towards deficit reduction. Furthermore, Federal employees and retirees have contributed $15 billion in savings over 10 years through an increased pension contribution. A 2-year Federal pay freeze has been in effect since 2011 and will produce an additional $60 billion in savings. The reduction and delay of a 2013 pay increase included in the current continuing resolution will yield $28 billion in savings.

At what point does enough, as my friend from Virginia said, become enough? What's more and puzzles me—and I asked the question of the scrivener of this bill last evening—is: Why aren't Federal contractors, who make twice as much as Federal employees, included in this pay freeze? He gave me some political fogging. I don't know what it was and don't care to even bother to try to remember.

During the debate over the fiscal cliff, Republicans said that we shouldn't ask corporations and the wealthiest in our society to pay their fair share. The reason that was put—this is a while back during the debate on the fiscal cliff—was that if we tax the wealthy, they won't work as hard if they're taking home less money. What about Federal employees? Why is it that that logic does not apply here? It's incomprehensible that we find ourselves in this position.

Mr. Speaker, if the Federal Government is not paying realistic salaries, then we can't expect to be able to provide for people to allow for themselves and their families to have a decent living.

Mr. Speaker, the fact of the matter is that the Federal workforce is smaller now than it was in 1988, a historic low compared to the size of the national population. There are fewer Federal workers now than at any time during President Reagan's administration. Something has got to give.

I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself 90 seconds to say to my friend, I always appreciate the eloquence of his words. My only saving grace, Mr. Speaker, is that the facts are on my side. If the world was as the gentleman from Florida had described it, I'd probably be where the gentleman from Florida is in terms of position. That's not the case.

Every dollar we spend in this town, Mr. Speaker, has consequences. The $11 billion that we're talking about in this bill is not money that's being cut from the Federal budget; it's money that's not being given as an automatic inflater to every Federal salary in the land. Instead, it remains available to those agencies to perform the services that they were created to perform.

Let me just be clear, Mr. Speaker. That means for every dollar that is not going into a clerk's pocket at the Veterans Affairs Administration, that's a dollar that's going to go to implement Veterans Affairs services. For every dollar that's not going to be an automatic pay increase in my hometown at the CDC, it is going to go for critical research and infrastructure there to perform the very important role the CDC was created to perform.

We have to make choices, Mr. Speaker. Google ''Greece and pay cuts.'' Google ''Greece and pension cuts.'' In fact, don't just use Google. Use Yahoo. Use Bing. Use anything you'd like, Mr. Speaker. You will see where we are headed.

When you refuse to make the tough decisions that my friends are refusing to make with respect to the Federal budget, you know where those cuts are going to fall.

With that, Mr. Speaker, I'd like to yield 5 minutes to one of our very distinguished freshman Members, the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Speaker, I stand here in support of H.R. 273, a commonsense bill to overturn President Obama's recent executive order that authorizes a .5 percent pay raise for Federal workers.

With the looming threat of sequestration just weeks away, Federal agencies should be focused on how to do more with less, like every other business does in America and every other family does in America. But the President's order would cost taxpayers more than $10 billion over 10 years.

Here are the facts: in the last decade, the average Federal civilian salary has increased by 62 percent. When you factor in benefits and total compensation packages for Federal employees, it tops $126,000, compared to less than $63,000 in the private sector. I haven't heard the other side say anything about that.

I'm a business owner. I have been in business for 41 years. I still own a business, and I hope to stay in business. When I pay pay raises to my employees, it's because of their loyalty and

hard work, not simply because they're on payroll.

My constituents in the 25th District of Texas are fed up with a government that spends, borrows, and grows too much. Let's protect hard-earned taxpayer dollars and pass this commonsense solution, H.R. 273.

Mr. HASTINGS of Florida. Mr. Speaker, I would advise the gentleman that I was a businessperson, too, and there is a distinction between private businesses and civil servants of the Federal Government.

I'm pleased at this time to yield 3 minutes to the distinguished gentleman on the Rules Committee and my good friend from Massachusetts (Mr. MCGOVERN).

□ 1410

Mr. MCGOVERN. I thank the gentleman for yielding to me.

First of all, Mr. Speaker, let me urge my colleagues, Democrats and Republicans alike, to vote against this closed rule. This is a closed rule by which the entire process has been shut down. The committees of jurisdiction held no hearings. There was no markup. It came to the Rules Committee. What did the Rules Committee do? They shut it down. They shut out all possibilities for Democrats or Republicans to offer amendments. My friend from Georgia is proud to defend this closed, iron fist policy, but I think it's wrong, especially on a bill like this, number one.

Number two, this is a rotten thing to do to Federal employees. It really is. I mean, these are hardworking men and women. These are people who work at NIH, who try to find cures for diseases that, by the way, will not only improve the quality of life for our people but will save money. This is about denying a pay increase to DEA agents on the borders and to the CIA agents who tracked down Osama bin Laden. This is a rotten, rotten thing to do. And for what? To score some cheap political points.

I'm a little confused. My friend from Georgia says it's really not a cut, that we're not reducing the deficit at all. The gentleman from Texas said we need to save the American taxpayers money. The bottom line is that this is a cheap political stunt. The victims here are working people, and none of us should be surprised, because this is the Republican kind of signature issue: go after working people. Do you want to find ways to balance the budget? Punish working people. Do you want to find this or that? Go after working people. Enough. Enough of this war against working families in this country.

Mr. Speaker, what is also really frustrating is that here we are debating a bill that's really going nowhere, that's about a press release. The Republicans are going to go on vacation tomorrow. We're not going to be back for a week, and then we'll have 4 legislative days left to deal with this thing called ''sequestration.'' On March 1, all of these across-the-board cuts go into play. And guess what? We're going to lose at least 750,000 jobs. That's not my estimate. That's what the head of OMB says. There will be 750,000 Americans unemployed because of their inaction. Guess what? What are these people going to do? They're going to have to look for employment. They're going to be without work. It's going to slow down our economic growth. Give me a break. There should be some urgency here.

My Republican friends, instead of bringing this to the floor, you ought to be finding ways to avoid this fiscal sequestration cliff that we're about to go over.

When my friends talk about the deficit and the debt, they don't talk about unpaid-for war costs, and they don't talk about all the money that they don't pay for that's sent over to Baghdad and Kabul. Instead, we have fights on the floor of whether or not to provide emergency hurricane relief aid to the victims of Hurricane Sandy in our own country. Only about 48 of my Republican friends voted for that. I mean, that's where their priorities are. We should be trying to put the American people first.

The SPEAKER pro tempore (Mr. POE of Texas). The time of the gentleman has expired.

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

Mr. MCGOVERN. What we should be talking about on this floor is jobs—jobs, jobs, jobs. That is how we get this economy going again. That is how we reduce our deficit. That is how we reduce our debt. Instead, you're punishing American workers. This is shameful. We should be spending our time doing something that will actually benefit this economy and this economic recovery. This is not it.

I urge my colleagues to vote ''no'' on this closed rule and to vote ''no'' on the underlying bill, and I urge the leadership to get serious about avoiding sequestration. It is not good for our country.

Mr. WOODALL. I yield myself 4 minutes to talk about cheap political stunts because I see a few cheap political stunts down here from time to time. I don't want to characterize anybody's behavior in that way as I don't think that's appropriate, but what I would say is, if we go to the very top of the GS scale and take a good senior person, like a GS–14 who is making $84,000 a year, this one-half percent pay increase that the President did by executive order and that we're saying won't go into effect until next year is going to give that one working person, that income earner for that family, $2,000 for that family to use over the next year.

Mr. MCGOVERN. Will the gentleman yield for 10 seconds?

Mr. WOODALL. I will yield to the gentleman to answer this question: The gentleman sees here $10,793. That's the additional burden that the gentleman, when he controlled this Congress for 2 years with the President of the United States, also of his party, added to this working family's burden.

Now, when you come to the House floor and profess your affection for the working people in my district and when you express that affection by ensuring that, this year, one-half percent of their pay is going to go up, you're adding $10,000 for that worker, $10,000 for that worker's wife, $10,000 for that worker's oldest child, middle child and youngest child—for a family of five in my district. The gentleman added $50,000 in debt and deficit that has to be repaid.

Now, I know the gentleman was using his heart when he passed those programs that did this. I don't question the gentleman's motivation at all. What I do is take offense that the gentleman questions my motivation in shifting $2,000 from workers' salaries into programs—programs for veterans, programs for research, programs for health—and that he questions my commitment to working class people when, while he did this, he voted ''yes'' after ''yes'' after ''yes'' with no remorse whatsoever.

I'd be happy to yield to my friend, the gentleman from Massachusetts.

Mr. MCGOVERN. What I take offense at is the gentleman's party is about to lay off 750,000 workers in this country. For the life of me, I don't know how that helps our economy. That's what I take offense at. We should be talking about avoiding sequestration. Instead, my friends on the other side of the aisle are talking about how to lay off more American workers. That's what I take offense at.

Mr. WOODALL. In reclaiming my time, I welcome my friend to the sequestration debate, the one that we tried to have last May with absolutely no assistance whatsoever.

Here we are at midnight on sequestration day, saying, Hey, let's do it. Folks, let's do it. Let's do it. Back in May, we passed a bill here. Let's do it with the bill we passed in August to solve the fiscal cliff. Let's do it with the one we passed in September. Let's do it with the one we passed in December.

There is not a person in this body I don't want to work with to solve these problems—there is not one—but when we do it here at the eleventh hour and say, Golly, I wish folks had gotten serious about it earlier. Mr. Speaker, we've been trying to get serious about it for 18 months. When the President passed the law of the land and signed this sequestration into law after the Joint Select Committee failed, the question isn't why are we having to plan for sequestration today; the question is why wasn't the administration planning for it 13 months ago, when we knew the law of the land was going to put it into effect come March 1, 2013?

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

Mr. HASTINGS of Florida. Mr. Speaker, before yielding, I would ask

my good friend from Georgia a question: If we are leaving here, as I suspect we will tomorrow for a week, why don't we just stay here and get this done rather than go on vacation or waycation or whatever we do?

Mr. WOODALL. Will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from Georgia.

Mr. WOODALL. I actually asked that question—or a version of it—of the distinguished gentleman from Maryland, the minority whip, last night.

Mr. HASTINGS of Florida. He doesn't control the House, Mr. WOODALL.

Mr. WOODALL. If the gentleman would continue to yield.

Mr. HASTINGS of Florida. I continue to yield.

Mr. WOODALL. I asked, What would it have taken to get that Joint Select Committee to succeed? Because that's why we're here in sequestration; that's why we're dealing with these things. He said he did not know what more we could have done to find agreement then.

So I say to the gentleman that those same challenges the minority whip observed last night that were preventing agreement then are those same challenges that are preventing us, whether we work until midnight tonight or not, from solving them today, though I would be happy to stay with the gentleman just as long as there is work to be done here in this House.

I thank the gentleman for yielding.

Mr. HASTINGS of Florida. In reclaiming my time, one thing is absolutely certain: the majority whip controls the floor, and the Speaker controls the House, and if they chose for us to stay here, we could stay here.

With that, I am pleased to yield 5 minutes to my very good friend, the distinguished gentlewoman from New York, who is my ranking member on the Rules Committee, Ms. SLAUGHTER.

Ms. SLAUGHTER. I thank my colleague from the Rules Committee.

Mr. Speaker and everyone who is listening, you know by now and what you've heard by now is they want sequestration. The local papers and the ones that we've printed on Capitol Hill today all say they want sequestration. The excuse they're giving is they're going to wait and see what the Senate will do, that we're not going to take any action here, that we're just going to be bystanders until we find out they want sequestration.

Over 700,000 workers are going to lose their jobs. A lot of economists tell us that this could be worse than the Great Depression, but they're willing to do it. They're willing to do it because they want to fight this President. I think that means a whole lot more to them than doing their job here as elected Members of Congress. As we've heard before, we only have 6 legislative days left. When we come back from a week's vacation, we will have these cuts that will have this devastating impact on our economy and on the well-being of every American citizen.

□ 1420

I urge the CEOs of America who are very worried, and they've said so for months and months, that they're concerned desperately about the prospect of sequestration, to talk to their Members here and get them to change their mind, if they can.

This is really dire. We're not kidding around here. This is serious business. We are literally facing a fiscal cliff. But the solution we've made to this, as you all know, a manmade crisis here, they take a swing at their favorite punching bag and hold hostage again the people who make their living serving all of us.

Last night was the first time I really heard that what we're doing, we're not going to save anything. Now, bear in mind that the Federal employees have already given in salary give-backs over $100 billion over the next 10 years. That should be enough sacrifice from them, but no, we're going to go for more. But we're not going to use it to reduce the deficit, it is going to be made available to agencies.

Well, there's a lot of ''Alice in Wonderland'' sort of sense in Congress these days. Alice, one of the things that I liked about her the most, and she's a very strange little girl, but she said that she practiced as hard as she could to try to believe six impossible things before breakfast. And I'm trying to put this in that same category, and it simply is impossible for me to believe that we gain anything in the world by taking away the salary and income of hardworking government employees to put back in Federal agencies. Frankly, if any of you can really understand that, I'd appreciate it if you'd let me know.

We had a chance—in the last 2 weeks, we've had two chances—to do away with the sequester in a commonsense way and also to cut the deficit with a sensible solution. Mr. VAN HOLLEN, who is the ranking member of the Budget Committee and deserves our respect, was not allowed to do anything.

As you pointed out, and I also heard Mr. MCGOVERN say so, the Rules Committee now runs the House. There's no committee action on any of these bills. No chance for Republicans and Democrats in the committee setup, which the Founding Fathers did, and which we followed for generations and hundreds of years here, no possibility for them to discuss it. It simply is brought to Rules.

Now, Mr. VAN HOLLEN, his sensible solution here, which really does make sense, was simply not allowed to be put on the floor so that we could discuss it and give people a vote. A bipartisan group of the Members of the House don't want this bill passed. I'm going to put a letter in from one of the most thoughtful Members and a friend, Representative WOLF from Virginia, about what he thinks this is about. He calls this a cheap political trick, and I think that pretty well sums it up.

Now, already cuts totaling $1.5 trillion have been made to discretionary spending. And as a result, because of the layoff of employees, our economy experienced an unexpected economic contraction in the final quarter of 2012, which we should pay heed to.

Sequestration would compound our economic troubles even further. George Mason University says sequestration would cause 2.14 million American employees to lose their jobs. Meanwhile, important Federal programs would be crippled because of irresponsible cuts. I need to mention a few of them again.

FAA, which makes flying safer, they would experience a great cutback. The people who guard the border, who do drug interdiction, who keep our border safe and strong, they would have a severe cutback. Sequestration would mean that vital research would be slowed. And as a scientist, let me assure you that research cannot be turned off and on like a faucet. It is necessary for us to maintain that research with dollars because, as it's been pointed out before, we want to keep our population healthy.

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

Mr. HASTINGS of Florida. I yield an additional 1 minute to the gentlelady.

Ms. SLAUGHTER. How important that is for us, not only for our economic well-being, but for the well-being of our citizens.

This is a foolish thing that we're doing here today, and I can't imagine anybody in the Senate would even contemplate bringing it up. So all of this is simply a waste of time, as we do here so many times.

I urge my colleagues on both sides, vote ''no'' and please give us a chance to let Mr. VAN HOLLEN bring his bill to the floor—or some bill from the Republican side. I don't care where it comes from. We have to stop sequestration.

CONGRESS OF THE UNITED STATES,
Washington, DC.

VOTE NO ON H.R. 273

DEAR REPUBLICAN COLLEAGUE: Next week, the House is scheduled to consider H.R. 273. I urge you to vote no on this legislation.

Let's be honest: this bill is nothing more than a political stunt that targets the hardworking, dedicated men and women of the civil service, who have already had their salaries frozen for more than two years. Everyone knows they are an easy target. But we are kidding ourselves if we think we can balance the budget on the backs of federal employees. It's a drop in the bucket towards deficit reduction and a hollow gesture absent meaningful mandatory spending reforms. Worse, this is just busywork as our economy faces the sequestration meat ax.

I believe that the federal government must be able to recruit and retain qualified individuals in order to deliver government services in an efficient manner. And about half of all federal employees make less than $60,000 a year. These are individuals who haven't had a pay raise in more than two years. And now we're talking about freezing their pay for a full third year. The president's proposed .5 percent adjustment is cheap grace ($225, since a quarter of it has already been frozen) and won't bring civil service pay close to the private sector, but it will at least attempt to tell these employees that they are valued.

And just who are these federal employees? They are the people you call when you need help, and 85 percent of them live outside of the Washington, D.C. metro area.

They are the CIA agents who planned the raid to kill Osama bin Laden. They work side-by-side with our military. Those agents depicted in Zero Dark Thirty? They haven't had a pay raise in more than two years.

They are the FBI agents you call when your child has been kidnapped. Those agents who rescued the 5-year-old kidnapped and held hostage in a bunker in Alabama? They haven't had a pay raise in over two years.

They are the Customs and Border Patrol and DEA Agents who are working to stop illegal immigrants and human traffickers and drug runners. The border patrol agents who worked side-by-side with slain Border Patrol Agent Brian Terry haven't had a pay raise in over two years.

They are the nurses and doctors at the VA who care for our veterans and wounded warriors—they haven't had a pay raise in more than two years. I know I'm not alone in wanting the best doctors and nurses to care for our veterans.

They are the foreign service officers who represent our government at embassies in Libya, Israel, Russia and beyond. The FSO's who worked side-by-side with slain Information Management Office Sean Smith in Benghazi haven't had a pay raise in more than two years.

They are the FDA inspectors who trace E. coli outbreaks to ensure that our food is safe to eat. They are the NIH researchers working to find a cure for breast cancer, and prostate cancer, and Alzheimer's and Autism.

They are the defense civilian riggers and machinists and refuelers and engineers repairing sophisticated electronic weaponry systems at Army depots and Air Force bases and shipyards who support our military personnel;

They are the firefighters you call when a lighting strike sets a national forest on fire and homes and business are in danger. And they are the park service rangers who ensure that your constituents can safely hike and camp in our national parks and tour our battlefields.

They are the scientists working at the DOE labs. They are the meteorologist at weather service storm centers tracking hurricanes, tornadoes, tsunamis and blizzards. They are the NASA astronauts, engineers and scientists.

Over the last Congress, unlike other groups, federal employees contributed more than $103 billion to deficit reduction—no other group was asked to sacrifice more. I know that these patriotic Americans are willing to do more, but they rightly expect all of us to fully join this effort. A vote for the bill next week isn't a vote just to cut a program, but it's a targeted vote to specifically freeze an individual's pay from a marginal increase—a personal affront to the employee and their entire family, including their spouses and children, and the retired parents who care about their children.

I get it—this vote polls well with certain groups. But we were elected to represent our constituents. Let's pass bills that actually reduce the drivers of our nation's debt and deficit. This is cheap grace. Vote no.

Please don't hesitate to contact me or Mira Lezell on my staff at 5–5136 if you have any questions.

Sincerely,

FRANK WOLF,
Member of Congress.

Mr. WOODALL. Mr. Speaker, at this time it is my great pleasure to yield 2 minutes to a good friend here, Mr. WITTMAN.

Mr. WITTMAN. Mr. Speaker, today I rise in opposition to this bill. I'm proud to represent thousands of hardworking Federal civilian employees who selflessly serve this Nation on a daily basis. They fight crime for the FBI, root out terrorism with the CIA, and provide vital support to members of our military. They're scientists, air traffic controllers, and engineers, pursuing excellence each day to cure disease, protect our travelers, and shore up our infrastructure. They're doctors and nurses at VA hospitals, ensuring that our veterans get the highest caliber care in return for their service to this Nation. They're Border Patrol agents protecting our homeland from those who wish to do us harm. But above all, they are patriots, selfless, committed citizens who believe in serving their Nation.

This Congress charges these hardworking Americans with their duties, and this Congress asks them to perform these duties to the very best of their abilities. It is only appropriate then that their service be recognized and applauded rather than consistently used as a tool in the game of politics.

To be clear, I do not think that Members of Congress should receive a pay increase, and I have continually supported efforts to reduce our pay and cut our legislative budgets. But this bill is not about Members of Congress, it is about our Federal civilian workforce, which has already been under a pay freeze for the last 2 years. This legislation would continue that pay freeze throughout the end of this year.

For these dedicated citizens, life is about public service and commitment—commitment to the people of this Nation and to the ideals and dreams set forth by our Founding Fathers.

So today, I ask my colleagues: Do you want an efficient, responsible, and safe United States of America? Do you plan to ask any less of our Federal workforce?

It seems to me that we are only asking them to do more for this Nation with less without standing by them in these challenging times. We must stop continually targeting our Federal employees, and I urge a ''no'' vote on H.R. 273.

Mr. HASTINGS of Florida. Mr. Speaker, would you be kind enough to tell both of us how much time remains.

The SPEAKER pro tempore. The gentleman from Florida has 13 minutes. The gentleman from Georgia has 16½ minutes.

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased at this time to yield 2 minutes to the gentleman from California (Mr. BERA), a new, very thoughtful Member of the House of Representatives.

Mr. BERA. Mr. Speaker, I rise today to speak against the closed rule. Yesterday I introduced an amendment that would have separated the pay raise for Members of Congress from the remainder of Federal employees. If that amendment had passed, only Members of Congress would be affected by this bill.

Unfortunately, the Rules Committee reported a closed rule and will not allow an up-or-down vote on any amendments. They would not allow us to vote up or down on this. Failure to allow an up-or-down vote does not allow Congress to take a clean vote on a cost-of-living adjustment for Federal employees.

Congress needs to start working together in a bipartisan manner and start addressing issues like sequestration and the budget. We need to start making strategic budget decisions, not across-the-board cuts. That is not how you make decisions. We need to eliminate and reduce those programs that are no longer effective and begin to bring our budget under control. And if we cannot act responsibly and find a way to achieve this balance, then we don't deserve a pay raise as Members of Congress.

□ 1430

This amendment, the amendment I proposed, would have reiterated that.

Not allowing a clean vote is just wrong. We should not balance the Federal budget on the backs of our Federal employees. My amendment would have allowed us to take that vote.

Sacramento County, my home county, has over 26,000 Federal employees. These are hardworking citizens in the Defense Department. Many of them are veterans who have served our country admirably, and there are other dedicated public servants keeping our country safe. We should not ask them to make the sacrifice without asking ourselves to make that sacrifice first.

Now is the time we've got to set aside this partisanship and start working together to serve our country. However, achieving fiscal balance on the backs of our hardworking Federal employees is not a solution.

I urge my colleagues to vote against this rule. Protect our hardworking and responsible Federal employees, and work in a bipartisan manner to pass a responsible budget.

Mr. WOODALL. Mr. Speaker, I yield myself 2 minutes. And I want to say of my friend from California, he gave a very thoughtful presentation in the Rules Committee last night. And as my colleague from Florida suggested, I am a big fan of open rules. It's early in the process. It's always harder to go through regular order until the committees have spun up.

But I would just say to my freshman friend from California that even if we had made an open rule controlling for this bill, the gentleman's amendment still would not have been made in order. It would have been ruled by the Parliamentarian as out of order, as being nongermane to the underlying bill.

Mr. HASTINGS of Florida. Will my colleague yield?

Mr. WOODALL. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. But we have the power in the Rules Committee to waive that germaneness, and we could have done that and allowed Mr. BERA's measure to go forward. I thank my colleague for yielding.

Mr. WOODALL. I appreciate my friend's comment. He's absolutely right.

So my advice to my new freshman colleague from California would be, in this case, it's not an open rule that he's after; it's his colleagues on the Rules Committee working their Rules Committee magic to waive the rules. It would have actually taken a waiver of the House rules to allow the gentleman's amendment to come.

But he made a very passionate case last night, Mr. Speaker, and I know his heart is in this issue.

Mr. Speaker, I want to be clear about what this bill is and what this bill isn't. And what it isn't is a pay freeze for Federal employees, and, in fact, what has been the law of the land for the last 2 years has not been a pay freeze.

All of the increases that come with longevity have been taking place. All of the increases that come with promotions have been taking place. All of the increases that come with meritorious pay and bonuses and all of those activities have still been going on.

What this is, however, is a 9-month suspension of the automatic, across-the-board .5 percent increase that the President directed by executive order in December. That is all this bill is, and that's all this bill will be under this rule.

With that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased to yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL), my good friend, the former mayor of his city.

Mr. PASCRELL. Mr. Speaker, we need a balanced approach to reducing our deficit which makes responsible cuts while also raising revenue. This bill is not the way to do it.

I have great respect for the gentleman's intellect, but this is one of the dumbest bills I've ever seen come to this floor.

Let's take a look at it, Mr. Speaker. I rise in strong opposition to this rule and the underlying bill.

As part of the fiscal cliff deal, we promised Federal employees that they would see their first pay raise in over 2 years on March 27. This is a modest pay adjustment, half a percent. When you say $10 billion, you're talking about $1 billion a year.

Now, a little more than a month before the increase takes effect, the bill before us today would break that promise. Do you think, America, that this is going to solve the fiscal problems that the Congress and President created?

My home State of New Jersey suffered devastating damage from Sandy this past fall, as did a few other States. Employees from FEMA, the Army Corps of Engineers, HUD, and many other agencies were on the ground immediately.

How dare you ask this pejorative question about, well, what if we took the dollar from the clerk and then provided it to our Armed Forces?

What kind of negotiation is that?

What kind of bartering are we doing?

And we're doing the same thing with our own staffs, the very people that are sitting alongside us and behind us, which is not germane to this legislation, but we're doing the same thing. They haven't had a raise in 2 years.

Oh, wonderful, we're saving the country because we're doing that. These are human beings too. They're not chattel. They're not numbers.

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

Mr. HASTINGS of Florida. I yield the gentleman an additional 1 minute.

Mr. PASCRELL. They're not stick figures. They walk the streets, navigating through flooding, debris, downed power lines, these Army Corps, these FEMA folks, in order to assess damages and reach out to the victims. They're not nameless. They're not faceless bureaucrats. These are heroes who continue to contribute each and every day to our ongoing rebuilding.

And darn it, we allowed this to happen 5 or 6 years ago when we laid off thousands and thousands of police officers and firefighters and teachers and we called it saving the country.

Federal workers are also law enforcement officers and firefighters who put their lives on the line for us every day. They work for the Defense Department. They protect us in our times of need, and we need to be there for them.

They've done and continue to do their part. I am tired of us using Federal, State, local, county employees as the scapegoats for our ineptness. Maybe it's the politically correct thing to do to capitulate and join the forces and cut everybody. That's what we should do? I don't think so.

I will debate you anytime on the Federal workers.

Mr. WOODALL. Mr. Speaker, I yield myself 3 minutes to say to the gentleman—he heard it from the gentleman from Virginia on my side of the aisle—the respect for Federal employees and the job that they do is not a question that's being debated here today.

The admiration that I have for the folks at the CDC, in my neck of the woods, the support that, led by the Speaker of the House from my State, Speaker Gingrich, to double the NIH budget, and then double it again. The kind of work that goes on here is undisputed.

But I want to show you, Mr. Speaker, what my constituents also see in their tough times, because it's not just the clerk at the VA that hasn't gotten a raise in 2 years.

I was talking with a friend of mine who's a clerk at a furniture store, single mom, child, son, 6 years old, hasn't gotten a raise in 2 years, makes $11 an hour.

Average median Federal wage, $74,000.

What I show you here is a chart from the CBO, the same organization that sites the job loss figures that you've quoted here earlier, that compares the work of folks with high school degrees, with a little bit of college, with college, in the private sector, the salaries and the benefits in the private sector with that of the public sector.

Now, I say to the gentleman, in no way, Mr. Speaker, do I want to minimize the tremendous responsibility placed on our Federal civilian workers. Again, I have chosen a career of public service, as have they, and I admire them for it. I know it's at great sacrifice to themselves and their families.

Mr. PASCRELL. Will the gentleman yield?

Mr. WOODALL. After this one sentence, and that is, in this tough time, until we can get our handle on the debt and the deficit, my constituents continue to look at how their tax dollars appear to be paying salaries and benefits higher to Federal employees than what my folks are getting back home.

I hope the CBO will produce a different report that shows a different result; but until it does, I wish my friends wouldn't categorize what's going on here as some sort of hateful act, disrespectful act towards Federal employees and could recognize it as a balancing of salaries and benefits that our own Congressional Budget Office has suggested is actually an inequity that exists today.

With that, I would be happy to yield to my friend, the gentleman from New Jersey.

□ 1440

Mr. PASCRELL. I wouldn't use the two words that you used. I would use the word ''demeaning.'' We have demeaned our staff, which is not included in this, I understand that. But you want to know something? Those unemployment figures for the last 6 years would be so different if we hadn't laid off those very same Federal employees whom you are now deciding to take a half a percent away from them at this particular time. And for some crazy idea that you'll give the money to the agency to do with it what it wishes, I don't think you meant that, really. I don't think you meant that at all.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 2 minutes to my friend, the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

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

Ms. JACKSON LEE. I thank my dear friend from Florida for the leadership on the issue, the number of Members who have already spoken, and my good

friend on the Rules Committee who is the manager of this particular rule and, in essence, bringing this bill to the floor of the House, and that is what you hear the discourse about. Many times this discourse, this debate becomes confusing because we are trying to compare apples and oranges. And so let me first own up to the fact that a congressional pay freeze is already in place. Our salaries have been frozen. When it expires, we'll rise to the occasion and freeze it again. We're elected by the people, and those decisions can be made on behalf of the people.

We're not talking about congressional salaries today. They're in place. They exist. What we're talking about is the ICE officer that I'm meeting with in the Rayburn Room who works everyday to protect this country and has seen that, because of the $103 billion that Federal employees have already given to reduce the deficit, necessities of work are being challenged. Customs and Border Protection, DEA officers, FBI, Health and Human Services, Centers for Disease Control physicians, research at NIH and those scientists, all of those persons are working for the greater good—those who had to address the West Nile virus, FEMA employees who are right now on the ground with Hurricane Sandy. I have no question that there are private sector employees that are addressing this question, but they've gotten a 4.7 percent raise.

Let me tell you what the issue is. Let's stop fooling around and address the question of sequester. Protect those who need a social safety net and Social Security and Medicare. Realize that if you dice and cut and slash under the sequester, that will be the issue. None of these amendments were allowed in.

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

Mr. HASTINGS of Florida. I yield the gentlewoman 1 additional minute.

Ms. JACKSON LEE. I thank the gentleman.

Last night at the Rules Committee, there were amendments to bring forward the right way of addressing the question, and they indicated that was not germane. I know these words are confusing, but that could have been a waiver. We all know what that means. It doesn't match, it doesn't fit, but we waive you in. That could have been debated on the floor of the House.

My amendment said that we should take a pause. I simply said this bill shouldn't be brought up. I struck the entire language of the bill so that we could get to the point of providing a debate on the sequester to make sure that the American people's voices are heard. They don't want an across-the-board cut when you begin to cut the resources that they need. But we can do better.

And let me just say to you, in Texas, there are 251,000 Federal employees; California, over 400,000. These are not folks inside the beltway. They're the ones that are in the Nation's national forests, on the border, in hospitals, dealing with drug cartels.

I can assure you, Mr. Speaker, that this is not what we should be doing today. This is unfair to our Federal workers, and I won't stand for it.

Vote against the rule and the bill.

Mr. Speaker, I rise to explain my amendment #5 to H.R. 273, "to eliminate the 2013 statutory pay adjustment for federal employees and to reject this frontal assault on federal employees."

My amendment would have struck the entire text of this bill. Why? Because the premise underlying the bill, to freeze federal salaries, is flawed.

And let me be clear: this bill does not add a dime to deficit reduction efforts. Yet my friends on the other side insist on this game of charades, pretending to be concerned with deficit reduction, but the folly of it all is that it's only a not-so-well-disguised game of political one-up man ship.

If you are really looking to cut government spending you should have made the Amendment submitted by my colleague, Mr. VAN HOLLEN of Maryland in-order. Mr. VAN HOLLEN's amendment was not perfect as it cut subsidies for large oil companies, among other things; but it represents a balanced approach to deficit reduction.

And as we look for ways to address our fiscal issues we cannot continue to use the salaries and retirement options of federal employees as our Congressional Savings and Loans.

Federal employees have contributed more than their fair share to addressing this problem. We need creative and long term solutions with a heavy emphasis on job growth.

H.R. 273 continues to freeze the salaries of federal employees who are vital to implementing the very laws and regulations that are generated by Congress and federal agencies.

As the Ranking Member on Homeland Security Committee, Subcommittee on Border and Maritime Security, I can attest that it is in our national security interest to have the ability to recruit and retain the best and the brightest employees to keep our borders safe from harm.

As a Representative from Texas, I can further attest that is again in our nation's best interest to have qualified high skilled professionals reviewing drilling applications for off shore well sites.

Federal employees help to ensure that the air we breathe, the airways that we travel upon, and the food we eat are safe.

Most Americans encounter their first federal employee when they meet their postal carrier. Men and women who faithfully deliver the mail: rain or shine.

After 911 with our need to improve airline security, we turned to federal employees . . . the very employees who are amongst the first to react when there is an attack on our soil.

Federal employees operate in every state cross our nation with only 15% of all federal employees working in Washington D.C, continuing to freeze their compensation is not a long term solution to our fiscal problems.

Our long term fiscal problems will not be solved by cutting Social Security, Medicaid, or Medicare.

Our problems will not be solved by freezing the pay and benefits of federal employees.

Our problems will not be solved on the backs of seniors, low and middle income Americans, or the disabled. Our problems can be solved by putting forth legislation that will put hardworking Americans back to work, advance training for high skilled and high wage jobs. By putting forth legislation that inspirers innovation, and through addressing the long term needs of all Americans rather than a few.

Most federal employees are not living the lifestyles of the rich and famous. The majority of Federal employees are middle class Americans. Over 60 percent of all federal employees make less than $75,000 a year.

According to the Federal Salary Council (FSC) annual report federal employees are paid 34.6 percent less in salary than their private—sector counterparts.

There are those who have cited a study by the Congressional Budget Office which found that federal workers on average earned slightly more than private-sector workers; however, that study did not take into account the level of job responsibility, specialized training, or length of tenure of each employee. Which we all know should be taken into account.

There are those who claim that the federal government is too large. In reality, the federal government is smaller today that it was in 1968.

The IRS has 20,000 fewer employees than they did in 1995, yet are required to process 236 million more complicated tax returns.

The Department of Health and Human Services, Centers for Medicare and Medicaid has 7 percent fewer employees serving 64 percent more enrollees.

Most growth in the number of federal workers has been in Homeland Security and Defense as a result of 9/11.

From 2001 to 2010, employment in non-security federal agencies as a percent of population actually fell by 4 percent.

Even though overall there are less federal government employees serving each American today than there were 30 years ago. They have still contributed $103 billion worth of budget savings since the beginning of 2011.

$60 billion from a federal pay freeze in 2011 and 2012.

$15 billion from increased retirement contributions for newly-hired federal employees. As a result new hires will not receive 2.3% less compensation than their federal counterparts.

$28 billion from a pay increase of .5 percent which is well below the Cost of Living Adjustment of 1.7 percent.

Additional funds will also be generated as a result of a mandatory reduction in the Department of Defense civilian work force.

Federal Employees have given enough.

They have not seen a cost of living adjustment in going on 3 years. There appears to be a growing attitude that this freeze should go on indefinitely.

The freeze was originally enacted to cover only 2011 and 2012; however, it was extended through late March as part of a temporary budget measure. Again, this was supposed to be a temporary solution not a permanent cure.

We must do more to recruit and retain the best and brightest.

We must do more to inspire innovation and job growth.

We must do more to protect middle income Americans, like federal employees.

The way to address our long-term fiscal problems is not be using federal employees as a Congressional Savings and Loans.

Again, it is not through cuts to Social Security, Medicaid, and Medicare. It is by advancing creative long-term solutions that encourages jobs growth and innovation that will allow us to fix our current fiscal issues.

FAST FACTS

H.R. 273, freezes a 0.5% statutory pay adjustment slated to go into effect in March. It also extends the Congressional pay freeze through the end of the year.

My amendment nullifies the entire bill.

According to the Office of Management and Budget the federal workforce is virtually as small today as it has ever been in the modern era.

In 1953, the federal government employed one worker for every 78 residents. In 2009, one worker was employed for every 147 residents.

In the IRS today, there are 20,000 fewer employees than there were in 1995, processing 236 million more complicated tax returns. And, in the Department of Health and Human Services Medicare and Medicaid staff, there are 7 percent fewer employees serving 64 percent more enrollees.

Most growth in the number of federal workers has been in Homeland Security and Defense as a result of 9/11. From 2001 to 2010, employment in non-security federal agencies as a percent of population actually fell by 4 percent.

Only 15 percent of federal employees work in the Washington, DC, metro area. Continuing to freeze the pay of federal employees so they are not in keeping with the cost of living will have Cutting federal a negative impact on the economy of every state.

Currently there are 281,571 federal employees working in my homes state of Texas. In California, there are over 350,000 federal employees. There are hundreds of thousands of hardworking Americans who are going to be impacted by this continued pay freeze across the U.S.

Over 93 percent of federal employee jobs are non-clerical positions.

The federal workforce is a highly-educated and skilled workforce, including doctors, attorneys, scientists, IT specialists, CPAs, engineers, and other highly trained experts in virtually every discipline.

Nearly 50 percent of federal employees have a bachelor's or higher degree.

About 21 percent of federal employees have professional degree or doctorate versus compared to only 9 percent in the private sector.

The federal workforce is the most highly-educated in the nation, with professionals in virtually every discipline.

If we want to continue to recruit and retain the best and the brightest in the federal government we can not continue to use their wages and benefits as a Congressional Savings and Loans. Provide services that are vital to our daily lives.

I do not believe that Americans wish to sacrifice vital services that impact the health, safety and well-being of their families because the federal government failed to invest in its most important asset . . . human capitol.

The federal workforce has declined, on a per-capita basis, from one employee for every 78 U.S. residents in 1953 to one employee for every 147 residents in 2009.

About 85 percent of federal employees work in other cities and towns across the nation.

Federal employees have contributed $60 billion over 10 years toward deficit reduction through a two-year pay freeze, and another $15 billion in pension contribution increases.

Federal workforce cuts will hurt American families through fewer food inspections, decreased monitoring of air and water, and fewer people protecting consumers in the financial markets, just to name a few.

Continuing attempts to freeze federal employee pay, cut retirement benefits, and reduce the federal workforce will more than likely result in a workforce that is not as productive, not as efficient, and not as competent.

Because these types of measures make it even more difficult to attract and retain highly skilled and qualified federal employees. We must consider the long-term impact of short-sighted decision making.

Mr. WOODALL. I yield myself 2 minutes.

I just want to read from the Simpson-Bowles Commission report. And I want to read from it not because I support everything the Simpson-Bowles Commission had to say. I want to read from it not because it's a bill that has passed here on the floor of the House—it's been introduced but it hasn't passed—but I want to read from it because it was put together by the President to be a thoughtful, nonpartisan, deliberative body that would try to find those things in the Federal Government that should change to right the fiscal ship that is the United States of America. And this is what that group, appointed by President Obama, Republicans and Democrats, a thoughtful deliberative body, had to say:

> Out of duty and patriotism, hardworking Federal employees provide a great service to this country. But in a time of budget shortfalls, all levels of government must trim back. In the recent recession, millions of private sector and State and municipal employees have had their wages frozen or cut back, and millions more lost their jobs altogether. In contrast, Federal workers' wages increase annually due to automatic formulas in law, providing them with cost-of-living adjustments totaling more than 5 percent in the last 2 years. This proposal would institute a 3-year government-wide freeze on Federal pay at every government agency, including the Department of Defense civilian workforce. This proposal will save $20.4 billion in 2015.

In 3 years, the President, to his credit, implemented the first 2 years of this proposal. Perhaps there was consultation with someone in this body. It wasn't with me. I serve on the Oversight and Government Reform Committee. The President, by executive order in December, decided he was not going to extend it a third year and was instead going to give a half percent pay raise.

These are issues that can absolutely be debated, Mr. Speaker.

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

Mr. WOODALL. I yield myself an additional 30 seconds.

This isn't a Republican idea; it's not a Democrat idea; it's not something that was created in the minds of folks who hate Federal employees and the Federal Government. It's an idea that came directly from the commission appointed by President Barack Obama to solve exactly the kind of fiscal problems that we are facing today.

Like it, don't like it, but don't say it's something that it's not, Mr. Speaker. This is an idea from the President's fiscal commission, and we're bringing it to the floor today.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I would alert my colleague from Georgia that I have no further requests for time, and I'm prepared to close.

Mr. WOODALL. I also have no further requests for time and am prepared to close.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance my time.

I really like and have great affection for my friend from Georgia, and I understand exactly what he just did with reference to the President's commission as appointed by Senator Simpson and Erskine Bowles, but the fount of wisdom with reference to what is required in order for this Nation to right its ship doesn't emanate from just any one commission. And while this particular proposal may be listed as an idea from the Simpson-Bowles Commission, I would urge my friend from Georgia to read the whole thing, which does contemplate shared sacrifice. And that's what I tried to get across to my colleagues here in this institution.

As a person that lived as a child during the Second World War, I saw what sacrifice meant, and I saw the people that did the sacrificing. And they did it together, differently than us today. And that's why I think it's wrong to cherry-pick and then use a sledgehammer against Federal employees for something that is not likely to become the law of the land. It's a waste of time.

The only good thing that I have to say about the bill before us today is that it has zero chance of becoming law. I anxiously wait for my friends on the other side, particularly the leadership, to actually start considering legislation that will help, not hurt, the American people.

□ 1450

Mr. Speaker, if we defeat the previous question, I will offer an amendment which would allow the House to vote on replacing the entire sequester for 2013 with savings from specific policies that reflect a balanced approach to reducing our national debt.

There are only 6 legislative days left until the sequester hits. Now is the time to act. Smart government is not about sequesters; it's about solutions. And it's time to work together for the American people.

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

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I urge my colleagues to vote ''no'' and defeat the previous question.

I urge a ''no'' vote on the rule, and I yield back the balance of my time with the final thought that we don't have that much time to waste, and we are wasting the American people's time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume to say the gentleman believes we're wasting the American people's time. An equally precious commodity is the American people's money.

I talked earlier about the $10,000 per American inhabitant. A lot of folks do their numbers by American tax-paying families, Mr. Speaker. A lot of folks do their numbers by per adult or per children. I didn't want to game the system like that.

The chart I have right now, Mr. Speaker, $52,381. If you take today's $16.5 trillion debt that America has and divide it by every single human being that the Census Department tells us is in America in January 2013, you will find that we have borrowed and spent $52,381 for every human being in America.

I don't minimize the burden that will be on a family of four in my district when they don't receive that half a percent pay bump that the President tried to do by executive order that we're rescinding here today. I don't minimize that at all. But it is minimal compared to the $52,000 for each member of that family of four. That half a percent pay raise is minimal compared to the $208,000 that that family owes as its share of the Federal debt.

The gentleman from Florida, Mr. Speaker, made a very passionate presentation last night, and I believe he is absolutely right. He referenced himself and our ranking member as the only two folks in that committee who know anything about sacrifice. I always go through my grandparents' stuff. I was one of those kids who loved being in the attic. You always find neat stuff in the attic and the basement. I have all the ration stamps, Mr. Speaker—sugar, rubber. I don't know what that's like. I don't know what that's like for a Nation to come together with such a sense of purpose that they say we're going to police ourselves and our own family. We're going to have the posters up on the wall that say ''loose lips sink ships,'' and don't waste because we need it for the war effort, and we're going to come together and make that happen.

In fact, the last time, Mr. Speaker, this country had the kind of debt as a percentage of the size of its economy that it has today was when we were coming out of World War II. In that time, when we were rationing rubber and sugar, when we no longer minted our currency with copper because we didn't have enough to go around—or nickel—we were using steel to put the coins together at that time. In that time of crisis, Mr. Speaker, when we thought the freedom of the world was on the line, we borrowed the largest amount of money ever borrowed in the history of this country to win World War II.

As we stand here today, we have borrowed trillions more in actual dollars, but that same gargantuan number of 100 percent of our economy. And for what? What does that leave us when the next crisis comes—and I promise you it will. The next crisis will come, and the tools that we have to address it will have been eroded by the policies of today.

I take no pleasure in being down here today managing the rule that will extend into year 3 a Federal employee pay freeze. I told folks in my constituency, Mr. Speaker, I said I want to come back home and I want to tell you how much I've been doing good work for you in Washington and doggone it I deserve a pay raise. I want us all to be so successful that we can go back home and tell folks we deserve it. But with $16.4 trillion in debt, 4 years of no budgets at all coming out of this town, trillion-dollar annual deficits, we don't.

If you think the pain of a 3-year pay freeze is bad, Mr. Speaker, Google Greece, Bing Greece, do your Yahoo search on Greece—not half a percent freezes, but double-digit cuts to Federal benefits; double-digit cuts to pensions that seniors are relying on; double-digit cuts to salaries; layoffs, double-digit percentages. It doesn't get better on its own, Mr. Speaker. We have to do it.

My friend from Florida is so right, Mr. Speaker: we have to come together to solve the bigger problems. This is not the bigger problem. At best, this is a symptom of a problem. At worst, it's just something we're trying to do to manage through.

In this body, Mr. Speaker, and the Senate, the President, we put six of our best minds from the House, three Democrats and three Republicans, six of our best minds from the Senate, three Democrats and three Republicans, and we locked them in a room for about 3 months and said do anything, do anything you want to with the Federal budget. Dream your biggest dreams. Come up with your best ideas. Get outside the box. And we're going to close the door so you can have that conversation with the utmost candor, Republicans and Democrats alike, House Members and Senate Members alike.

After 3 months, Mr. Speaker, having looked at literally hundreds of trillions of dollars of Federal spending going out for decades, they found that they could agree on not even one dollar, not one dollar in changes.

Mr. Speaker, as you well know, and as the freshman Members of this body are going to learn, we only control one-third of the budget here, just one-third of the budget, that discretionary spending, one-third of the budget. That's where the Federal employee salaries are, one-third of the budget. So everything we do to try to get a handle on $52,000 in debt per man, woman and child in America, everything we do to try to get our fiscal ship sailing straight once again is coming from that one-third.

Because to get to the real drivers of the debt, Mr. Speaker, to get to the real drivers, we've got to get into the two-thirds, the two-thirds that can only get to the table when the House and the Senate and the President all agree.

Mr. HASTINGS of Florida. I know you're on a roll, but will my friend yield for just 5 seconds?

Mr. WOODALL. As highly unorthodox as that is, my great respect for my friend requires that I do.

Mr. HASTINGS of Florida. I thank you so very much.

I just want to say America ain't Greece; it ain't going to be Greece.

Mr. WOODALL. Reclaiming my time, Mr. Speaker—and again, pleasure to yield—I say to my friend, I fear it's thinking like that that's going to take us exactly there.

□ 1500

Mr. Speaker, again, I take no pleasure in this freeze today. I believe in shared sacrifice across this country to solve our problems. The only thing that would be permissible in this legislation is to ensure that Members of Congress and fellow employees are both frozen together, as is ensured in this legislation.

I urge my colleagues to support this rule, bring this bill to the floor, support this underlying resolution, and remember that until $52,381 per man, woman and child in this country reads ''zero,'' we're going to have these discussions again and again and again.

The President, Mr. Speaker, I'm told is planning to produce a budget. It's not going to be this month. It may come next month. Do you know that in the 2 years I've been here as a Member of Congress, the President's budgets never, ever, ever pay down one penny of this debt? We're complicit in this, Mr. Speaker; and, together, we can get ourselves out of it.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 66 OFFERED BY MR. HASTINGS OF FLORIDA

(1) At the end of the resolution, add the following:

SEC. 6. Notwithstanding any other provision of this resolution, following debate on H.R. 273 it shall be in order to 1 consider the amendment received for printing in the Congressional Record pursuant to clause 8 of rule XVIII and numbered 1, if offered by Representative Van Hollen of Maryland or a designee. That amendment shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question.

(2) On page 2, line 5, insert ''with or without instructions'' after ''recommit''.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

Mr. WOODALL. I yield back the balance of my time and move the previous question on the resolution.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on ordering the previous question.

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 229, nays 194, not voting 8, as follows:

[Roll No. 41]

YEAS—229

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

NAYS—194

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

NOT VOTING—8

Culberson
Diaz-Balart
Farr
Gowdy
Grijalva
Johnson (GA)
McKeon
Yarmuth

□ 1522

Messrs. BERA of California, ISRAEL, PETERS of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Messrs. MURPHY of Florida, CASTRO of Texas, PETERS of Michigan, COSTA, Ms. ESHOO, and Mr. GALLEGO changed their vote from ''yea'' to ''nay.''

Messrs. SHUSTER, WOLF, HUELSKAMP, FLEMING, CALVERT, HUNTER, YODER, and JONES changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 192, not voting 12, as follows:

[Roll No. 42]

YEAS—227

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

NAYS—192

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

NOT VOTING—12

Bishop (UT)
Culberson
Farr
Garcia
Gerlach
Grijalva
Hastings (FL)
Johnson (GA)
King (IA)
Lynch
Terry
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1529

Mr. RYAN of Ohio changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GARCIA. Mr. Speaker, on rollcall No. 42, had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. JOHNSON of Georgia. Mr. Speaker, had I been present on Thursday, February 14, 2013, I would have voted "no" on the motion on ordering the previous question on the rule and "no" on H. Res. 66, the rule providing for consideration of H.R. 273.

APPOINTMENT OF MEMBERS TO JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 15 U.S.C. 1024(a), and the order of the House of January 3, 2013, of the following Members on the part of the House to the Joint Economic Committee:

Mr. CAMPBELL, California
Mr. DUFFY, Wisconsin
Mr. AMASH, Michigan
Mr. PAULSEN, Minnesota
Mr. HANNA, New York
Ms. LORETTA SANCHEZ, California
Mr. CUMMINGS, Maryland
Mr. DELANEY, Maryland

NATIONAL RECREATIONAL THERAPY MONTH

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in February we celebrate National Recreational Therapy Month. Leading a healthy life means not only the absence of illness, but a level of physical, cognitive, emotional, social, and leisure well-being, which is the underlying focus of the recreational therapy profession.

Recreational therapists are caring professionals who touch the lives of individuals facing life-changing disease and disability all across the Nation. These professionals help individuals navigate these challenges, achieve healthy outcomes and, ultimately, an overall better quality of life.

Having worked in this profession for 28 years, I witnessed firsthand how the services of this profession made significant differences in the lives of so many. These services are provided by professionals nationally certified by the National Council for Therapeutic Recreation Certification as certified therapeutic recreation specialists.

Recreational therapy ultimately aims to improve an individual's functioning and keeps them active, healthy, and as independent as possible.

Mr. Speaker, I congratulate the caring professionals of the therapeutic recreation profession during the month of February for the services they provide each and every day.

PROTECT VOTING RIGHTS OF ALL AMERICANS

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

Ms. LEE of California. Mr. Speaker, the upcoming Shelby County, Alabama v. Holder Supreme Court case presents a direct threat to section 5 of the Voting Rights Act of 1965, which is the

most effective civil rights legislation ever enacted by Congress.

The Voting Rights Act of 1965 was passed just 1 year after I graduated from high school. Growing up in El Paso, Texas, I vividly remember the days of Jim Crow, segregation, and the poll tax. Should the Supreme Court rule against the Justice Department and overturn this important legislation, minority communities will lose many of their voting protections.

Later this month, I intend to join my colleagues in the Congressional Black Caucus to listen to the oral arguments for this case at the Supreme Court. Many of us were part of the 390–33 majority, along with 98 Senators, who voted to reauthorize the Voting Right Act in 2006. We agreed there is still a compelling need to protect and preserve the voting rights of all Americans. After all, it is this right that lies at the very heart of our democracy that must not be eroded.

AMERICAN HEART MONTH

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

Mr. PAULSEN. Mr. Speaker, February marks National Heart Month, which reminds all Americans to take control of their cardiovascular health. Each year, 700,000 Americans suffer a heart attack, and approximately 600,000 die from causes related to heart disease. Nearly everyone knows a family member, a colleague, or a friend who has experienced the devastating effects of this disease firsthand.

While heart disease is currently the leading cause of death among men and women, we can all take steps to prevent this disease and promote overall heart health.

One example of community action is the great work of the Plymouth Rotary Club and Allina hospitals and clinics in Minnesota. They've teamed up together to start a new project called Heart Safe Plymouth, a plan that promotes education and training on the emergency treatment of sudden cardiac arrest.

I encourage all Americans to follow their example of involvement and action. Let's use American Heart Month as an opportunity to learn more about heart disease and prevention so that we can all live longer and healthier lives.

IMPACTS OF SEQUESTER

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

Mr. PETERS of California. The impacts of sequester will be felt in every district and State. San Diego is home to major research universities and technology firms. Last year, firms working on everything from improving cancer diagnostics to protecting our computer security received more than $130 million from the National Science Foundation and $850 million from the National Institutes of Health. In all, San Diego received more than 1,760 grants to support America's innovators.

I recently received a letter from Arisan Therapeutics, a small biomedical group in my district. This small team of dedicated researchers has been working on vaccines against the flu and dengue fever. If the sequester goes into effect, they will have to lay off their researchers and close. The sequester will not only hurt people, jobs, and families, but it will stop critical research in the biomedical sciences and stifle innovation in our labs and universities.

Congress must act now so America and San Diego do not fall behind our international competitors and so that we continue to be on the cutting edge of technology. We must keep investing in our future.

RECOGNIZING HONOR FLIGHT NORTHERN COLORADO

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

Mr. GARDNER. Madam Speaker, I rise on the occasion of Honor Flight Northern Colorado's ninth flight to Washington, D.C., bringing veterans of World War II, Korea, and Vietnam to see their memorials. On behalf of a grateful delegation, State, and country, I welcome these heroes.

The 122 veterans on this flight included 37 from World War II, 80 from the Korea conflict, four from the Vietnam war, and one from the war in Iraq. Eight of these veterans wear the Purple Heart.

The Honor Flight program was founded in 2005. It provides veterans with the opportunity to visit Washington, D.C., free of any cost to them or their families to see the memorials that were built in their honor. The program, originally intended to honor World War II veterans, has developed to include veterans from several major conflicts.

Today we honor those veterans as they make the journey to Washington to visit the memorials that serve as a symbol of a grateful Nation. Of course, no memorial, no statue can ever truly convey the sacrifices our veterans have made for our country. Much has been asked of these soldiers, sailors, airmen, marines, and Coast Guardsmen; and time and time again they have delivered.

The freedoms endowed upon us by our Creator, protected by our Constitution, and enjoyed by all Americans must never be taken for granted. Today, we honor those who have sacrificed to secure the blessings of liberty for generations of Americans. Please join me in thanking these patriots.

Madam Speaker, I rise on the occasion of Honor Flight Northern Colorado's ninth flight to Washington, DC bringing veterans of WWII, Korea, and Vietnam to see their memorials. On behalf of a grateful delegation, State, and country, I welcome these heroes.

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Please join me in thanking Willard Bauer, Robert Bell, Edward Coleman, Floyd Ewing, Albert Fairweather, Marvin Fowler, Elwyn Frazier, Robert Fulton, William Garcia, Edward Glover, Herold Hettinger, Raymond Holiday, Buford Johnson, William Kammlade, Donald Lawless, Russell Maxwell, Dale Norwood, Philip Owen, Paul Painter, George Parker, Theodore Pratt, Kenneth Robb, Henry Redd, Harley Rouze, Harold Scatterday, Dean Severin, Leonie Shannon, Keith Simons, Jacob Stieb Jr., Howard Teague, Margaret Thompson, Charles Vogel, Thomas Weathers, Victor Weidmann, John Williams, Milo Whitcomb, Quentin Younglund, Bobby Andersen, Emmett Archuletta, Donald Armagost, Robert Arnbrecht, Gary Beverlin, Stanley Black, Ronald Brasseur, Earl Buckendorf, Robert Buttner, Donald Campbell, Clarence Carnes, Jerald Clark, Robert Clayton, Keith Coates, Kenneth Comin, Victor Crenshaw, Dean Daggett, Lester Edgett, Arno Engele, Roy Erickson, William Erickson, Bernard Erthal, Donald Fenske, Donald Fickenscher, Russell Foster, Franklin Fronek, Porfelio Garbiso, Carl Goeglein, Wiliam Goble, Delbert Gorsline, George Gray, Kenneth Hoff, Robert Hull, Robert Jones Jr., George Knaub, Arthur Kober, John Leach, Roger London, Willard Loose, Joseph Lopez, Arthur Lukemire, Charles Mahoney, Eathon Marr, Vernon Marston, Robert Martin, George Maxey, Loren Maxey, Albert Melcher, Gordon Michel, Kenneth Miller, Raymond Miller, Stuart Miller, Ralph Nuss, James Othrow, Theodore Pearson, Robert Phillips, Franklin Pino, Julius Racette, Dean Rydholm, Delmar Scholfield, Carlos Scott, Stanley Shafer, Emil Shireman, Hubert Shumaker, Norris Slechta, Jack Snyder, John Stieb, Dale Stinton, Donald Svedman, James Theobald, Gem n Terrell, Wiliam Thill, Paul Van Driel, James Vincent, Paul Vohs, Leroy Waag, LaVerne Walls, Warren Ward, Duane West, David Young, Leonard Beutelspacher, John Gruver, Gaylord Mekelburg, Cloyd Rael, Marshall Spring, Charles Adams, and any participants whose names were not available at the time of this statement.

□ 1540

DOCTORS CAUCUS

The SPEAKER pro tempore (Mr. MASSIE). Under the Speaker's announced policy of January 3, 2013, the gentleman from Tennessee (Mr. ROE) is recognized for 60 minutes as the designee of the majority leader.

Mr. ROE of Tennessee. Mr. Speaker, before starting this Special Order, I'd like to yield as much time as he may consume to my friend from Mississippi, STEVEN PALAZZO.

SEQUESTRATION EFFECTS

Mr. PALAZZO. I want to thank the good doctor from Tennessee for yielding me some time.

Mr. Speaker, in 2 weeks we face one of the most devastating cuts to our military that our country has ever seen, literally, a worst-case scenario for our men and women in uniform, all in just 2 weeks.

For a year and a half, several of my colleagues and I have been discussing with anyone who will listen the devastating impact of these automatic budget cuts, but still we have stalled and delayed till we are where no one in their right mind would want to be.

If these cuts are not stopped, not only will our military be hollowed out, but a number of other agencies will be severely impacted as well. Defense cuts are bad enough. Unfortunately, these cuts affect a lot more than just defense. These automatic cuts affect food inspections at the Department of Agriculture, FBI investigations, TSA screening at airports, and others. No agency is untouched.

One example in Mississippi alone is it is anticipated that these automatic budget cuts could cost as many as 845 jobs in the education sector alone. These are the people we task with educating our future generations and ensuring our country's success.

We're now hearing of furloughs across the government agencies. This would mean that families that are dependent on that paycheck to put food in their children's mouths and clothes on their backs will be forced to stay home as much as 1 day a week for up to 22 weeks.

This means millions of dollars in lost pay for dedicated public servants because Congress and this President cannot get their act together and do what is right for our country.

At this point, the House has passed two separate plans that were never even considered by the Senate. Ultimately, inaction by the President and Senate are allowing us to inch closer and closer to the disgusting reality of these cuts.

Even more disappointing than the Senate and the President's inaction is the ridiculous position of many that seem completely content to throw their hands up and say that we have done all we can do.

But I am perhaps the most disappointed in my colleagues that want these cuts to take place in the name of spending cuts only. What good are spending cuts when you can't defend the Nation you are trying to save and destroying our economy in the process?

I am in favor of reducing our national debt and balancing our budget as much as anyone in this Congress, but I refuse to do it on the backs of our men and women in uniform and their families. I will not jeopardize their safety and security, yet some in this body want to do just that.

It is foolish—no, naive—to believe that allowing $1 trillion in spending cuts to our national defense is responsible or sustainable. Many of my colleagues seem to have forgotten that these automatic cuts were intended to be the absolute worst thing we could do. It was designed to force bipartisan action on addressing our spending addiction in this Congress. It is the unintended consequences of an absolute failure by the supercommittee. So, instead of using a scalpel, we're using a meat-ax, and the impact of our failure to act will soon be all too apparent unless we avert this irresponsible action.

Despite repeated requests for over a year for more details on what effects these details will have, only now, 2 weeks before they are scheduled to take place, have we received any information from this administration.

The military services have let us know exactly what effect they think sequestration will have, and it is not a pretty sight. We are talking about one of the biggest drivers of small businesses, a major employer of our Nation's veterans, and a major economic driver in our economy. And some here are willing to see it slashed for no benefit whatsoever.

But civilians are not the only issue here. We are downsizing our force to deal with the cuts already in place—$487 billion worth. We will have to cut further into our active duty if these cuts are not rolled back and replaced responsibly.

In my district, over 10,000 people walk through the gates of Ingalls Shipbuilding in Mississippi every day. If just one ship contract is cancelled as a result of sequestration, we are talking about thousands of people being immediately unemployed and layoffs at small businesses in over 49 States. These are some of the most patriotic and hardest working people I have ever met in my life. They have dedicated their lives to building the greatest naval ships the world has ever seen.

So this week, I spoke with our most senior military leaders, and they told us very directly, if you want our military to continue doing what it's doing today, then we can't give you another dollar.

There are similar stories across the Nation at plants building the largest planes to the smallest component parts. These are the stories of real people who go to work every day to make America a better place. These skills are not easily relearned. Once they go away they are gone forever, and I will not stand by and allow inaction by my colleagues to kill American jobs.

I ask my colleagues: Is this what you want? Do you honestly believe this is for the best?

I beg anyone to explain to me how we're a better country if these cuts take place.

Mr. Speaker, I implore our leaders, the Senate, and the President to act. The future safety and security of our Nation is at stake.

Mr. ROE of Tennessee. I thank the gentleman.

Mr. Speaker, we're going to take the next hour or so, the Doctors Caucus, Dr. GINGREY, myself, Dr. HARRIS, and we're going to speak about the Affordable Care Act, how we got where we are, the plan to save Medicare, and other health care issues.

I came to this Congress after a 31-year medical practice in Johnson City, Tennessee, just a doctor out each day in east Tennessee taking care of patients; and I made a decision that I didn't like the direction that the country was headed in health care, and I wanted to run for Congress to be here for that reason.

Well, it turned out that two Congresses ago we did have a debate on the health care issue. We have nine physicians in our health care caucus, and not one of us was consulted about that health care bill. Not one of us was brought in the loop and said, What do you think?

Well, we had an extensive debate, I will admit, in the House. This bill was passed on a pure party-line vote in November of 2009; and on Christmas Eve, the Senate passed a bill that had not been vetted, had not been heard in the House, was not debated in the House, a completely different bill. But because of the rules in the Senate, it never got heard here and was not debated fully in the Senate.

That bill was passed, it will soon be, 4 years ago—3 years ago, I mean. We thought that we'd have an opportunity after the Supreme Court looked at this—those challenges were brought to overturn this bill—and we're going to spend the next hour explaining why we don't think it was the right prescription for the health care of the citizens of this country.

I bring an extensive knowledge about a health care reform bill we did in our State of Tennessee. The biggest problem with the health care in this country is not the quality of care. Certainly, we can always do better, and physicians want to do better and have new techniques and new innovative medicines that we use. But the biggest problem with health care in America is the cost of that care. I got to see it every day in my practice, where going to the hospital could bankrupt families if they didn't have proper insurance, it was more expensive to come in, and so the number one driver was cost.

□ 1550

Number two, there's no question we had a group of people who worked

every single day of their lives and could not afford health insurance. It was not affordable for them. I would see it in my community where you would have, let's say, a carpenter who would work and during the winter they didn't get to work too much. They would work and maybe make $20,000 or $25,000 a year. Their wife may work at a local diner, maybe, and make $20,000 or $25,000. Together, where we live, they could make $40,000 or $50,000, maybe, in combined income and they could live okay. But they could not afford a thousand dollars a month for health insurance coverage. It was just out of their reach. And thirdly, we had a liability crisis in this country.

So what did the Affordable Care Act actually do? Well, it did increase access. But it increased access mainly, the best I can tell, through a massive expansion of a failed system called Medicaid. The Medicaid system right now in this country is broken and needs to be reformed. We did not reform it with this bill. So that's one thing it did.

Two, it did not touch liability. And we can go into that a little bit later. But the liability crisis still exists. My State of Tennessee has done something, as has the States of Texas and California. Other States have been successful in liability reform. And that has helped. But the President was here Tuesday night. We were all sitting in this Chamber. And amazingly, in the seat right below you here on the dais, the President said with a straight face that his bill, his Affordable Care Act, so-called ObamaCare, had lowered costs. I was astonished by that because it clearly has not done that at all. And let me just go through a few things.

I serve as the chairman of the Health, Employment, Labor and Pension Subcommittee in the Education and Workforce Committee. So if you have a private health insurance plan, that issue, that plan will come through my subcommittee. Let me just go over a couple of things that we found. We've had numerous hearings over the past 3 years about this. And this is recent data right here. President Obama's health care law will push about 7 million people out of their job-based insurance coverage, nearly twice the current estimate. That was just in the last week or two, that estimate, according to guess who? The Congressional Budget Office. Not PHIL ROE and not some Congressman. But the CBO believes that. So twice what they thought it would do.

Spending on health care is up. And we estimate it's as much as $4,500 per family since this bill has come into play. That is not pushing the cost of health care down. So we see that. And one of the things that this bill did, I think which was good and bad, Mr. Speaker, is we allowed millions of young people under the age of 26 to be on their parents' health care plan. That sounded like a good idea. And if you have a mom and dad that paid for that, it probably is a good idea if they pay for. I know one of the great points of my life were when my three children got out on their own and paid their own health insurance. That was the biggest raise I probably ever got, them getting out of college and paying their own health insurance.

But what happened was, the way the bill was written, actuaries can no longer charge the actual cost of that care. Let me give you an example. If a person my age is out buying an individual policy, it will cost about six times what a young person under 26 pays because actuarially I'm much more likely to need health insurance or need my health care plan. This bill only allows a 3-to-1. So that means a young person is going to pay two to three times, that person out there paying for that health insurance coverage, than they otherwise would have.

I've had a good friend of mine who's in the health insurance market at home, and for all three of my children I bought them individual plans, and I specifically remember exactly how much I wrote the check for. He said, Dr. ROE, I was having these plans for about $100 a month, just a basic health care plan. Some less than that, depending on risk. Immediately after that bill passed, those rates tripled—they were $280 a month. All of a sudden now, if you're an individual, that isn't affordable. Most people don't have an extra $200 or $300 right now in a tight economy to do that. So we've made it less affordable for a lot of young people. More accessible but less affordable.

I'd like to introduce my colleague and cochair of the Doctors Caucus and fellow OB/GYN physician from Georgia, my good friend, Dr. PHIL GINGREY.

Mr. GINGREY of Georgia. I thank the gentleman from Tennessee for yielding to me. He has already alluded to some of the things that I am going to say in my remarks but the most important thing that he stated: On Tuesday night, President Obama stood here in this Chamber and he gave his State of the Union address and said:

> Patients enjoy stronger protections than ever before. Already, the Affordable Care Act is helping to slow the growth of health care costs.

Well, President Obama obviously didn't get the memo. We must not have read the same CBO report, Mr. Speaker. ObamaCare is not slowing the growth of health care costs. ObamaCare is driving up the costs, jeopardizing insurance coverage, and placing excessive burdens on small businesses, limiting their potential for growth.

In 2010, President Obama and the Democrats assured us that their health care law would lower costs, it would cover millions of uninsured Americans. Well, as Dr. ROE said, fast forward 3 years and we have seen nothing but broken promises and this enormous pricetag. Just last week, the CBO—the Congressional Budget Office—the unbiased scorekeeper that works for Congress, reported that under ObamaCare—PPACA, health care costs will increase and 7 million Americans will lose their coverage. These are the facts, despite any State of the Union rhetoric.

Young Americans will also be severely impacted with an exorbitant rise in health insurance premiums due to a provision in ObamaCare. A lot of people are not aware of this, Mr. Speaker. This provision requires insurance companies to reduce their rates for seniors—a laudable goal. Premium costs for individuals under the age of 40, though, are going to significantly rise to even out that balance. By limiting these—we call them age ban discounts—that are called for in ObamaCare, a 3-to-1 ratio. So someone, let's say as an example, that is in their very early sixties and they're not eligible for Medicare at age 65, and they already possibly have multiple systems diseases, as we say in medical parlance, and are on many prescription drugs, expensive drugs—they're a much greater risk in regard to an insurance premium coverage of busting the ceiling on that every year. But under ObamaCare it says their premiums cannot be more than three times the premium of someone who is 28 years old, 10 feet tall, and bulletproof.

As a result, these are some of the problems that that creates within these exchanges. It will absolutely discourage the younger people from buying insurance. They'll pay the fine. They will not pay those higher premiums so that they stay within that 3-to-1 ratio. It will likely force young healthy individuals out of the insurance market. That's some of those 7 million we're talking about that are going to lose their insurance because of this.

Let me just give a real specific, and then I'll yield back to the gentleman so he can yield time to our other colleagues. For a 27-year-old earning $33,500 a year, premiums are expected to jump from $2,400 a year to almost $3,200 a year. This is an outrageous increase in costs that young people can't afford. If they get a job in this current climate where we've had 7.6 percent or higher unemployment—the entire time that President Obama has been in office—they're not going to be able to afford these premiums. And they clearly are not going to pay for them. ObamaCare is negatively impacting the insurance market on two fronts: it forces rising premium costs on the young, and it increases the total uninsured population, as I stated earlier.

So at this point I'll yield back to the gentleman from Tennessee and I hope to remain with my colleagues for the remainder of the hour as we continue this colloquy.

Mr. ROE of Tennessee. I thank the gentleman.

I'd now like to yield time to my good friend, Dr. ANDY HARRIS from Maryland. ANDY is an OB anesthesiologist. And I say this to my good friend: I

spent a good bit of my adult life waiting for anesthesia to put my patients to sleep so I could operate. So I now yield to Dr. HARRIS.

□ 1600

Mr. HARRIS. I want to thank the gentleman from Tennessee and the gentleman from Georgia.

Following up on what the gentleman from Georgia said, Mr. Speaker, the President stood there and told America that health care costs have gone down. Now, I don't know if the President has been in a pharmacy lately or been to the doctor or bought a health care insurance policy lately, but the fact of the matter is the price has gone up—in some cases, dramatically—and it's going to go up more, especially for the young, who actually are the highest percent of the uninsured of any age group.

Look, it's just the facts. Folks, when they're 18, 19, 20, 25, they don't think anything is ever going to happen to them, so they don't buy a policy. And the policies now, I sat down with someone whose daughter was insured, and she had one of the HSA accounts, those health savings accounts, and $2,500 goes into the health savings account. The first $2,500 she would pay, and above that, the insurance would kick in. It was an affordable policy. It used to be less than $100 a month. Imagine that, $100 a month, guaranteeing that young person, God forbid they get into a bad accident, God forbid they develop a tumor at an early age, they have coverage for the really expensive things that you may need. That was affordable. I think most people would say $80 a month is affordable.

That policy went up to $110, and this time the renewal was 22 percent more than that. And it's going to get worse because the President now, in the Affordable Care Act—ObamaCare, as he prefers it to be called—actually reduces the amount that those health savings accounts can hold. It's now limited to $2,500. You can't get your premium lower by saying, Okay, I'll take a little more risk, increase my health savings account. So those costs are going to skyrocket. And when they skyrocket, the gentleman from Georgia is absolutely correct, a young person is going to say, I'll pay the penalty.

So a young person who may have had insurance before because it was only $80 a month—and it protected us from having to pay for those medical costs, God forbid that young person had a catastrophic illness or injury. That person is going to make what looks like a logical choice now and say, You know what; I'll pay the penalty and drop my insurance. It's going to have exactly the opposite effect of what was intended, and predictably so, when you force those premiums up.

Again, the President stood here and said that health care costs went down. I've got to tell you, I still have yet to run into someone at one of my town hall meetings that says, Good job, ANDY; my health care costs or my insurance is going down. It's not, it's going up.

Let me address, because the gentleman from Tennessee touched on it, one of the problems that the President didn't consider—tort reform. You have three physicians here, two of whom spent their professional lives in the labor and delivery suite delivering babies, practicing obstetrics. I practiced obstetric anesthesiology, do those epidurals, those spinals, relieve women of their pain in childbirth.

Over my career, my generation—I finished my training in 1984, 28 years ago. At that time, to show you what the effect of not having tort reform is, the cesarean section rate for American women having a baby was 15 to 17 percent. One in six to one in seven women would have to have a cesarean section. Now, 28 years has passed. I don't know if the Speaker is aware, but the cesarean section rate is now 33, 35 percent, in some hospitals 40, up to as high as 70 percent in some hospitals. That's in one generation.

I will tell you, as a physician, not much has changed to patients in one generation. What has changed is that you don't find an obstetrician who's willing to take the risk of doing a delivery in a high-risk patient, a normal delivery, because of the medical malpractice exposure—not that they would commit it, but they would be charged with it, that a baby doesn't come out perfect, because that's the way the world is. Yet they would be charged, brought into a court of law, and lose millions of dollars in a settlement. So what do they do? They choose, when there is any question, to do a cesarean section, and who can blame them to do it.

Mr. Speaker, those women who are watching, they know exactly what I'm talking about, because they know if it was their daughter or granddaughter or a friend of theirs, they all know someone who has had a cesarean section. If the women who are in the audience now think back to one generation ago, it was much more rare. So what's happened? We haven't had tort reform.

But that's not all. By the way, the cost to the system is billions of dollars a year for those extra cesarean sections, billions of dollars direct cost to the health care system.

If that was all, we'd say maybe we can tolerate that, a doubling of the rate of cesarean sections, but that's not all. When those women go to see their obstetrician now, one generation ago when I started, when I had my first child, my wife went to an obstetrician. It was a solo practice. And that obstetrician apologized to my wife and said, You know what, I'm sorry, but every other weekend someone may have to cover my practice, so I may not be able to guarantee you that I'm there with you at your delivery.

Let's fast-forward one generation, 28 years. You can hardly find an obstetrician in solo practice anymore. They simply cannot afford the medical malpractice premium. They may never have been sued in their life, and they may have to pay over $100,000 a year just for the medical malpractice premium, never having been sued in their life. So what happens? They're all forced into large groups.

Now, that same conversation, if my daughter now goes in to see an obstetrician, that conversation would run like, You know, ma'am, you're going to have to see everyone in the group during your pregnancy, and we have seven or eight people in the group. So every time you're going to have to see someone else so that everyone gets to see you because we don't know who's going to be there the day you deliver.

Now, is that good care? Is that a good relationship that woman develops with her obstetrician when she doesn't even know who's going to be there to deliver her? In fact, she doesn't even know who might see her the next time she's in the office, one of the most important times in her life. We have completely changed the doctor-patient relationship because we don't have tort reform in this country.

If it was just the rate of cesarean section doubling or just the fact that you have to see seven or eight people and you don't really know who's going to deliver you on a given day, we might accept that, but it goes beyond that, Mr. Speaker. Because what's happened now, a good, highly trained obstetrician stops delivering babies in their forties or fifties because they have developed their practice, they have seen those patients. They just take care of their gynecology problems and they spend the last 20 years in their career not delivering a baby. Having delivered them for 20 years, gaining all that experience, the most experienced obstetricians don't deliver our babies anymore. And why don't they? Because if they stop delivering babies and promise their insurance company they will not deliver a baby, all of a sudden that $100,000 premium becomes $20,000. If you were in your forties and fifties and could afford to do that in your practice, you might say, You know what; it makes sense for me to stop doing this.

So when you add up all the things that have happened because the President, in his Affordable Care Act, refused to have real tort reform—and it's possible, because it happened in California. I mean, there are areas in the country that have it. But nationally, he refused to have it—and the gentleman from Georgia is very familiar with this because his bill deals with this. Because of that, we have a cesarean section rate that's twice as high as it ought to be, and some people will tell you it might be three or four times as high as it ought to be. We have women who never develop a close doctor-patient relationship with their obstetrician because you really can't. I mean, you're seeing a group of seven or eight purely because the malpractice premiums are now spread out. Frequently, somebody else even pays.

They may be part of a hospital group, for instance.

Finally, our most experienced physicians for women in a time—you know, you talk about taking care of children. You've got to start right at the beginning. You've got to have the most experienced person there. See, I've been at thousands of deliveries.

□ 1610

Ninety-nine percent of the time they go all right. But when they don't go all right, you want the most experienced person there. And, Mr. Speaker, our lack of tort reform means we no longer have it. We have entirely changed the way we deliver obstetric care. So if you even said, look, we're not even going to worry about costs, let's not talk about costs, let's talk about access to experienced, personalized care for our women having babies, it's virtually gone because the President and our counterparts across the Capitol in the Senate refuse to take up the issue of tort reform and restore some commonsense, good medical care to Americans.

Obstetrics is an example. We could go into neurosurgery and many other examples, and I'll leave it with that. We have so many opportunities to reduce the costs and improve the quality and access to medical care, and it was lacking in the State of the Union Address.

Mr. ROE of Tennessee. I thank the gentleman for his comments. I felt a little deja vu there, Dr. HARRIS, after walking out of the delivery room after about 5,000 deliveries for some of the very reasons that Dr. HARRIS brought up. I'd now like to yield to my friend from Georgia, Dr. GINGREY.

Mr. GINGREY of Georgia. Mr. Speaker, the gentleman from Tennessee is generous with his time. I did want to follow on to what the gentleman doctor from Maryland is just talking about in regard to tort reform. Yes, he covered that very, very clearly and pretty completely.

But there are other things in this law, the so-called Affordable Care Act—well, Patient Protection and Affordable Care Act. And, yes, I think President Obama proudly likes to have it called ObamaCare. Maybe he hopes that one day that will be his legacy. There are provisions that, particularly in these exchanges that are being set up in all 50 States, the States that are doing it, the territories and the District of Columbia, that basically say what best practices are for the different physician specialties, including the specialty of obstetrics and gynecology which Dr. ROE and I practiced many years. But in these descriptions of what's the best practice for a general surgeon or an internist or a pediatrician, in some cases, they're not a carbon copy of what our specialty societies recommend. The American College of Obstetricians and Gynecologists, as an example, does a wonderful job of making sure that each one of their members gets a monthly bulletin and current updates on what the best practices are for our specialty. It's based on science by the best and brightest. And, yet, this law may ask us to do something that goes against that.

I have introduced a bill, Mr. Speaker, to protect our physicians. If they are following the guidelines of their specialty, or, on the other hand, if they're following the guidelines of the government that some government bureaucrat says is the best standard of care, if they're doing that and they have a bad outcome, this provider shield would protect those physicians from liability. It's something that's desperately needed because of this law.

There is another bill that I have introduced called the SCOPE Act. SCOPE is an acronym for the Safeguarding Care of Patients Everywhere. What would prevent the Secretary, Ms. Sebelius, or whomever, from saying what qualifies a physician to be on a provider group in one of these exchanges? Is it what she says or what their specialty society says?

So, again, these are things that we're working on very hard to correct, I think, a very bad situation. We members of the Doctors Caucus, we on this side of the aisle will continue to fight for that. I thank the gentleman.

Mr. ROE of Tennessee. I thank the gentleman for yielding. Just to carry on with what Dr. GINGREY and Dr. HARRIS have brought up, let me share with you about affordability. When Dr. HARRIS was talking about young people, it's obvious that the President—I don't know who writes the check for health insurance in his home, but he hasn't looked at the check, whoever is writing it, if he hasn't figured out that costs have gone up.

Dr. HARRIS, I may be a little more than a generation past where you are, but when I left, when I quit operating and doing obstetrics, I had an 8 percent primary c-section rate. You've seen that. And why did that happen? When I came back from the Army to Memphis, I trained at the University of Tennessee in Memphis. I had 2 years of training, and then I had to go in the military for 2 years and came back and finished my training. All the malpractice carriers left the State of Tennessee. In 1975, they all left. So the doctors and the Tennessee Medical Association set up an organization called the State Volunteer Mutual Insurance Company. This insurance company was a mutual company, so money that we didn't pay in came back to us at the end of a year. It wasn't owned by some stock-traded company. Strictly, it was just to give us malpractice liability insurance coverage, which I've kept until this day.

In the entire time that that company has been in existence, over half the malpractice premium dollars have not gone to injured people. They've gone to lawyers, both plaintiff and defense lawyers. What a terrible system that is; to try to compensate someone who has actually been injured, we have no way to do it. Less than 40 cents on the dollar that we paid in for 35 years has actually gone to people who have been hurt. That's a terrible system. We need a better system.

As Dr. HARRIS pointed out, when I started my practice, my malpractice premiums were $3,000 a year. Five years ago, when I left, a young physician who replaced me was paying $7,400. And guess what? The patients didn't get better quality and better access. They just got higher costs. So that's why we need to address that issue. I think you're spot on, Dr. HARRIS. I yield to the gentleman from Maryland.

Mr. HARRIS. I thank the gentleman from Tennessee for yielding. To follow up on his point, Mr. Speaker, I don't know if Americans realize, the gentleman is absolutely right. If you have a case litigated, a birth injury claim, and it goes to a jury and there's an award, let's say, of $6 million—not an unusual award—40 percent of that award, $2.4 million plus expenses, goes just to the attorney. Is that fair? You have an injured baby—and we're not going to decide what the injury is. But is it fair that when the court renders a decision that half the money doesn't go to take care of that baby? It doesn't seem fair.

I want to briefly go back to some of the issues in the Affordable Care Act. One that really struck me is the medical device tax. Now, I know the President likes taxes. There are 21 in the Affordable Care Act. He stood up there 2 days ago and talked about taxes, increasing taxes as a solution to our problems. But let me tell you what the problem with that medical device tax is. And I'm going to hearken back to my experience, again, over 28 years. I remember training in the early eighties. Some of the people watching, Mr. Speaker, might know if they had a kidney stone 30 years ago and had to have an operation for that kidney stone just how serious that was. And I remember, I did anesthesia for many of them. There were big incisions on your back, on your side, a week in the hospital, and you could get infections from it. It was a terrible experience if you needed an operation to remove a kidney stone.

So 2 years ago, I had the opportunity to work in one of the urology operating rooms. It was a kidney stone removal. And here I'm going, wow, I haven't seen one in a while, I'm going to give the anesthesia for it, I'm going to prepare for a big operation. The surgeon said, no, no, no, no. We're doing this with a laser. I said, a laser? That kidney stone is deep inside. It's inside your body. He said, no, you've got to see what we got.

They brought a laser machine in, and I apologize I didn't bring a sample of these catheters. It's a catheter, a wire that's about a yard long, and it's fiber optic. Oh, my gosh, it's thinner than the lead in a pencil, and it's flexible. They thread this up—and I won't go

through the exact anatomy—they thread it up to where that kidney stone is. They fire a laser through this, and they break the kidney stone up into tiny little pieces, or evaporate it, and it just comes out. There's no incision. These patients go home the same day.

□ 1620

Why? Because of medical innovation, because some company took a risk to develop that laser product. I tell you, it's not cheap. I'll also tell you it's a whole lot cheaper than several days in the hospital.

The President stood there and said, We don't want to pay by the hospital day; we want to pay by the quality. Let me tell you something: if I have a kidney stone, my hand is going up for that newest method because it's the quality method. What does the Affordable Care Act do? It taxes it. If that person had the old operation, there's no taxes involved; but if they have that new device, there's a tax on it.

I learned in the legislatures that there's a saying that if you want to discourage something, tax it. We have these arguments over tobacco. You want to discourage tobacco? Let's tax it. Most States have taxed it, the Federal Government taxed it, and sure enough we have less. I don't understand. Is that the same thinking we have about innovative medical devices? Are they all of the sudden not a good idea? That's exactly what this bill does, it taxes them.

One of two things is going to happen: either that tax is going to be passed on—because that's what businesses do: when you tax businesses, they pass them on—or we won't innovate as much. That would be a disaster because the key to improving our health care quality, going into the future, especially with American ingenuity and innovation and expertise, is innovating. We're taxing innovation. It makes no sense, Mr. Speaker.

I hope we move a bill through this Chamber to remove that taxation. It's a very bad idea for the quality of health care in the United States because some of these new products, whether it's for treating diabetes or whether it's for treating kidney stones, are amazing new technology.

Mr. ROE of Tennessee. I think we all could stand here for hours talking about—I certainly could—the innovative new devices that I've used through laparoscopy that have helped patients shorten their length of stay, shorten their pain. I hope we don't go into the Middle Ages of health care in technology because we could spend literally hours talking about what we've seen. We're the place in the world that people come for this.

Before I go back to costs, the estimates are that this device tax will cost 43,000 jobs. The fear is that we'll start producing these offshore and lose jobs in this country. That makes no sense whatsoever. Actually, it was Dr. Milton Friedman who said:

If you want more of something, subsidize it; if you want less, tax it.

That's a fairly simple concept.

Back to the initial problem we have in health care, which is cost. Let me just go over a couple of things, and not just behavioral things. In a recent Gallup survey, the top concern cited by small business owners was rising health care costs. Remember, the President stood right here—and I listened to the debate and so did Dr. GINGREY—for hours on end about how this was going to lower the average person's health care insurance premium by $2,500 a year. Remember that? You remember that, Dr. GINGREY. I heard it over and over right in this well and right at this dais. Guess what? Exactly the opposite happened, which is exactly what we predicted would happen. It did not bend the cost curve down, and it's making it less successful and affordable for people.

Anyway, on with this Gallup survey. So three-fourths, 74 percent, of respondents reported that rising health care costs were hurting their businesses; and 61 percent of small business owners, who are not hiring, point to worries about potential costs of health care as a reason for why they're not hiring. That ought to be a clear signal to everyone here that we need to deal with costs.

What I should have stated at the outset of this hour is what we do not need to do. Health care decisions should be made between physicians, the family, and that patient. That's who should be making them. It should not be insurance companies and certainly not some bureaucrat here in Washington or some policy wonk up here that thinks they know what's best, as Dr. HARRIS just pointed out what is best for that patient. He saw and he knows what's best because that's what he's done for the last 30 years.

I think our cost issue is clearly what we're not dealing with with this care. Are there good things in this bill? Sure. There are things in here that I like in the Affordable Health Care Act, and we can talk about that.

Dr. GINGREY, I would like to yield to you at this point.

Mr. GINGREY of Georgia. Again, I thank the gentleman from Tennessee for yielding because I wanted to follow on in this line of discussion with regard to costs.

The way doctors were paid by Medicare in 1965 was, to my understanding—I think I'm correct on this—just like private insurance: an 80/20 indemnity kind of coverage, and the cost was accelerating.

Then in 1998, I believe, the Balanced Budget Act of 1997 put in this formula to control Medicare spending, particularly the spending that goes to the health care providers, which by the way is only about 12 percent of total Medicare spending.

In any regard, that seemed to be the greatest concern, controlling how much the doctors were getting paid. So they put in this formula that's called SGR, sustainable growth rate, based on some calculus. But it was flawed. It was flawed badly. And for the last, I would say, 10 years, when you calculate that formula for the expenditures for doctor fees for the previous year, the formula would call for a cut of 1 percent, 2 percent, 4 percent. Over those 10 years, it's up to 26.5 percent. Well, thank goodness Congress, we Members of Congress on both sides of the aisle, have the ability to mitigate that; and we have done that because we know the formula is flawed and it needs to be repealed and replaced. Yet we have not been able to do that.

I'll tell you this, though: in this House of Representatives, in this 113th Congress, with Republican control under Speaker BOEHNER and Leader CANTOR and committee chairmen like FRED UPTON in Energy and Commerce and DAVE CAMP on Ways and Means, we are going to fix that flawed formula once and for all. We're not going to keep putting Band-Aids on it, mitigating a little bit at a time, and kicking the can down the road. That is our pledge to the American people.

I hope our colleagues in the other Chamber, controlled by the Democratic Party, will go along with us on this because what we realize is that all of the doctors in the House and in the Senate, they understand that if you enact those cuts that will come due again at the end of this year, almost a 30 percent cut in what you reimburse for Medicare providers, then there will be no doctors. People will have a Medicare card, but they will not be able to find a physician to take care of them.

This ObamaCare bill did nothing except, in fact, enact a provision, which I know my colleague from Tennessee wants to talk about, that makes it worse, that doubles down on it. We need to repeal SGR and figure out a better way to reimburse, to pay physicians based on quality of care, rather than volume. I think that's a good idea. But there's a provision in ObamaCare that could trump all of that and make all of our efforts in that direction go for naught.

So I want to end here so the gentleman from Tennessee can explain what I'm talking about because he has the repeal bill for that.

Mr. ROE of Tennessee. I thank the gentleman.

I do want to say to the American people that 47 million people, including Dr. GINGREY and I, are on Medicare.

We made a solemn promise to our seniors in 1965. When that program came out, it was a $3 billion program. Why was it put in place? Because many people retired from their business at that point in time, they no longer worked, and they had no access to care. Again, lack of access to affordable health insurance.

It was a $3 billion program. There was no Congressional Budget Office at that time, but the estimators here in Washington said we believe in 25 years

this will be a $12 billion program and maybe even balloon to $15 billion. The actual number in 1990 was $110 billion. Today, in 2013, it's going to be over $550 billion.

Now, we've made a solemn promise to people who paid premiums—2.9 percent of their income, basically. The employer pays 1.45, and they pay 1.45. Of all the income you make, all of your paycheck goes to that.

□ 1630

One of the things that we've discovered and found out is that we pay in, as I have—as the average person does—about $117,000 or $118,000 over a lifetime, a family does, but they get out over $300,000 in services. So we know we can't pay $100,000 in and get three times that much service out. What are the reasons? It's the same issue with Social Security. We have fewer and fewer people paying in and people living longer and longer and longer. By the way, each day in this country, over 10,000 baby boomers hit age 65. That's 3.5 million people a year who are getting to be about 65 years of age.

You have to laugh at the lingo up here, when ''savings'' means that you take money out of something and when an ''investment'' means you spend it into something. So you have to learn the language up here to understand what people are talking about.

About $700 billion was taken out of the Medicare program—savings—and we've got 3.5 million more people being added every year. Well, you do the math. How they were going to control this cost was with a little plan called the Independent Payment Advisory Board. What that is is a board of 15 unelected bureaucrats who are appointed by the President and confirmed by the Senate. Here is a little tricky part of the legislation. The President is supposed to be appointing these people this year. If they are not appointed to that board, one person—one—the Director of HHS, Kathleen Sebelius, has the power to enact all this. We have given that bureaucratic power to one person if those members and that board are not confirmed. Most people don't know that.

I've heard all the pros about how wonderful this is. I go back to my scholarly journals, and I want to refer people to the New England Journal of Medicine. An attorney in the New England Journal of Medicine, Timothy Stoltzfus, wrote an article in June of 2011, not pro or con, but just about the Independent Payment Advisory Board.

In addition, my friend Dr. GINGREY just said—and he is absolutely correct—that Congress changed this payment to doctors, the so-called SGR—the sustainable growth rate—so that patients would maintain their access to their doctors. We've had a retrospective look at the last 25 years. Let's say we fix SGR, like we're talking about, so that patients maintain their access. In a retrospective look in his report, the CMS actuary questioned—this is not me saying this—whether this goal is achievable to maintain these cuts, noting that the IPAB-targeted growth rates would have been met in only 4 of the last 25 years and would have approximated the sustainable growth rate, meaning that a cut would happen. We have almost no power to change this.

Now, here is what I found interesting. In the bill, it's absolutely correct that you can't ration care, that you can't do any of those things. That's maybe true, but if patients don't have access to their doctors, you, in effect, have rationed care. It's that simple.

This is what Peter Orszag said, the former Office of Management and Budget Director here in the Obama White House:

> The IPAB is the single biggest yielding of power to an independent entity since the creation of the Federal Reserve.

That is an astonishing statement when you hear it. That's one of the reasons I'm so passionate about maintaining the decision-making power with patients and with their families and their doctors and not with some bureaucratic board up here and also, certainly, not with the insurance companies. I agree with that.

Another comment that I've seen made:

> The Independent Payment Advisory Board puts important health care payment and policy decisions in the hands of an independent body that has far too little accountability.

That's one of the things. You may like it or not, but we in Congress have been able to change these things, and it would require 60 votes in the Senate to do it. Quite frankly, with my good friends on the other side of the building here, you couldn't get 60 Senators hardly to agree whether the Sun came up in the east, so the benchmark is very, very high.

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

The SPEAKER pro tempore (Mr. MULLIN). The gentleman has 8 minutes remaining.

Mr. ROE of Tennessee. I want to finish by spending the last little bit of time on Medicare. It is such an important part of our health care system. I want to strengthen this program—and I certainly know the folks on my side of the aisle and, I think, on the other side of the aisle want to—for future generations. We've made a promise to our citizens in this country that when they are at retirement age they'll have at least an affordable health insurance product available to them.

Let me tell you, the funny thing I found out about myself when I turned 65 was, the day before, I had a health insurance plan. It had a prescription drug benefit plan; it had a hospitalization part; it had a part that paid for my physician services. The day I turned 65, I got a part A, a part B, a part C, and a part D I could have. Well, nothing happened except I got 1 day older. Why, when a person turns 65, wouldn't you just have a health insurance plan that offered you those various options in your plan? You should be allowed to pick what's in your best interest and need.

Remember, in the Affordable Care Act, the Federal Government now decides what's an essential benefits package. You don't make that decision with your family and your doctor. A Federal bureaucrat makes that decision—what you must buy, a good or a service that you must purchase.

Some of the facts I've mentioned already about Medicare, and one of the things that we have to do, I think, in Medicare—and I know my colleagues will confirm this—is that, currently, one in 10 physicians is not accepting new Medicare patients. In some areas, it may be as many as three in 10 primary care or as many as half won't. We have a huge shortage of primary care physicians in this country. We know that the hospital insurance trust fund is insolvent. It may run out of money as soon as 2016.

I yield to my colleague, Dr. HARRIS.

Mr. HARRIS. I thank the gentleman from Tennessee for yielding.

The gentleman is absolutely correct. We made a promise to our seniors. To the people who've worked all their lives, we made a promise that we're going to take care of you, but we have to be honest with how long we can do that. What are we going to do for my children? for people who are in their twenties or thirties? How are we going to preserve that system and preserve their ability to choose their physicians and allow their physicians to choose what's best for them? Because that's really what's critical, that we preserve that in the system.

The gentleman is right. For the seniors who are watching this afternoon, they know that, in many parts of this country, if their primary care providers, their internists, their family doctors retire or move to other States, it's going to be hard to find someone, not because doctors don't want to take care of Medicare patients. We all do—we've taken care of thousands of them in our lives, in our professional careers—but the fact of the matter is that, every year, the government threatens to cut the reimbursement, the payment for services, by 25 percent, and it hasn't had an increase for inflation in 10 years.

This kind of uncertainty means that we may end up looking like the other program the Federal Government runs, Medicaid, where the statistics are dire and where fewer than one-half of specialists can afford to see a Medicaid patient because the government simply has decided we're just not going to pay. It's where fewer than half of the primary care providers don't see Medicaid patients because the government has said we just can't pay, and we're not going to. It's where hospitals now are wondering how they're going to staff and how they're going to keep up with the best medical equipment and the

best medical delivery because they're afraid the government is not going to pay. Who can blame them? Every year, the government threatens to cut the pay to our seniors' doctors 25 percent, and, every year, the government threatens to cut the pay to our hospitals that are taking care of our seniors. Every year, this goes on. It has to stop.

I hope the Speaker and the gentleman from Tennessee will agree that we have to address this seriously, honestly, with a view to two things: preserving the benefit for people who are in retirement and keeping the system going for every American. An American born today, February 14—a child born today—should have a system that he knows is going to be there, not bankrupt, but a system that's there when he reaches those golden years, and we can do it if we all work together.

I was hoping I'd hear more from the President. I didn't. The President is still not willing to come and talk about preserving Medicare, because, Mr. Speaker, you know that the trustees have said it goes bankrupt in 10 years. The current system will not be there for everyone retiring. The 10,000 people retiring today, February 14, enter Medicare. That system will not be there in 10 years. It will be bankrupt. So the current system doesn't even protect our current seniors, much less a baby born today.

□ 1640

We have to deal with it. Mr. Speaker, I urge the President to step up to the plate, be serious. Our colleagues on the other side of the Capitol, step up to the plate. This program is too important to let go bankrupt within 10 years.

Mr. ROE of Tennessee. I thank the gentleman. He is absolutely spot on. One of the reasons that he ran for Congress and I ran for Congress is to preserve this great program for our seniors out there, and I am absolutely committed to do it.

Let me give a couple of facts before we end up. The actuary of the Medicare program—this is not me, this is the Medicare actuary—said that congressional action will be required to ensure that our seniors have continued access to care. In May 2012, he said it is reasonable to expect that Congress would find it necessary to legislatively override or otherwise modify the reductions in the future to ensure that Medicare beneficiaries continue to have access to Medicare services.

This is not some right-wing Republican, this is the Medicare actuary, and we're not even talking about it. We have heard nothing from the President about how we preserve this great program other than we just keep doing what we're doing. That's not an honest, fair assessment of where we stand today. The sooner we deal with it, the more likely we are to come to a less painful solution to this.

I do want to finish by saying that I appreciate the hour you've shown us, Mr. Speaker. We will continue this very, very important discussion on Medicare in the future, and I yield back the balance of my time.

PROGRESSIVE CAUCUS MESSAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the minority leader.

Mr. ELLISON. Thank you, Mr. Speaker.

Mr. Speaker, my name is Congressman KEITH ELLISON, and I would like to open up by talking about the progressive message. The progressive message is the message articulated by the Progressive Caucus, and the Progressive Caucus is that organization within this body, within this Congress, that is here to unapologetically say that all Americans should have the right to go to the doctor and get basic health care in this richest country in the history of the world. All Americans should have civil and equal rights and be treated fairly based on whatever color, whatever their sexual preference might be, whatever nation they might be from.

We're the ones who say let's have comprehensive immigration reform with a path towards citizenship, and let's absolutely pass the DREAM Act. The Progressive Caucus is that caucus that boldly and unapologetically says Social Security, Medicare, and Medicaid are great programs; and we need to protect them not only for today's seniors but for tomorrow's seniors, too.

I would like to start out, Mr. Speaker, by talking a little bit, as I talk about the progressive message, starting out with just a few observations about the State of the Union speech. I personally thought the State of the Union speech was awesome. I thought President Obama was great, and I was really proud of President Obama as he delivered that State of the Union speech in this very Chamber.

This Chamber was full of dignitaries from all over the world—ambassadors, Senators, the United States Supreme Court. And in front of them, in front of the American people, President Obama specifically identified 24 Americans who joined Members of Congress as their guests. And these folks who President Obama identified were victims of gun violence. I was so proud to see President Obama specifically give these folks encouragement to keep on speaking out, continue to tell their story so that we can arrive at a place where the U.S. Congress will be on their side to bring forth sensible, sane gun violence prevention.

You know, President Obama's wife, our First Lady, Michelle Obama, had seated next to her her own guest, parents of young Hadiya Pendleton whose life was taken away from her. She was shot down in Chicago. But only a few weeks before, she had been performing for her country at the President's inauguration.

And so whether it was ordinary Members of Congress who just brought different people, or it was the President or the First Lady, the people who can speak most eloquently about the need for sane, sensible gun violence reform were here, Mr. Speaker. They were here and were present in this gallery so they could be a witness and a presence on the need.

And what did President Obama say? He said give us a vote. He said give us a vote. Now, I say to the Republican House majority: Why are you afraid of a vote? Let's have a vote. Let's count who is for sane, sensible gun violence prevention and who is not; who is for closing loopholes that allow people to escape background checks; and who's for filling up background checks and making sure that anybody who gets a firearm, an instrument that is dangerous by any account, at least we know that this person is sane and legally qualified to have one. Let's see. Let's have a vote. I don't think that anyone should be afraid of the vote, because if you are proud to say, no, we don't want any background checks, then stand up and say that. Be on Mr. LaPierre's side of the NRA. But if you believe we need to make sure that guns stay out of the wrong hands, that's a vote that the American people should have, and I was so proud that the President made that clear.

I personally think that the President was right in saying give us a vote when it comes to things like high-capacity magazines. You know, these high-capacity magazines, designed for the military, don't have any place on our streets. And the people who want to stand up and defend them, let them defend them. Let them defend them right here on the floor if they have the audacity to do so. And let us talk about millions of Americans, over the course of years, who have been tragically injured and hurt with bad gun policy.

Let us talk about the victims in Aurora who were shot by somebody with a high-capacity clip. Let us talk about people who were victims in Milwaukee. Let us give the message about the folks who were shot down in Tucson by somebody with a high-capacity clip.

The fact is that the President said give us a vote, and I agree 100 percent. We need a vote on these sane, sensible gun reforms.

I'm going to leave this topic now, Mr. Speaker; but I do want to just make mention of my own guest. My own guest was a young man named Sami Rahamin. Sami, 17 years old, a brilliant young man, but really just a regular teenager, he happened to be on a bus going to Madison, Wisconsin, when he saw a message come across his phone which said there was a shooting in what he knew was his neighborhood.

He texted back to his father and said: Dad, be careful because there's supposedly a shooting in the neighborhood. But the text never came back because one of the victims of that shooting was Sami's dad.

Ruvin Rahamin was an immigrant to the United States. He came to the United States in search of the American Dream, but he died the American nightmare because a person who is mentally unsound, mentally unstable, easy access to the most dangerous weapons came to a work site and shot down five people, including Ruvin who was an awesome guy, a wonderful constituent of mine. He's missed. But because of his son carrying on the legacy, he will never be forgotten because Sami is telling the story about how much we need sane, sensible gun prevention measures.

So enough about the gun issue. The State of the Union speech was awesome for another reason, which I definitely want to make note of, and that is the fact that he went right to the very heart of what I believe is the defining issue of our time, and that is income and wealth equality in our country. Our country, this is the land of opportunity. And we know that some people are rich and some people are middle class and some people are poor. We believe we're a country that can provide a ladder up for anybody who wants to work hard. And for those people who are too sick to work or too aged to work or too young to work, we believe in the social safety net to take care of them.

□ 1650

We believe in income and economic mobility in America. And yet the President put his finger right on it when he talked about how we've seen people making $14,000 a year working full time; but because they are paid so little, they are still in poverty.

I was so proud the President made this point. It's a point that needs to be made. There are people working in restaurants, people who are cleaning up, people in our hospitals, people who are doing the really tough jobs. I'm talking about the jobs where you've got to take a shower after you get off work, not take a shower going to work, you've got to take one when you're done with your day's work because you've been working hard, you've been building things, you've been maybe cleaning up things, you've been lifting people, you've been doing the hard work. And many of these folks are scraping by on really low wages. The President clearly has a heart for these folks and wants to see them come up. And I was glad the President was able to do that.

Mr. Speaker, you should know that over the past 30 years income for the average American has stayed flat, while the richest 1 percent of Americans have seen their income more than triple. This has not happened by accident. It has been a set of policies put in place through the Tax Code, through trade policy, through the loss of manufacturing, and a number of things.

There's been a number of policies that have gotten us to this place, but there's been one philosophy, and the philosophy is simply this: if we give a lot of money to the richest Americans, maybe they will take their excess wealth and put that into plant and equipment and hire people.

This is known as supply-side economics. We don't want to have any regulations on them. They can do what they want with the water, they can do what they want with the meat, they can do what they want with the air. No regulations or against regulations. We don't want to tax them. They don't have to pay for our roads, our bridges, our schools; they don't have to do anything like that. They get to keep all this money. And it's all under the assumption that they will take this money that they amass and put it into plant and equipment and hire people.

Well, this philosophy has proven to have failed; this philosophy has caused income inequality in America. And the President correctly said that we have got to do something to create more economic viability for the poor and middle class in America. I was so happy to see him do it.

Mr. Speaker, you should know, the President didn't say this, but it's absolutely true, that the wealth of the richest 1 percent is over 225 times larger than the average household, higher than it has ever been, higher than it has ever been.

Mr. Speaker, we look back at the Gilded Age and we think, oh, boy, wasn't income inequality bad way back then. Well, it's worse now. We've got to do something about it, and our President knows that. I am very pleased to see that. And the President, while he gave a message of economic hope and understanding to the working and middle classes of our country, the politician who gave the alternative, Mr. MARCO RUBIO, when he wasn't getting glasses of water in the middle of his speech, he just really articulated the same old thing: money for the rich, less for everybody else.

Mr. Speaker, we cannot continue to give tax breaks to millionaires and billionaires while cutting investments that the middle class relies on, while cutting programs that help local governments keep on police, keep on teachers, keep on people who fix our roads and firefighters. We cannot cut the Federal workforce, as is about to happen—I'll talk about sequester in a little while—and we cannot make these economic decisions and hope to have a strong economy.

We've got to invest in our roads, our bridges, our grids, our electrical power grids in transit to move people around quickly. We've got to make these investments. We've got to invest in research; we've got to invest in our schools. This is what's going to make America a strong country. This is what's going to put more people to work. More people paying taxes means we're going to have more taxes, and that will help us lower the deficit.

The Republicans have it all wrong. They think that by slashing the Federal Government, then that's going to make our economy better. All it's going to do is create a situation where you've got more people out of work, fewer people paying taxes, fewer people putting in tax revenue, and then the deficit will go up.

I'm going talk about the sequester in a moment; but I just want to say, as I highlight a few things about the State of the Union speech, how important I thought the President's remarks were.

Let me turn for a moment—another thing about the State of the Union speech—Mr. Speaker, on the issue of Social Security, Medicare and Medicaid. First of all, I want to encourage people to not refer to these programs as entitlements. I don't even like doing it myself right now.

What they really are is social insurance. You know how insurance works. You pay a premium and then when you need it, you can use it. Well, you get 6 percent taken out of your paycheck every week or two weeks or a month or however often you get paid. You're paying into Social Security, you're paying into Medicare, you're paying into Medicaid.

The bottom line is these social insurance programs are not some giveaway; they're not welfare. They are important social insurance programs to provide income security for people when they are aged, when they are too ill to work and disabled, or when their parents die and they need support. That's what these programs are about.

I'm glad that we are here to talk about how we preserve these programs. The President mentioned it. He said he wanted to strengthen Social Security, Medicare, and Medicaid for generations to come. I quite agree with this. He said:

> But any reform should come through protecting these programs, not just cutting these programs to finance tax cuts for the wealthy.

I believe that we should not have any benefit cuts to these programs. We don't need to. There's plenty of places to cut, plenty of loopholes to close, and we can get money elsewhere. But I'm glad the President made mention of the program.

I also want to mention, Mr. Speaker, that one of the places we can find savings for social insurance programs is we need to allow Medicare part D to negotiate lower drug prices. Medicare part D is a prescription drug benefit that the Republicans negotiated and passed in 2003. This particular program put into law that there could be no negotiation of drug prices. This has made the program more expensive. About $158 billion would be attainable as savings if we were allowed negotiation.

The President also said we're going to get out of Afghanistan. I think this is great. The President announced that we would bring 34,000 troops home from Afghanistan by this time next year. That's fantastic. My own son is a member of the U.S. Military. I'm very proud of that. I actually don't want to see

him deployed to Afghanistan. I want to see him in a place where he can defend this Nation, as he wants to do. I think that it's time for us to go home.

The President didn't say we're going to abandon Afghanistan. We will be there diplomatically, we will be there training their soldiers, but sovereignty means that you protect yourself. It's time for the Afghan people who want to be sovereign to take responsibility for their own security.

I want to turn now to the subject of immigration. I think right now, and I think the President made clear, that we may be at a point, and I pray that we are, where comprehensive immigration reform is within the reach of Congress to pass.

I'm proud to be joined by my good friend Congressman JARED POLIS of Colorado. This is an important issue to you, Congressman, and I want to yield to you to share your thoughts on immigration.

Mr. POLIS. I thank the gentleman from Minnesota.

Mr. Speaker, it's common sense to most Americans. We have upwards of 10, 12, 14 million people here illegally in this country. Many of them are members of our communities, many of their kids are Americans, go to school with their fellow Americans or on the football team or cheerleaders, are productive in every way. And yet every day our government through its current policies tears families apart; absolute heartbreaking tragedies where a mother is torn from her American daughter, placed in detention, frequently kicked out of this country at a cost to taxpayers of tens of thousands of dollars, all over a broken taillight.

□ 1700

Now it's important to educate people about the difference. We do have a group of people that are in detention that are called criminal aliens. These are people who are here illegally and committed crimes. It could be robbery. Maybe they're in a gang or dealing drugs. There's no disagreement among liberals and conservatives and people of all ilks that, of course, there needs to be detentions where appropriate and where there are criminal penalties in place and, of course, there should be expulsions from the country in that regard. In fact, many of us argue that by sweeping up many of the people whose only violation is a civil violation, who otherwise have been following our laws, in that sweep we are actually limiting our enforcement ability to go after real criminals who are causing harm in our community.

That happens in two ways. One, through the limited law enforcement resources. When we divert those resources to taking mothers away from daughters, fathers away from sons who are productive members of society, when we divert the resources to that, it means they're going off of some other beat. It means they're going off of keeping our streets safe. It means they're going away from looking at white collar crime and other areas that need to be investigated in these fiscally restrained times with limited budgets.

The second reason is it builds an atmosphere of distrust in our immigrant communities. How much unreported crime occurs because, in many cases, the victims of those crimes could be spouses that are abused, it could be people that are robbed or ripped off by unscrupulous scam artists and are frequently afraid to report that crime because they are afraid that the very same agency that they're supposed to trust to report that crime to could in fact be in league with another government agency that wants to deport them. And that's the problem with 287(g) and some of the other information-sharing protocols.

For community policing to work, it's critical to have the trust and support of the community. And by the way, if these criminals go unprosecuted in our community and unpenalized for taking advantage of somebody, and that is not being reported, their next victim very well could be an American. Their next victim very well could be your family. It could be my family. And that's why we all have an interest in community policing, in law enforcement, as well as public health, to make sure that people are inoculated and treated early for diseases, regardless of their status.

Now the solution is not to have this large population here illegally. Whenever we're talking about this enforcement, it's tough. There's no right answer. The right answer is comprehensive immigration reform. Let's find a way where the people that we need here to have critical jobs in our economy, that have families, that are in our community, that have kids that are American and going to school and doing well every day, have a way and paperwork to show that they can be here.

Now that doesn't mean in comprehensive immigration reform that anybody gets citizenship. And I want to be clear about this, because frequently this false specter of somehow granting citizenship to 11 million people is raised. Comprehensive immigration reform in any version doesn't give citizenship to anybody. Not one person, not a thousand people, not a million people. Zero people. In fact, under all the versions that are being talked about of comprehensive immigration reform, anybody who's here illegally would have to get right with the law and would go to the back of the line with regard to applying for citizenship some day, if they're eligible. To be eligible, they'll have to follow the laws of our country for many years. They'll have to learn English. They'll have to take a test.

Yes, some day it's possible that some immigrants will become citizens. It's also possible and likely that many will choose never to. They might work here for a number of years and return to another country. And that's fine. But it's critical that there is at least the ability to get right with the law. It's very frustrating when people say, Why don't they get in line today? Because it's a nonexistent line. Comprehensive immigration reform will create the line that people will then get into and create an immigration system that is in touch with reality in this country, in touch with a pro-growth agenda, in touch with an agenda that will make our country prosperous, that will conform our treatment of our neighbors to our values as Americans, the same values that extended a welcome to my ancestors and yours when they came to these shores and helped their, in my case, grandchildren and great grandchildren serve in this great body.

So, too, we need to assure that our values are represented in our immigration system. And whether one is on the left or the right, it is clear that today's disaster of an immigration system is not reflective of our value as Americans—our value as Americans not to tear families apart, our values as Americans to ensure that if you work hard and you play by the rules, you can get ahead in this country. You can succeed in this country. The value of encouraging civic participation is absolutely critical.

So this is a unique opportunity, a unique moment. It's a bipartisan approach, as it has to be. This is not a Democratic issue or a Republican issue. Immigration reform is an American issue, as it always has been a Nation of immigrants, a Nation of laws. And we can conform those two together so that we can fulfill our destiny in a way that honors the rule of law and honors the role of immigrants in creating our great country.

Mr. ELLISON. I do appreciate the gentleman from Colorado. Congressman POLIS, you have been on the mark on this thing ever since you stepped into this body, and there are literally I think millions of people who appreciate your advocacy. I just want to mention a few points and then, of course, invite you to dive back in.

The President does have a proposal on immigration reform. It's reasonable. It's a commonsense starting point. Republicans and Democrats need to find a way, as Congressman POLIS just said. But it is a clear path toward a legal status for thousands who are already in the U.S. working and paying taxes. It's a process for family reunification. It's a workable employment verification system with penalties for employers who knowingly hire people who are not in status. It is a reasonable enforcement.

But I just want to say this, and I want to invite Congressman POLIS to react. We've put about $18 billion into border issues so far. One of the real things about comprehensive immigration reform is, we hear people talk about the border, the border, the border. Well, President Obama has done tons on the border—for some of us, too

much—but the border issue is not the problem. The real problem is the other part.

I yield to the gentleman from Colorado to see if you have any thoughts about this matter.

Mr. POLIS. Another thing that's important for Americans to understand about how 11 million people got here without paperwork and how this continues to occur is that more than half of the population that lives and works here illegally didn't sneak across a border. They came here legally. They came here as a tourist, they came with a visa. They stayed illegally and worked illegally. So, again, even if you had 100 percent security at the border—and, by the way, that's certainly a valid goal—but you're never going to have 100 percent. But even if you had 100 percent, you would still have a large flow of people to this country illegally because it's not that hard to get a tourism visa, to get a student visa, to get some other type of documentation for travel that allows you to be here for a month or 3 months and then to outstay that and work here illegally.

So no matter what you do on the border—and, by the way, I think absolutely as part of comprehensive immigration reform there will be more border security—but no matter what you do on the border, you don't address the issue without having a comprehensive approach that deals with those already here, that deals with the immigration laws going forward so we don't wind up in this same situation again in 10 or 20 years, to make sure that our immigration laws reflect the real needs of our country, the needs of the private sector, the needs of the workforce in terms of making sure we have enough people in the service industry. Whether it's to pick crops in the field, whether it's to staff our high-tech companies with programmers, we need to have an America-centric approach to immigration. And while border enforcement can certainly be a part of that, no matter how much you have, it doesn't even come close to addressing the issue of immigration in this country. And that's why, as the President indicated in his speech and in his call, as others from both sides of the aisle have indicated, it's critical for America to take on the issue of immigration reform and pass a comprehensive solution.

Mr. ELLISON. Thank you, Congressman. I'm going to wrap up in about 5 minutes or so. But I just want to hit a few things that need to be touched on. One is that the Progressive Caucus is very concerned about this looming sequestration. Now folks out there this evening, Mr. Speaker, might think, sequestration, what is that? Is that like when you go on jury duty or something? No. Sequestration is what we're calling some really dramatic cuts to Federal spending that are coming up in about 2 weeks.

□ 1710

And now you're thinking, How did we end up here? Here is what happened.

In August 2011, the Republicans had taken the majority in that session, the first session of the 112th Congress, in January, and they started out with an agenda to dramatically reduce the size of government. They started out with something called Cut, Cap and Balance, and they wanted to cut all kinds of programs. They never wanted to touch defense, but they wanted to cut the Federal Government. I'm talking about Head Start, Women Infants, and Children nutrition, programs that help support State and local governments, for police, fire, all kinds of stuff like that, they wanted to cut. And they wanted to cut big-time. They wanted to cut Social Security, Medicare, and Medicaid.

And so they came forward with this proposal. Now, they knew they couldn't get it past the Senate, but they said, Oh, the debt ceiling. The debt ceiling, we can use that as a lever to make the Democrats give us significant cuts to the Federal budget.

So what they did, in August 2011, they said that we're going to allow—we're not going to raise the debt ceiling. We're going to allow the Federal Government to default on previously acquired obligations of the United States—so not pay our bills that we already acquired and risk our triple A credit rating—if you do not impose dramatic cuts.

And so what the President did is said, Okay, we're going to give you some cuts up front and we'll set up something called the supercommittee. Three Democrats from the House, three Republicans from the House, three Republicans from the Senate, three Democrats from the Senate, we'll call that the supercommittee, and they are going to work out a compromise and give us an up-or-down vote on some more cuts. But if they don't, then we're going to have this thing called the sequester and there will be across-the-board cuts in a dramatic and really imposing way.

The sequester is what we're facing now because the supercommittee failed. Now, the supercommittee didn't just fail. What we didn't know is that when the Republicans, both House and Senate, appointed their members of the supercommittee, all of them had signed a promise to a man named Grover Norquist never to raise any taxes. And so what happened is that they got on this supercommittee and refused to negotiate. Democrats said, We'll do some cuts, but we need some revenue. We need to raise some taxes and close some loopholes.

Republicans said, No way, and Democrats said, Well, wait a minute. So you want it all cuts and no raising taxes. They said, That's right, we're not going to negotiate with you on this.

And so the supercommittee failed in its work. When it failed in its work, that meant that we were going to deal with sequester, and that's where we are now.

Sequester is going to impose automatic, arbitrary cuts that could lay off, according to the Congressional Budget Office, up to about 750,000 people. There are going to be cuts in domestic spending and cuts to military spending. Some of us think that military cuts are warranted. Others of us are absolutely concerned about the people who are going to be affected by these domestic cuts.

Let me wrap up. I just want to say that I am concerned that several Republicans seem real cavalier about sequester, and you should look at the list. The Progressive Caucus' solution is to repeal sequester. What we would propose to do with our legislation is to say 50 percent cuts, 50 percent revenue. We already cut $1.7 trillion in revenue, and then last New Year's Eve we got some money in the door through raising taxes and now we need to balance to 50–50. This is what we call the Balancing Act.

Our bill would bring it to balance by raising money through closing loopholes, carried interest, jets and yachts, stuff like that. Oh, yeah, you didn't know they could write off their jets and their yachts? Oh, yeah, they can. And then put about $300 billion into jobs.

Let me wrap up by saying the Balancing Act, you can go online and look it up. It's a great program. We urge you to support it. In the last 1 second, if I may—I've promised my friend 20 minutes and I'm messing up right now.

On February 22, the Supreme Court will hear oral arguments in the Shelby County, Alabama v. Holder case. This threatens to take away serious voting rights. I'm going to be talking about this, because democracy must prevail. We have not reached the point where everybody has a fair vote in this country. I don't have the time to elaborate on it now, but please be aware that this Shelby County v. Holder is a critical issue. The Supreme Court is going to take it up on the 27th of February. We need to be aware of that if we want to believe that you ought to be able to cast a fair vote in America.

With that, I am going to yield to the gentleman from Colorado. Thank you very much, Congressman.

Mr. POLIS. I thank the gentleman from Minnesota.

The SPEAKER pro tempore. Does the gentleman yield back his time?

Mr. POLIS. The gentleman from Minnesota yielded to me.

The SPEAKER pro tempore. The gentleman from Colorado is recognized.

Mr. POLIS. I would like to ask the Speaker how much time remains.

The SPEAKER pro tempore. The gentleman from Minnesota has 25 minutes remaining.

Mr. POLIS. And the gentleman has yielded his time.

Mr. ELLISON. With the understanding that the gentleman will get the balance of the time remaining of

my hour, then I will yield the floor back.

The SPEAKER pro tempore. Does the gentleman yield back his time?

Mr. ELLISON. I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. ELLISON. My inquiry is, if I yield back, does the gentleman from Colorado get the balance of the time I have remaining?

The SPEAKER pro tempore. The gentleman from Colorado may serve as the designee of the minority leader for the remainder of the hour.

Mr. ELLISON. And further inquiry, are there 25 minutes left?

The SPEAKER pro tempore. The minority hour has 24 minutes remaining.

Mr. ELLISON. In that case, I yield back the balance of my time.

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Colorado (Mr. POLIS) is recognized for 24 minutes as the designee of the minority leader.

Mr. POLIS. Mr. Speaker, I rise today in support of passing comprehensive immigration reform as soon as possible.

CINDY SLOSSON

I have a story to share from a resident in my district, Cindy Slosson from Fort Collins, Colorado. Cindy wrote me that her daughter fell in love with a young man from Mexico when they were in high school. They had a dream about their future lives together, and part of that dream was of course helping him become an American citizen so he could go to college, find a job and support their family that they hoped to build together. They persisted tirelessly for 10 years, through everything that the American bureaucracy and Immigration Services threw at them, and today, finally, he's a citizen of the United States. He's pursuing his degree in aviation mechanics and wants to continue to go to school for an engineering degree.

Part of their dream is now a reality and they keep on building upon this dream to be contributing community members and leaders among their friends and family. Cindy writes that, unfortunately, some young people don't have the kind of support and focus and, frankly, patience that her children had.

Cindy writes:

> Let's make their path a bit more attainable. I believe most everyone truly wants to do their best, so let's give them a chance to be their best in this country.

□ 1720

As Cindy writes, there are so many people that are caught up in indefinite waiting periods just to be reunited with their own family, people who give up hope and move from their family and friends and everybody they know simply because they can't get through the unrealistic length of time it takes to navigate our legal system.

As part of comprehensive immigration reform, we need to have a system that reflects our values as Americans and one that's realistic for families to go through.

MONICA OLGUIN

Mr. Speaker, I rise today to share a story from a constituent from my district, Monica Olguin from Boulder, Colorado. Now, her story is an interesting one because the U.S. came to her instead of her moving to the United States. Her family hails from the southwestern United States even before it was part of Mexico. Her family descended from Spanish colonial settlers in 1598 near Santa Fe, New Mexico. Over the following 300 years, they traveled north to Colorado to Conejos County, where the family has been for over 100 years.

Now, Monica writes:

> Many of our best students today have been immigrant children.

Monica, herself, taught in our public schools for over 30 years.

Monica writes:

> They enter our school system with great hopes and dreams and do not take education for granted. It isn't long, though, before they are able to express their fear of losing their place in this country, their fear of not belonging in their country of origin or their knowledge that there is no hope for success or dreams for their future in either their country of origin or in this country.

Monica shares the concerns of so many of us whose lives have touched those who live in this country every day in fear of the very government that should be there to protect them, in fear that it will detain them indefinitely, in fear that it will send them out of this country back to a country that they know no one in, that they might not have even been in since they were 3 years old or 8 years old or perhaps even to a country where the language that's spoken is not even a language that they're fluent in. That is the reality of our immigration system every day.

As Monica writes, it's critical that we replace our broken immigration system with one that works now. You're only a child once, and we need to make sure that our next generation of leaders has every opportunity to make our country greater.

PAUL EDWARD CONDON

Mr. Speaker, I rise today to share a story from a constituent of mine in Lafayette, Colorado, Paul Edward Condon. Like so many Coloradans, Paul feels that we need to replace our broken immigration system with one that works for our country and make sure that we have a way to make sure that the people already here can get right with the law.

Paul writes that on his father's side he is descended from people who his daughter, Katherine, likes to say qualify her to be a member of the Daughters of the American Revolution. On his mother's side, he's descended from immigrants from Bohemia in the 1890s who homesteaded in Oregon. So, like many Americans, Paul is a child of both one side of the family with long roots in our country dating from before our country existed and another side of his family recent immigrants.

As Paul writes, perhaps with the full sense of understanding that comes from his personal story, Paul writes:

> We are all sons and daughters of immigrants, including those descended from the peoples who were already here when my earliest immigrant ancestor arrived and descended from the people who also arrived unwillingly in this country. All immigrants, all mingled together. And, indeed, even Congresspersons are descended from immigrants. Congresspersons who wish to restrict immigration and reject immigrants are rejecting their own heritage. They should be ashamed.

I agree with Paul. We are all, in this country, descended from immigrants. And whether those immigrants arrived thousands of years ago, hundreds of years ago, decades ago, or last week, our future is intertwined with the very definition of America as an immigrant Nation, a Nation of laws, a Nation of immigrants.

Those two need to be reconciled. We need laws that reflect our values as Americans, our values as a Nation of immigrants; laws that are enforceable and in touch with reality rather than laws that tear families apart every day in this country and deny—deny people who have worked hard here and contributed to society the opportunity to fully partake in our great country and to someday become Americans themselves.

SEMAY DIBEKULU NELSON

Mr. Speaker, I rise today to share a story from a constituent in Colorado from the Second Congressional District, Semay Dibekulu Nelson, from Boulder, Colorado, who shared a story with me about immigration, that speaks to the need to reform our immigration system today to ensure that everybody gets a chance to succeed in this country.

Semay writes:

> As a first generation immigrant American having received political asylum under life-threatening conditions, I feel the pain of undocumented immigrants and their fear of being deported. I am honored to have received your message, and I would like to reflect on this important topic. I'm aware there's no time to waste while millions are being underpaid for an honest day's work while living in fear of detention and deportation. I hope our government brings this agonizing issue to a positive resolution. The time is over in which we can afford to ignore an issue that has led to this humanitarian catastrophe.

I agree with Semay. Hers is a firsthand story of many legal immigrants like Semay who have firsthand knowledge of the process of leaving everything they know and coming to a new country without friends and without family. How difficult is that? Yet, today, our government is active tearing families apart, at taxpayer expense

taking mothers from daughters and placing them in detention at the cost to taxpayers of tens of thousands of dollars.

We need to replace our broken immigration system with one that works for our country and reflects our values as Americans, as even our newest Americans like Semay agree with.

JOHN HOFFMAN

Mr. Speaker, I rise today to share a story from John Hoffman in Boulder, Colorado. Like so many Coloradans and like so many Americans, John feels that we need to replace our broken immigration system with one that works and allows a way for the 11 million people who are here without status to get right with the law and fulfill their destiny.

John writes:

My great-great German grandparents settled in Germantown in Louisville, Kentucky. They were hardworking and industrious and eventually got into the vaunted ''middle class.'' Let the Latinos do the same.

IZABELLA PESZEK

Mr. Speaker, I rise today to share a story from Izabella Peszek from Lafayette, Colorado. Izabella wrote me to share her immigration story and her passion for making sure that we replace our broken immigration system with one that works and reflects our values as Americans.

Izabella and her husband were recruited to join a graduate program in math at the University of Maryland in 1989. When they decided to go for it, they thought they would return to their home country, Poland. That was their plan when they got their degrees. But fate decided otherwise. When they graduated, Robert in 2 years and Izabella in 2½, the country that they knew in their childhood was gone, and they were being offered some very tempting positions in the United States. Robert went to CMU for a postdoc, and Izabella joined the pharma industry.

Eventually, they got green cards and became citizens of the United States and of our great State of Colorado, which is now their home, where both of them are respected in their fields and are happy doing what they do best.

Now Izabella and Robert can't imagine living anywhere else. And they work hard to make their new home in the United States even better, just as so many other immigrant families contribute to this country, are an asset to this country, are an asset to America, are part of America, and are as American as anybody else, which is why we need an immigration system that reflects our values and our priorities as Americans and ensures that others have the ability to give back to this great country just as Izabella and Robert have and continue to do every day.

JANICE GREEN

Mr. Speaker, I rise today to share a story from Janice Green from Westminster, Colorado, about why we need to fix our broken immigration system to help reunite families.

Janice writes:

My family has been in the United States for many generations, but my daughter-in-law is prevented from joining my daughter here because of the Defense of Marriage Act. They were legally married in Portugal, and my daughter may have to leave the United States to be with her spouse.

□ 1730

Under current immigration law today, same-sex couples are not accepted under immigration law, even though there are a number of States where same-sex couples have the same marriage rights as opposite-sex couples. Because of the Defense of Marriage Act, federally that marriage is not counted for purposes of immigration.

Janice's daughter might be driven from the country she loves and can contribute so much to because there's no viable path for her family to stay together. That's why I support JERRY NADLER's United American Families Act, and we need to work hard to make sure that as we replace our broken immigration system with one that works, it's fair to all Americans and treats all Americans fairly and reflects our value as Americans of keeping families like Janice's daughter and daughter-in-law together.

JEAN HODGES

Mr. Speaker, I rise today to share a story from Jean Hodges of Boulder, Colorado, about why we need to improve our immigration system.

Jean writes that both sides of her family immigrated in the 1800s from Ireland, Scotland, and Wales. They began life in Virginia and moved to Ohio around the Civil War. So Jean doesn't share the immediacy of immigrant parentage that many others do, but Jean does write that she understands the privilege of being a U.S. citizen and all that provides: for all of us to find a path to equality and whatever our pursuit of happiness may be.

Jean, like so many Coloradans and so many Americans says, ''I wish that for all immigrants.''

Jean understands the reasons that her forebearers might have left everything and everyone they knew to come to this country.

I know Jean. And the way that she has given back to our community as a school teacher, as a leader for equality, her work to support parents of LGBT kids, has been of tremendous value to our country, like the tremendous value that today's immigrants will provide through their public service, their community involvement, through their efforts as teachers, as firefighters, as policemen, as lawyers, as doctors, as successful business people who will lead our country to a more prosperous and bright future.

DAN MCLELLAN

Mr. Speaker, I rise today to share a story from Dan McLellan of Boulder, Colorado, about why we need to fix our broken immigration system and replace it with one that reflects our values as Americans.

Dan is a fourth-generation Coloradan. In fact, on his father's side, he has ties all the way back to the Mayflower. On his mother's side, the family came from Ireland, Italy, Germany, and Scotland. Like many Americans of mixed blood, he remembers memorizing when he was in fifth grade his ancestry. He would quickly list it off: English, Irish, German, Italian, and Scottish.

But recently, Dan fell in love with a Canadian. It was love at first sight, and last March they got married in New York. The plan was that Dan and his spouse were going to spend their lives together. But you know what? Right now they don't know where because Dan's spouse is another man. Unlike if Dan's spouse was a woman, Dan doesn't have the same kind of right to allow his husband, Michael, to be a legal resident of our country. Dan writes that he's forced to have to choose between the country he loves, the country his ancestors worked hard to get to, and being united with his own family and his husband.

Dan calls upon us in Congress—and I pass this challenge to our colleagues—to pass a comprehensive immigration reform package that treats families fairly, that treats families equally, that ensures that families are united. That's why I'm a proud sponsor of JERRY NADLER's United American Families Act, and I call upon this body to include respect for marriage as an important bed-stone principle of comprehensive immigration reform.

SALLY MILLER

Mr. Speaker, I rise today to share the story of Sally Miller from Broomfield, Colorado, and her strong support for fixing our broken immigration system. Sally is a social worker, and her story is about several pieces of her own personal experience working with people in the Denver metro area.

Sally has worked with immigrants who came to our country 20 years ago. They raised their families, they hoped for a better life, their kids are U.S. citizens, have succeeded in school, and are giving back. But Sally writes that the parents of one of their families are constantly in fear that the father may be caught on the way to or from his cleaning job and sent back to a country that he left, torn apart from his family at taxpayer expense.

One of their three children graduated from high school just this past June and is working and taking college classes. The other kids are 16 and 14. Sally writes that her friend and his wife hope to stay in the Denver area until all three of their kids graduate from high school, but every day the kids come home from school, they live in constant fear that our government sees their parents and sends them back to another country.

Sally writes:

The parents are good decent people, loving parents, and have always felt their sacrifices for their children's sake have been worth the price.

There are so many families that risk being torn apart because our immigration system is completely out of touch with our values as Americans. Rather than reuniting families, it tears families apart; rather than encouraging people to follow the law, it rewards unscrupulous business people who hire people under the table and encourages the violation of the law and identity theft.

We need to replace our immigration system with one that works for our country, allow people who've been here and are hardworking and contribute to our country to get right with the law, and, yes, some day enjoy the same benefits of citizenship that Sally herself enjoys.

I call upon my colleagues to pass comprehensive immigration reform now.

ANN HARROUN

Mr. Speaker, I rise today to share the story of Ann Harroun from Loveland, Colorado, who wrote to me with regard to her support for comprehensive immigration reform and her own family's story.

Ann writes that her relatives first came to Canada from France and England; the French in the 1700s and the English a little later. Ann's great-great grandmother was becalmed in the middle of the Atlantic Ocean for a time, and both sides of her family were farmers in Quebec before wandering into northern New Hampshire in the 1920s.

Ann writes, ''Were they legal? Who knows?'' She further writes that the French had large families and soon outgrew their farms. They moved on from New Hampshire. Her mother moved from New Hampshire to Maine in 1942 after the death of her father, and she worked for Maine Blue Cross for 30 years.

Ann moved to California after high school and saw an opportunity to attend college, married, had children, joined the League of Women Voters, finally graduated in 1980, and promptly won an election to the Vermont house. Ann was the first in her family to attend college, vote, own a house, and hold public office.

There are so many today that would be the first to go to college, that would be the first to vote, that would be the first to own a house, that would be the first to hold public office, that would be the first to be captains of industry, that would be the first to have advanced degrees if only we can find a way where they have the ability to get right with the law and get paperwork that allows them to pursue the great opportunities that this country offers.

As Ann says, ''Were they illegal? Who knows?'' Were they illegal? Who cares? When my family came here in 1906, they got off the boat and registered. There was no quota or process or thing they had to deal with on the legal front. They just showed up here. You know what? They were welcomed. And you know what? Their grandson on one side and great-grandson on the other is now a United States Congress person, just as Ann was the first in her family after they wandered down from Canada to New Hampshire. Ann has given so much for her country, just as so many of today's immigrants will if we only give them today's opportunity.

DARYL SHUTE

Mr. Speaker, I rise today to share the story of Daryl Shute from Littleton, Colorado. Daryl writes with regard to the critical need to replace our broken immigration system with one that works.

Daryl's grandfather, Joseph Giangreco, emigrated from Sicily to the United States to join his mother, who was already living in Buffalo, New York, in the mid-nineteen teens. Daryl writes that Italians were the unwanted immigrants of that day. Daryl writes that he returned to Canada, walked across the border, and rejoined his mother after he was deported from New York.

He was caught and given a choice to fight for the Allies in Europe to earn his citizenship. He accepted that. And Daryl's grandfather, Joseph, went to war for the American Dream. Unfortunately, he received injuries during that war that affected him the rest of his life. Even so, he was hardworking and worked hard from the back of a horse-drawn cart to support his family for many years.

□ 1740

Even to this day, immigrants give so much of themselves through their hard work, their toil, their sweat and tears, which all of us as Americans prosper from and benefit from. We need to find a way, just as Joseph's grandfather did, so that people can get right with the law.

What is being discussed and what needs to be discussed is not an amnesty any more than if you get a speeding ticket and you enter a plea bargain it's an amnesty. It's essentially a plea bargain. Yes, you violated the law. Let's figure out how you get right with the law: register, pay a fine, get your working permit. It's not realistic in any way, shape or form to try to round up large numbers of people who are giving so much to our country every day and who, in many cases, have American children. That's why we need to pass immigration reform and replace our broken immigration system with one that reflects our values as Americans.

MARTHA DENNEY

Mr. Speaker, I rise today to share a story from Martha Denney in Fort Collins, Colorado. It's her own personal story and the story of her family's immigration and why we need to replace our broken immigration system with one that works and pass comprehensive immigration reform now.

Martha's grandmother's family members were immigrants from Montbeliard, France, but they were actually Swiss Mennonites. They were driven from Switzerland as followers of the Mennonite faith. They followed the teachings that defied the teachings of the Catholic Church, and they were discriminated against. Many Swiss farmers became valued and trusted workers on estates in France, where they went to escape persecution. When they were able to emigrate to the U.S. in the late 1800s, they came to Wayland, Iowa, which was a small Mennonite community.

Martha has worked for more than 30 years in the area of international exchange at a large American university, Colorado State University, in Fort Collins. She has worked with issues of visas and student visas and the immigration of students. She has observations about the process that she has tried to share over the years with Representatives of our United States Government, but she believes that, up until now, they weren't in a position to hear them because they weren't focusing on immigration reform.

I call upon this body to focus on immigration reform, to heed the stories of those like Martha's and of the many others who interact every day—whether it's as an employer or an educator or a social worker—with those who are here in this country and are working hard to make our country greater but who lack the paperwork that verifies their own existence, who lack the paperwork that allows them to exist under the rule of law in this country.

We need to replace our broken immigration system with one that reflects our American values, with one that allows people to step out of the darkness and into the light, to get right with the law, to be able to fully pursue their destinies as future Americans. We are a Nation of immigrants, and we all benefit from the tremendous benefits that immigrants give to this country every day.

I hope that now is the time that Representatives of our United States Government in this House of Representatives will be in a position to hear and will be in a position to focus on immigration reform in order to make our country stronger, to make our country safer, to make our country more prosperous.

Mr. Speaker, I call upon my colleagues to support comprehensive immigration reform and to pass it now. We must replace our broken immigration system with one that works for our country and our values.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JOHNSON of Georgia (at the request of Ms. PELOSI) for today.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

ADJOURNMENT

Mr. POLIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Friday, February 15, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

286. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Electronic Fund Transfers (Regulation E) Temporary Delay of Effective Date [Docket No.: CFPB-2012-0050] (RIN: 3170-AA33) received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

287. A letter from the Attorney, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — High-Cost Mortgage and Homeownership Counseling Amendments to the Truth in Lending Act (Regulation Z) and Homeownership Counseling Amendments to the Real Estate Settlement Procedures Act (Regulation X)[Docket No.: CFPB-2012-0029] (RIN: 3170-AA12) received February 1, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

288. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Definition of Troubled Condition (RIN: 3133-AD97) received January 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

289. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Alternatives to the Use of Credit Ratings (RIN: 3133-AD86) received January 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

290. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Extension of Exemptions for Security-Based Swaps [Release Nos.: 33-9383; 34-68753; 39-2489; File No. S7-26-11] (RIN: 3235-AL17) received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

291. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Assessing the Radiological Consequences of Accidental Releases of Radioactive Materials from Liquid Waste Tanks in Ground and Surface Waters for Combined License Applications [DC/COL-ISG-014] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

292. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Assessing the Radiological Consequences of Accidental Releases of Radioactive Materials from Liquid Waste Tanks for Combined License Applications [DC/COL-ISG-013] received January 30, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

293. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Unallowability of Costs Associated with Foreign Contractor Excise Tax [FAC 2005-65; FAR Case 2011-011; Item IV; Docket 2011-0011, Sequence 1] (RIN: 9000-AM13) received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

294. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Unallowability of Costs Associated with Foreign Contractor Excise Tax [FAC 2005-65; FAR Case 2011-011; Item IV; Docket 2011-0011, Sequence 1] (RIN: 9000-AM13) received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

295. A letter from the Senior Procurement Executive, Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-65; Item V; Docket 2013-0080, Sequence 1] received January 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

296. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bone Island Triathlon, Atlantic Ocean; Key West, FL [Docket No.: USCG-2012-0956] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

297. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; New Year's Eve Fireworks Displays within the Captain of the Port Miami Zone, FL [Docket Number: USCG-2012-1041] (RIN: 1625-AA00) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

298. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Apalachicola River, FL [Docket No.: USCG-2012-0470] (RIN: 1625-AA09) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

299. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; 2013 Orange Bowl Paddle Championship, Biscayne Bay, Miami, FL [Docket Number: USCG-2012-1020] (RIN: 1625-AA08) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

300. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; On the Waters in Kailua Bay, Oahu, HI [Docket Number: USCG-2012-1038] (RIN: 1625-AA87) received February 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. SMITH of Washington (for himself, Ms. HANABUSA, Mr. BRADY of Pennsylvania, Mr. JOHNSON of Georgia, Mr. LANGEVIN, Mr. CASTRO of Texas, Mr. COURTNEY, Mr. GARAMENDI, Mr. ANDREWS, Mr. PETERS of California, Ms. KUSTER, Mr. O'ROURKE, Ms. SHEA-PORTER, Ms. SPEIER, Ms. TSONGAS, Mr. LARSEN of Washington, Ms. BROWNLEY of California, Mr. TAKANO, Mr. SCHIFF, Mr. LOWENTHAL, Ms. LEE of California, Mr. RUSH, Mrs. CAROLYN B. MALONEY of New York, Mr. HECK of Washington, Mr. CONNOLLY, Ms. MOORE, Mr. HUFFMAN, Mr. MORAN, Ms. CHU, Mr. POCAN, Mr. CAPUANO, Mr. HONDA, Mr. FARR, Mr. ISRAEL, Mr. BISHOP of New York, Ms. GABBARD, Ms. NORTON, Mr. MCDERMOTT, Mr. RYAN of Ohio, Mr. MCGOVERN, Mr. DEUTCH, Mr. CARSON of Indiana, Mrs. DAVIS of California, and Mrs. CAPPS):

H.R. 683. A bill to amend titles 10, 32, 37, and 38 of the United States Code, to add a definition of spouse for purposes of military personnel policies and military and veteran benefits that recognizes new State definitions of spouse; 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. WOMACK (for himself, Ms. SPEIER, Mr. CONYERS, Mr. WELCH, Mrs. NOEM, Mr. GRIFFIN of Arkansas, Mr. POE of Texas, Mr. COHEN, Ms. CHU, Mr. AMODEI, Mr. DEUTCH, Mr. DIAZ-BALART, Mr. JOHNSON of Georgia, Mr. ROSS, Ms. DELBENE, Mr. SCHOCK, Ms. LINDA T. SÁNCHEZ of California, Mrs. ELLMERS, Mr. LARSON of Connecticut, Mr. BARLETTA, Mr. LANGEVIN, Mr. CRENSHAW, Mr. CRAWFORD, Mr. DENT, Ms. PINGREE of Maine, Mr. YOUNG of Indiana, Ms. SCHWARTZ, Mr. GRIMM, Mr. ELLISON, Mr. GIBSON, Ms. TSONGAS, Mr. CONAWAY, Mr. STIVERS, Ms. NORTON, Mr. CAPUANO, Ms. MCCOLLUM, and Mr. AUSTIN SCOTT of Georgia):

H.R. 684. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; to the Committee on the Judiciary.

By Mr. SAM JOHNSON of Texas (for himself and Mr. HECK of Washington):

H.R. 685. A bill to award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country's freedom throughout the history of aviation warfare; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NOEM (for herself, Mr. WALZ, Mr. FORTENBERRY, Mr. PETERSON, Mr. BLUMENAUER, Mr. WITTMAN, Mr. THOMPSON of Mississippi, and Mr. LATTA):

H.R. 686. A bill to amend the Federal Crop Insurance Act to modify the ineligibility requirements for producers that produce an annual crop on native sod, and for other purposes; to the Committee on Agriculture.

By Mr. GOSAR (for himself, Mrs. KIRKPATRICK, Mr. SALMON, Mr. SCHWEIKERT, and Mr. FRANKS of Arizona):

H.R. 687. A bill to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes; to the Committee on Natural Resources.

By Mr. ROYCE (for himself, Mrs. MCCARTHY of New York, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Mr. CALVERT, Mr. CHABOT, Mr. CICILLINE, Mr. COBLE, Mr. CONNOLLY, Mr. COOK, Ms. HAHN, Mr. HECK of Nevada, Mr. HUFFMAN, Mr. JOHNSON of Georgia, Mr. JONES, Mr. LARSON of Connecticut, Mr. LEWIS, Mr. MCCLINTOCK, Mr. MEEKS, Mr. MICHAUD, Mrs. NAPOLITANO, Ms. NORTON, Mr. PETERS of Michigan, Ms.

PINGREE of Maine, Mr. POE of Texas, Mr. POSEY, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Mr. SCHRADER, Mr. SHERMAN, Mr. STIVERS, Mr. THOMPSON of California, Mr. UPTON, Ms. WATERS, Mr. YARMUTH, Mr. BISHOP of New York, and Mr. YOUNG of Alaska):

H.R. 688. A bill to amend the Federal Credit Union Act to provide certain credit unions with the authority to make additional member business loans, and for other purposes; to the Committee on Financial Services.

By Mr. BLUMENAUER (for himself, Mr. ROHRABACHER, Mr. POLIS, Ms. LEE of California, Mr. MORAN, Mr. COHEN, Mr. FARR, Mr. GRIJALVA, Mr. NADLER, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Mr. HONDA, and Mr. HUFFMAN):

H.R. 689. A bill to provide for the rescheduling of marijuana and for the medical use of marijuana in accordance with the laws of the various States; 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 Mr. LATHAM (for himself and Mr. WALZ):

H.R. 690. A bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service; to the Committee on Armed Services.

By Mr. GEORGE MILLER of California (for himself, Mr. BARROW of Georgia, and Mr. COURTNEY):

H.R. 691. A bill to require the Secretary of Labor to issue an interim occupational safety and health standard regarding worker exposure to combustible dust, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BARLETTA:

H.R. 692. A bill to provide protection for certain Federal employees with respect to implementation of the June 15, 2012, memorandum from Janet Napolitano, Secretary of Homeland Security, regarding the exercise of prosecutorial discretion with respect to individuals who came to the United States as children; to the Committee on Homeland Security.

By Mr. PITTS (for himself, Mr. DANNY K. DAVIS of Illinois, Mr. GOODLATTE, Mr. BLUMENAUER, Mr. CHABOT, Mr. BUCSHON, Mr. THOMPSON of Pennsylvania, Mr. MARINO, Mr. SHUSTER, Mr. FLEISCHMANN, Mr. HANNA, Mr. MORAN, Mr. PETRI, Mr. RUSH, Mr. BARLETTA, Mr. MEEHAN, Mr. FITZPATRICK, Ms. SPEIER, Mr. DENT, Mrs. BLACK, Mr. WOMACK, Mr. KELLY, Mr. QUIGLEY, Mrs. BLACKBURN, Mr. LATTA, Mr. MASSIE, Mr. JOHNSON of Ohio, Mr. BRADY of Pennsylvania, Mr. PASCRELL, Mr. PERRY, Ms. SHEA-PORTER, Mr. ROTHFUS, Mr. RENACCI, Mr. GERLACH, Mr. LANCE, Mr. LIPINSKI, and Mr. HARRIS):

H.R. 693. A bill to reform the Federal sugar program, and for other purposes; to the Committee on Agriculture.

By Ms. SCHAKOWSKY:

H.R. 694. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance by corporations of tax on foreign income; to the Committee on Ways and Means.

By Mr. DENHAM (for himself, Mr. SCHWEIKERT, Mr. WESTMORELAND, Mr. DUNCAN of Tennessee, Mr. HANNA, Mr. MCHENRY, Mr. MICA, Mr. NUNES, Mr. HUNTER, and Mr. REED):

H.R. 695. A bill to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Oversight and Government Reform, and Rules, 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. HORSFORD (for himself, Mr. AMODEI, and Mr. HECK of Nevada):

H.R. 696. A bill to designate the Wovoka Wilderness and provide for certain land conveyances in Lyon County, Nevada, and for other purposes; to the Committee on Natural Resources.

By Mr. HECK of Nevada (for himself, Mr. AMODEI, Mr. HORSFORD, and Ms. TITUS):

H.R. 697. A bill to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAPPS:

H.R. 698. A bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV); 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 Mr. VAN HOLLEN (for himself, Mr. HOYER, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. POCAN, Ms. CASTOR of Florida, Mr. MORAN, Mr. KILDEE, Mr. HUFFMAN, and Mr. HOLT):

H.R. 699. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to repeal and replace the fiscal year 2013 sequestration; to the Committee on Ways and Means, and in addition to the Committees on the Budget, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California:

H.R. 700. A bill to direct the Secretary of Education to carry out the Advanced Research Projects Agency-Education to fund directed development projects to support targeted breakthroughs in teaching and learning; to the Committee on Education and the Workforce.

By Mr. MCHENRY (for himself, Mr. SCHWEIKERT, Ms. ESHOO, Mr. GARRETT, and Mr. DAVID SCOTT of Georgia):

H.R. 701. A bill to amend a provision of the Securities Act of 1933 directing the Securities and Exchange Commission to add a particular class of securities to those exempted under such Act to provide a deadline for such action; to the Committee on Financial Services.

By Mr. BRALEY of Iowa:

H.R. 702. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish a Frontline Providers Loan Repayment Program; to the Committee on Energy and Commerce.

By Mr. CARNEY (for himself and Mr. MEEHAN):

H.R. 703. A bill to establish the First State National Historical Park in the State of Delaware, and for other purposes; to the Committee on Natural Resources.

By Mr. CARTER (for himself, Mr. WOLF, and Mr. BURGESS):

H.R. 704. A bill to amend title 10, United States Code, to extend whistleblower protections to a member of the Armed Forces who alerts Department of Defense investigation or law enforcement organizations, a person or organization in the member's chain of command, and certain other persons or entities about the potentially dangerous ideologically based threats or actions of another member against United States interests or security; to the Committee on Armed Services.

By Mr. CARTER (for himself, Mr. MCCAUL, Mr. WOLF, Mr. BURGESS, and Mr. FLORES):

H.R. 705. A bill to ensure that the victims and victims' families of the November 5, 2009, attack at Fort Hood, Texas, receive the same treatment and benefits as those Americans who have been killed or wounded in a combat zone overseas and their families; to the Committee on Armed Services, 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. CICILLINE (for himself, Mr. LANGEVIN, Mr. MCGOVERN, and Mr. NEAL):

H.R. 706. A bill to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, and for other purposes; to the Committee on Natural Resources.

By Mr. CRAWFORD (for himself and Mr. AUSTIN SCOTT of Georgia):

H.R. 707. A bill to amend the Immigration and Nationality Act to simplify and rename the H-2C worker program, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, 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. DOYLE (for himself, Mr. YODER, and Ms. LOFGREN):

H.R. 708. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency; to the Committee on Oversight and Government Reform.

By Mr. ELLISON (for himself, Mr. PAULSEN, Mr. WALZ, and Mr. NOLAN):

H.R. 709. A bill to authorize the Secretary of the Army to take actions to manage the threat of Asian carp traveling up the Mississippi River in the State of Minnesota, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on 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. FARR (for himself, Mr. ROHRABACHER, Mr. BLUMENAUER, Mr. COHEN, Mr. GRIJALVA, Ms. LEE of California, Mr. MORAN, Ms. PINGREE of Maine, Mr. POLIS, and Mr. WAXMAN):

H.R. 710. A bill to amend title 18, United States Code, to provide an affirmative defense for the medical use of marijuana in accordance with the laws of the various States, and for other purposes; to the Committee on the Judiciary.

By Ms. FOXX (for herself, Mr. WESTMORELAND, Mr. CHAFFETZ, and Mr. PITTS):

H.R. 711. A bill to amend titles 23 and 49, United States Code, to repeal wage requirements applicable to laborers and mechanics

employed on Federal-aid highway and public transportation construction projects; to the Committee on Transportation and Infrastructure, 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 Mr. FRELINGHUYSEN (for himself, Mr. FITZPATRICK, Mr. GERLACH, Mr. SEAN PATRICK MALONEY of New York, Mr. ENGEL, Mr. GARRETT, Mr. LANCE, and Mr. DENT):

H.R. 712. A bill to extend the authorization of the Highlands Conservation Act through fiscal year 2024; 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. GERLACH (for himself and Mr. BECERRA):

H.R. 713. A bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself, Ms. LORETTA SANCHEZ of California, Mr. NUNES, Mr. CONNOLLY, Mr. YODER, Mr. POLIS, and Mr. CHABOT):

H.R. 714. A bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Science, Space, and Technology, Appropriations, 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. HASTINGS of Florida (for himself, Mr. CLAY, Ms. HAHN, Ms. LEE of California, Ms. FUDGE, Ms. CLARKE, Mr. MCGOVERN, and Mr. WATT):

H.R. 715. A bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement; to the Committee on Financial Services.

By Ms. HERRERA BEUTLER:

H.R. 716. A bill to direct the Secretary of the Interior to convey certain Federal land to the city of Vancouver, Washington, and for other purposes; to the Committee on Natural Resources.

By Mr. HONDA (for himself, Mr. GUTIERREZ, Ms. PELOSI, Mr. BECERRA, Mr. CONYERS, Ms. LOFGREN, Ms. CHU, Mr. NADLER, Ms. LEE of California, Mr. GRIJALVA, Mr. ELLISON, Mr. POLIS, Ms. WASSERMAN SCHULTZ, Ms. BORDALLO, Mr. ISRAEL, Ms. CLARKE, Mr. RANGEL, Ms. SCHAKOWSKY, Ms. WILSON of Florida, Mr. HOLT, Mr. FARR, Mr. AL GREEN of Texas, Mr. RUSH, Mr. HASTINGS of Florida, Mr. SIRES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LOWENTHAL, Mr. BLUMENAUER, Mr. MORAN, Ms. ESHOO, Mrs. NAPOLITANO, Mr. MCGOVERN, Mr. FALEOMAVAEGA, Mr. DEUTCH, Mrs. CAPPS, Mr. QUIGLEY, Ms. GABBARD, Mr. POCAN, Ms. PINGREE of Maine, Ms. SINEMA, Mr. CAPUANO, Mr. TAKANO, Ms. MENG, Mr. TONKO, Mr. SABLAN, Ms. CASTOR of Florida, Ms. SPEIER, Mr. CICILLINE, Mr. CÁRDENAS, Mr. CONNOLLY, Mrs. CAROLYN B. MALONEY of New York, Ms. MOORE, Mr. WELCH, Mr. PIERLUISI, Mr. VARGAS, Mr. LANGEVIN, Ms. TSONGAS, Mrs. DAVIS of California, Mr. MARKEY, Mr. VEASEY, Mr. SWALWELL of California, and Mr. SERRANO):

H.R. 717. A bill to amend the Immigration and Nationality Act to promote family unity, and for other purposes; to the Committee on the Judiciary.

By Mr. HULTGREN (for himself and Mr. LIPINSKI):

H.R. 718. A bill to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to award grants on a competitive basis to public and private entities to provide qualified sexual risk avoidance education to youth and their parents; to the Committee on Energy and Commerce.

By Mr. KING of New York (for himself, Mr. SHERMAN, Ms. BONAMICI, Mr. BISHOP of New York, Mr. HANNA, Mr. JONES, Mr. LOEBSACK, Mr. MEEKS, Mr. MICHAUD, Ms. NORTON, Ms. PINGREE of Maine, Mr. POLIS, Mr. POSEY, Ms. WATERS, and Mr. BLUMENAUER):

H.R. 719. A bill to clarify the National Credit Union Administration authority to improve credit union safety and soundness; to the Committee on Financial Services.

By Mr. KING of New York (for himself, Mr. RANGEL, Mr. CAPUANO, Mr. CICILLINE, Mr. DEUTCH, Mr. ENGEL, Mr. FARR, Mr. GRIMM, Mr. HIMES, Mr. HOLT, Mr. ISRAEL, Mr. MORAN, Ms. NORTON, Mr. PIERLUISI, Mr. QUIGLEY, Ms. SLAUGHTER, Mr. WAXMAN, and Mr. MCGOVERN):

H.R. 720. A bill to increase public safety by permitting the Attorney General to deny the transfer of a firearm or the issuance of firearms or explosives licenses to a known or suspected dangerous terrorist; to the Committee on the Judiciary.

By Ms. JENKINS (for herself, Mr. BLUMENAUER, Mr. RODNEY DAVIS of Illinois, and Mr. LIPINSKI):

H.R. 721. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Ways and Means.

By Mr. KING of New York (for himself, Mr. BISHOP of New York, Mr. MORAN, Mr. FARR, and Mr. RANGEL):

H.R. 722. A bill to combat illegal gun trafficking, and for other purposes; to the Committee on the Judiciary.

By Mr. LANGEVIN (for himself, Mr. COURTNEY, and Mr. CICILLINE):

H.R. 723. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. LATTA (for himself and Mr. PETERS of Michigan):

H.R. 724. A bill to amend the Clean Air Act to remove the requirement for dealer certification of new light-duty motor vehicles; to the Committee on Energy and Commerce.

By Ms. LEE of California (for herself, Ms. MOORE, Ms. PINGREE of Maine, Mr. MCDERMOTT, Mrs. DAVIS of California, Mr. CLAY, Ms. NORTON, Ms. DEGETTE, Ms. SLAUGHTER, Mr. MORAN, Ms. WASSERMAN SCHULTZ, Ms. ROYBAL-ALLARD, Mr. GRIJALVA, Ms. BONAMICI, Ms. CLARKE, Ms. SPEIER, Mr. DEUTCH, Mr. BLUMENAUER, Ms. LOFGREN, Mr. LEWIS, Ms. CHU, Mr. RANGEL, Ms. MCCOLLUM, Mr. HONDA, Mr. NADLER, Mr. CONYERS, Mr. HOLT, Ms. WATERS, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Mr. LARSEN of Washington, Mrs. CHRISTENSEN, and Mr. SIRES):

H.R. 725. A bill to provide for the reduction of unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes; to the Committee on Energy and Commerce, 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 Mr. BEN RAY LUJÁN of New Mexico (for himself, Ms. HANABUSA, Ms. ROYBAL-ALLARD, Mr. MORAN, Mrs. NEGRETE MCLEOD, Ms. SLAUGHTER, Ms. MCCOLLUM, and Mr. PEARCE):

H.R. 726. A bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages; to the Committee on Education and the Workforce.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 727. A bill to extend Forest Service and the Bureau of Land Management stewardship end result contracting authority, 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 Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. WASSERMAN SCHULTZ, Mr. CONYERS, Ms. MOORE, Mr. CICILLINE, Ms. LEE of California, Ms. PINGREE of Maine, Ms. HAHN, Mr. FARR, Mr. RANGEL, Mr. NADLER, Mr. ELLISON, Ms. DEGETTE, Mr. MORAN, Mr. HOLT, and Mr. PETERS of California):

H.R. 728. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT (for himself and Mr. HIGGINS):

H.R. 729. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt the National Institutes of Health from sequestration under section 251A for fiscal year 2013, and to reduce the sequestration by the amount of the exemption; to the Committee on the Budget.

By Mr. MULVANEY (for himself, Mr. DUNCAN of South Carolina, Mr. GUTHRIE, Mr. FINCHER, Mr. AUSTIN SCOTT of Georgia, Mr. HANNA, Mr. KING of Iowa, Mr. ROONEY, Mr. DEFAZIO, Mr. HASTINGS of Washington, Mr. CAMPBELL, and Mr. HUIZENGA of Michigan):

H.R. 730. A bill to define urban rodent control for purposes of clarifying the control of nuisance mammals and birds carried out by the Wildlife Services program of the Animal and Plant Health Inspection Service and by the private sector, and for other purposes; to the Committee on Agriculture.

By Mr. RADEL (for himself, Ms. FRANKEL of Florida, Mr. WEBER of Texas, Mr. COTTON, and Mr. MESSER):

H.R. 731. A bill to amend the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 to allow the Department of State to use a best-value contracting method in awarding local guard or protective service contracts in high risk areas abroad under the diplomatic security program; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN (for herself, Mrs. BLACK, Mr. BOUSTANY, Mr.

BRADY of Texas, Mr. FRANKS of Arizona, Mr. JONES, Mr. DESJARLAIS, Mr. CRENSHAW, Mr. LIPINSKI, Mr. MARCHANT, Mr. KING of Iowa, Mr. GRIFFITH of Virginia, Mr. NEUGEBAUER, Mr. CHABOT, Mr. COLE, Mr. HALL, Mr. GARRETT, Mr. MICA, Mr. SMITH of New Jersey, Mr. FINCHER, Mr. POMPEO, Mr. WITTMAN, Mr. POE of Texas, Mr. DIAZ-BALART, Mr. GRIFFIN of Arkansas, Mr. STIVERS, Mr. CARTER, Mr. RODNEY DAVIS of Illinois, Mrs. HARTZLER, Mr. NUNNELEE, Mr. WALBERG, Mr. RIBBLE, Mr. MULVANEY, Mr. LAMBORN, Mr. BENISHEK, Mr. FLEMING, Mr. CALVERT, Mr. KELLY, Mr. PALAZZO, Mr. WENSTRUP, Mr. HULTGREN, Mr. JORDAN, Mr. PEARCE, Mr. WILSON of South Carolina, Mr. GUTHRIE, Mr. WESTMORELAND, Mr. MCCLINTOCK, Mrs. BLACKBURN, Mr. HUELSKAMP, Mr. CONAWAY, Mr. TERRY, Mr. MILLER of Florida, Mr. SHUSTER, Mr. BILIRAKIS, Mr. TIBERI, Mr. HUIZENGA of Michigan, Mr. ROGERS of Kentucky, Mr. LATTA, Mr. KING of New York, Mr. OLSON, Mr. GRAVES of Missouri, Mr. HENSARLING, Mr. RAHALL, Mr. TURNER, Mrs. BACHMANN, Mr. ALEXANDER, Mr. MURPHY of Pennsylvania, Mr. MULLIN, and Mr. SCALISE):

H.R. 732. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

By Mr. RUNYAN (for himself and Mr. WALZ):

H.R. 733. A bill to amend title 38, United States Code, to provide certain employees of Members of Congress and certain employees of State or local governmental agencies with access to case-tracking information of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. STIVERS (for himself and Mr. PETERS of Michigan):

H.R. 734. A bill to create jobs and promote fair trade by increasing duties on certain foreign goods imported into the United States; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi:

H.R. 735. A bill to enhance homeland security, including domestic preparedness and collective response to terrorism, by improving the Federal Protective Service, and for other purposes; to the Committee on Transportation and Infrastructure, 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. WELCH (for himself, Mr. COSTA, Mr. CICILLINE, Mr. SIRES, Ms. SCHAKOWSKY, Mrs. DAVIS of California, Mr. ELLISON, and Ms. BONAMICI):

H.R. 736. A bill to provide for the expansion of affordable refinancing of mortgages held by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation; to the Committee on Financial Services.

By Ms. WILSON of Florida (for herself and Ms. BROWN of Florida):

H.R. 737. A bill to establish a national catastrophic risk consortium to ensure the availability and affordability of homeowners' insurance coverage for catastrophic events; to the Committee on Financial Services.

By Mr. WILSON of South Carolina:

H.R. 738. A bill to amend title 10, United States Code, to eliminate the requirement that certain former members of the reserve components of the Armed Forces be at least 60 years of age in order to be eligible to receive health care benefits; to the Committee on Armed Services.

By Mr. WITTMAN:

H.R. 739. A bill to require the Office of Management and Budget to prepare a crosscut budget for restoration activities in the Chesapeake Bay watershed, to require the Environmental Protection Agency to develop and implement an adaptive management plan, 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. YOUNG of Alaska (for himself, Ms. HANABUSA, Mr. PIERLUISI, Ms. BORDALLO, and Mr. SABLAN):

H.R. 740. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Natural Resources.

By Mr. NOLAN (for himself and Mr. POCAN):

H.J. Res. 29. A joint resolution proposing an amendment to the Constitution of the United States providing that the rights extended by the Constitution are the rights of natural persons only; to the Committee on the Judiciary.

By Mr. PRICE of Georgia:

H.J. Res. 30. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of years Representatives and Senators may serve; to the Committee on the Judiciary.

By Mr. SCHIFF (for himself, Mr. CAPUANO, Mr. CICILLINE, Mr. FARR, Mr. GARAMENDI, Mr. HIMES, Ms. LEE of California, Mr. MICHAUD, Mr. MORAN, Ms. NORTON, Mr. WELCH, Mr. VAN HOLLEN, Mr. RUPPERSBERGER, Ms. MCCOLLUM, and Mr. RANGEL):

H.J. Res. 31. A joint resolution proposing an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate contributions and expenditures in political campaigns and to enact public financing systems for such campaigns; to the Committee on the Judiciary.

By Mr. PAYNE (for himself, Ms. MCCOLLUM, Mr. MEEKS, Mr. RANGEL, Mrs. CHRISTENSEN, Ms. NORTON, Mr. DANNY K. DAVIS of Illinois, Mr. MORAN, Mr. DENT, Mr. CUMMINGS, Mrs. BEATTY, Ms. LEE of California, Mr. CONNOLLY, Ms. BORDALLO, Ms. MOORE, Mr. GEORGE MILLER of California, Mr. HOLT, Mr. FITZPATRICK, Mr. ANDREWS, Mr. COBLE, Mrs. NAPOLITANO, Mr. PASCRELL, Mr. KING of New York, Mr. SIRES, Mr. COOPER, Mr. RUNYAN, Mrs. NEGRETE MCLEOD, Mr. PALLONE, Mr. LEVIN, Mr. LOBIONDO, Mr. LANCE, Mr. LEWIS, Mr. CARSON of Indiana, Mr. MCGOVERN, Mr. BISHOP of Georgia, Mr. FARR, Mr. THOMPSON of Pennsylvania, Mr. DOYLE, Mr. GARRETT, Mr. CONYERS, Mr. RUSH, Ms. FUDGE, Mr. FRELINGHUYSEN, Mr. SMITH of New Jersey, Mr. TAKANO, Mr. JEFFRIES, Mr. DAVID SCOTT of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, Mr. BUTTERFIELD, Ms. CLARKE, Mr. AL GREEN of Texas, Mr. ELLISON, Ms. SEWELL of Alabama, Ms. WILSON of Florida, Ms. WATERS, Ms. EDWARDS, Mr. RICHMOND, Mr. CLEAVER, Mr. CLYBURN, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, Mr. VEASEY, and Mr. HORSFORD):

H. Res. 69. A resolution supporting the designation of March 2013, as National Colorectal Cancer Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. HUELSKAMP:

H. Res. 70. A resolution recognizing the 150th anniversary of Kansas State University; to the Committee on Education and the Workforce.

By Mr. LOEBSACK (for himself, Mr. JORDAN, Mr. WALZ, Mr. BRALEY of Iowa, Mr. KING of Iowa, and Mr. LATHAM):

H. Res. 71. A resolution opposing the International Olympic Committee's decision to eliminate wrestling from the Summer Olympic Games beginning in 2020; to the Committee on Foreign Affairs.

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.

[Omitted from the Record of February 13, 2013]

By Mr. LOBIONDO:

H.R. 625.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of The Constitution of the United States of America

By Mr. SMITH of Washington:

H.R. 683.

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 Rules for the Government and Regulation of the land and naval Forces'' as enumerated in Article I, section 8 of the United States Constitution and in pursuit of the Equal Protection Clause found in section 1 of the Fourteenth Amendment.

By Mr. WOMACK:

H.R. 684.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause of the United States Constitution, Article I, Section 8, Clause 3.

By Mr. SAM JOHNSON of Texas:

H.R. 685.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mrs. NOEM:

H.R. 686.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. GOSAR:

H.R. 687.

Congress has the power to enact this legislation pursuant to the following:

Article IV of the Constitution provides the authority of Congress over federal property as a general matter. Article IV, §3 refers to the managerial authority over property owned by the Federal Government, and provides in relevant part:

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; . . .

By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States—and with this authority Congress is vested with the power accredited to all owners in fee, the power to sell, lease, dispose,

exchange, transfer, trade, mine, or simply preserve land. The appropriate acreage to be held under Federal dominance is not the subject of this bill. Turning to the power of Article IV, §3, the Supreme Court has described this enumerated grant as one ''without limitation'' Kleppe v. New Mexico, 426 U.S. 529, 542–543 (1976) (''And while the furthest reaches of the power granted by the Property Clause have not yet been definitively resolved, we have repeatedly observed that '[t]he power over the public land thus entrusted to Congress is without limitations' '' Citing United States v. San Francisco, 310 U.S. 29. The Court in Kleppe further explained that ''In short, Congress exercises the powers both of a proprietor and of a legislature over the public domain.'' Id. Like any ''propiretor'' Congress has the power to sell or exchange federal property.

It is now generally accepted that the Federal Government may own and manage property in the manner and form mandated by Congress. United States v. Gratiot, 39 U.S. 526 (1840); Camfield v. United States, 167 U.S. 518 (1897). However, the wisdom of the Federal Government owning large tracts of land, particularly in the Western States, is subject to question on policy grounds, and some contend on Constitutional grounds based on the decision in Pollard's Lessee v. Hagan, 44 U.S. 212 (where the Court stated that ''a proper examination of this subject will show that the United States never held any municipal sovereignty, jurisdiction, or right of soil in and to the territory of which Alabama or any of the new States were formed, except for temporary purposes . . . .'' Historically, the early federal government transferred ownership of federal property to either private ownership or to state ownership in order to pay off the then crushing Revolutionary War debts and to assist with the development of infrastructure. These are still acceptable goals for federal property sale or transfer.

The land exchange here is one that comports with good policy and constitutional strictures since by exchanging the land set forth in this bill, a large commercial grade copper mine will be able to proceed with the attendant economic benefits with which such a proposition inures (assuming compliance with other requirements set forth in the bill), but the Federal Government also gains equally valuable land that has significance for other purposes.

Article 1, §8, Cl. 17 addresses property ceded by a state and conveys exclusive regulatory federal jurisdiction over these federal properties and enclaves. Section 8, Cl, 17 may also provide some guidance here to the extent it grants Congress the power to ''exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings.'' But it is Article IV that this bill is grounded upon.

By Mr. ROYCE:

H.R. 688.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the U.S. Constitution to regulate commerce.

By Mr. BLUMENAUER:

H.R. 689.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution (relating to the general Welfare of the United States).

By Mr. LATHAM:

H.R. 690.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. GEORGE MILLER of California:

H.R. 691.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 & 18 of Section 8, Article I, of the U.S. Constitution

By Mr. BARLETTA:

H.R. 692.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation, the Protecting Department of Homeland Security Personnel Act of 2013, pursuant to the following:

This bill makes changes to existing law relating to ''Article 1 Section 8 of the U.S. Constitution Clause 18.''

By Mr. PITTS:

H.R. 693.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Ms. SCHAKOWSKY:

H.R. 694.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. DENHAM:

H.R. 695

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. HORSFORD:

H.R. 696.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. HECK of Nevada:

H.R. 697.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mrs. CAPPS:

H.R. 698.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. VAN HOLLEN:

H.R. 699.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1; Article 1 Section 8, Clause 18; and Article 1, Section 9, Clause 7 of the U.S. Constitution.

By Mr. GEORGE MILLER of California:

H.R. 700.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. McHENRY:

H.R. 701.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight.

By Mr. BRALEY of Iowa:

H.R. 702.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARNEY:

H.R. 703.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution;

Clause 18 of Section 8 of Article I of the Constitution; and

Clause 2 of Section 3 of Article IV of the Constitution.

By Mr. CARTER:

H.R. 704.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution clause 14, which grants Congress the power to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. CARTER:

H.R. 705.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution clause 14, which grants Congress the power to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. CICILLINE:

H.R. 706

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. CRAWFORD:

H.R. 707.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the United States Constitution.

The Congress shall have the Power . . . To establish an uniform Rule of Naturalization . . .

By Mr. DOYLE:

H.R. 708.

Congress has the power to enact this legislation pursuant to the following:

Article 6—Clause 2

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

By Mr. ELLISON:

H.R. 709.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, Clauses 3 and 18.

By Mr. FARR:

H.R. 710.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8 [''to regulate commerce''], and Amendment IV [''to be secure . . . against unreasonable searches and seizures''], and

Amendment VI ["the accused shall . . . have compulsory process for obtaining witnesses in his favor . . ."].

By Ms. FOXX:

H.R. 711.

Congress has the power to enact this legislation pursuant to the following:

Because the legislation would change the formula for government contracts on federal-aid highway and public construction transportation projects, it is authorized under clause 1 of section 8 of article 1 of the Constitution which states "[t]he Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. FRELINGHUYSEN:

H.R. 712.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. GERLACH:

H.R. 713.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. GRIMM:

H.R. 714.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

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. HASTINGS of Florida:

H.R. 715.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution

By Ms. HERRERA BEUTLER:

H.R. 716.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

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 Mr. HONDA:

H.R. 717.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution.

By Mr. HULTGREN:

H.R. 718.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8, Article 1 of the Constitution—Congress shall have the power to regulate commerce. . .among the several states. . .

By Mr. KING of New York:

H.R. 719.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. KING of New York:

H.R. 720.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. JENKINS:

H.R. 721.

Congress has the power to enact this legislation pursuant to the following:

Article I, 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 Mr. KING of New York:

H.R. 722.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LANGEVIN:

H.R. 723.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, Clause 1 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

By Mr. LATTA:

H.R. 724.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, cl. 3

The Congress shall have the power . . . to regulate commerce with foreign nations, and among the states, and with Indian Tribes;

By Ms. LEE of California:

H.R. 725.

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. BEN RAY LUJÁN of New Mexico:

H.R. 726.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 727.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 728.

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. McDERMOTT:

H.R. 729.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 1

By Mr. MULVANEY:

H.R. 730.

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."

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."

This bill provides rules for the Government, specifically, for the Wildlife Services program of the Animal and Plant Health Inspection Service. This law is necessary and proper for carrying out the power to make rules for the proper operation of a division of the government of the United States.

By Mr. RADEL:

H.R. 731.

Congress has the power to enact this legislation pursuant to the following:

This law is enacted pursuant to the following provisions of the United States Constitution:

Article 1, Section 8, Clause 3; Article 1, Section 8, Clause 14; Article 1, Section 8, Clause 18;

By Ms. ROS-LEHTINEN:

H.R. 732.

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 3 of the United States Constitution.

By Mr. RUNYAN:

H.R. 733.

Congress has the power to enact this legislation pursuant to the following:

Title I, Section 8

By Mr. STIVERS:

H.R. 734.

Congress has the power to enact this legislation pursuant to the following:

Congress' power to regulate Commerce with foreign Nations under Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. THOMPSON of Mississippi:

H.R. 735.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, including Article 1, Section 8.

By Mr. WELCH:

H.R. 736.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. WILSON of Florida:

H.R. 737.

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. WILSON of South Carolina:

H.R. 738.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. WITTMAN:

H.R. 739.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. YOUNG of Alaska:

H.R. 740.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 3.

By Mr. NOLAN:

H.J. Res. 29.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional Authority to Amend the Constitution is found in Article 5 of the Constitution.

By Mr. PRICE of Georgia:

H.J. Res. 30.

Congress has the power to enact this legislation pursuant to the following:

Article V whereby the U.S. Constitution may be altered.

By Mr. SCHIFF:

H.J. Res. 31.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. YOUNG of Indiana, Mr. MILLER of Florida, Mr. MICA, Mr. ADERHOLT, Mr. STUTZMAN, Mr. CRAWFORD, Mr. CASSIDY, Mr. BOUSTANY, and Mr. FLEISCHMANN.

H.R. 50: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CARSON of Indiana, Mr. MICHAUD, Mr. TAKANO, and Mr. THOMPSON of California.

H.R. 104: Mr. MESSER and Mr. COTTON.

H.R. 111: Mr. PETERS of California, Mr. RUSH, and Mr. MCNERNEY.

H.R. 124: Mr. BILIRAKIS, Ms. DEGETTE, Mr. LOBIONDO and Mr. MICHAUD.

H.R. 148: Mr. JEFFRIES and Mr. FARR.

H.R. 164: Mr. GERLACH, Mr. MCNERNEY, Mr. ROE of Tennessee and Mr. WHITFIELD.

H.R. 165: Mr. JONES.

H.R. 182: Mr. TIERNEY, Mr. GEORGE MILLER of California, and Mr. HOLT.

H.R. 183: Mr. BUTTERFIELD, Mr. KING of New York, and Mr. BISHOP of New York.

H.R. 203: Mr. GARDNER.

H.R. 217: Mr. ROTHFUS.

H.R. 220: Mr. UPTON.

H.R. 236: Mr. QUIGLEY.

H.R. 239: Mr. BARLETTA and Mr. MULVANEY.

H.R. 241: Mr. WHITFIELD.

H.R. 247: Mr. STIVERS and Mr. FINCHER.

H.R. 268: Mr. DOGGETT.

H.R. 273: Mr. MCHENRY and Mr. PERRY.

H.R. 274: Mr. HOLT, Mr. COURTNEY, Mr. PERLMUTTER, Ms. FRANKEL of Florida, Mr. MORAN, Ms. JENKINS, and Mr. CLAY.

H.R. 280: Mr. SARBANES.

H.R. 281: Mr. BRADY of Pennsylvania.

H.R. 301: Mr. SENSENBRENNER.

H.R. 303: Mr. ROSS, Mr. BACHUS, and Mr. LOBIONDO.

H.R. 318: Mr. ROYCE.

H.R. 321: Ms. ESHOO and Ms. GABBARD.

H.R. 324: Mr. MCINTYRE and Mr. CASSIDY.

H.R. 335: Mr. WALDEN, Mr. RICE of South Carolina, Mr. RODNEY DAVIS of Illinois, Mr. HASTINGS of Florida, and Mr. GIBBS.

H.R. 352: Mr. DESANTIS, Mr. SCHWEIKERT, Mr. BENTIVOLIO, and Mr. LAMALFA.

H.R. 359: Mr. LOBIONDO.

H.R. 360: Mr. DAVID SCOTT of Georgia, Ms. WILSON of Florida, Mr. HOLT, Mr. LARSEN of Washington, Mrs. NAPOLITANO, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CLEAVER, Mr. CLYBURN, Ms. EDWARDS, Mr. AL GREEN of Texas, Mr. HORSFORD, Mr. JEFFRIES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RANGEL, Mr. SCOTT of Virginia, Mr. VEASEY, Ms. SLAUGHTER, Ms. DEGETTE, Ms. FRANKEL of Florida, Ms. TITUS, Ms. BROWNLEY of California, Mr. HOYER, Ms. SINEMA, Mr. SCHNEIDER, Mr. MURPHY of Florida, Mr. MCNERNEY, Mr. DEUTCH, Ms. SCHAKOWSKY, Mr. MATHESON, Mr. CROWLEY, Mr. VAN HOLLEN, Mr. LARSON of Connecticut, Mr. TONKO, and Mr. CONNOLLY.

H.R. 366: Mr. CARTWRIGHT, Ms. KUSTER, Mr. PAULSEN, and Mr. WALBERG.

H.R. 377: Mr. BISHOP of Georgia, Mr. O'ROURKE, Mr. CROWLEY, Mr. GARCIA, Mr. MARKEY, Mr. THOMPSON of Mississippi, and Mr. VARGAS.

H.R. 416: Mr. ROKITA and Mr. WEBER of Texas.

H.R. 419: Mr. MCCAUL and Mr. JONES.

H.R. 447: Mr. ROKITA, Mrs. NOEM, Mr. KLINE, Mr. SENSENBRENNER, and Mr. SCALISE.

H.R. 454: Mr. PITTS and Mr. CARTWRIGHT.

H.R. 492: Mr. MESSER, Mr. JONES, Mr. SCHWEIKERT, Mr. BENTIVOLIO, Mr. BENISHEK, Mr. DESANTIS, and Mr. LAMALFA.

H.R. 493: Mr. MILLER of Florida, Mr. POE of Texas, Mr. HALL, and Mr. LIPINSKI.

H.R. 497: Mrs. BROOKS of Indiana, Mr. FITZPATRICK and Mr. MATHESON.

H.R. 503: Mr. BUTTERFIELD and Mr. ROKITA.

H.R. 517: Mr. RANGEL, Mr. POCAN, Mr. MORAN, and Mr. TAKANO.

H.R. 530: Mr. FITZPATRICK.

H.R. 540: Ms. ZOE LOFGREN.

H.R. 557: Mr. GRIFFIN of Arkansas.

H.R. 578: Mr. GRIFFIN of Arkansas, Mr. JORDAN, Mr. LAMALFA, Mr. BRADY of Texas, Mr. WALBERG, Mr. MEADOWS, and Mr. WILSON of South Carolina.

H.R. 580: Mr. GERLACH, Mr. BISHOP of Utah, and Mr. PEARCE.

H.R. 582: Mr. HALL, Mr. POSEY, and Mr. DUNCAN of Tennessee.

H.R. 583: Mrs. DAVIS of California.

H.R. 584: Mr. LIPINSKI, Ms. ZOE LOFGREN, Mr. GEORGE MILLER of California, and Mr. BLUMENAUER.

H.R. 588: Ms. GABBARD, Mr. RYAN of Ohio, and Mr. SCHIFF.

H.R. 597: Mrs. NAPOLITANO.

H.R. 612: Mr. MARINO.

H.R. 618: Mr. MCGOVERN.

H.R. 627: Ms. MCCOLLUM, Mr. TIBERI, Ms. BORDALLO, Mr. FARR, and Mr. LANCE.

H.R. 629: Ms. ROYBAL-ALLARD.

H.R. 636: Mr. MCINTYRE, Mr. KILMER, Ms. DELBENE, Mr. MURPHY of Florida, Mr. SCHIFF, Mr. PETERS of Michigan, Mr. O'ROURKE, Ms. TITUS, Mr. LANGEVIN, Mr. HUFFMAN, Mr. VARGAS, Mr. BARBER, Mr. LEVIN, Mr. WELCH, Mr. HECK of Washington, and Mr. LOWENTHAL.

H.R. 661: Mr. HOLT, Mr. GRIJALVA, and Mr. RUSH.

H.R. 673: Mr. HUIZENGA of Michigan, Mr. MESSER, Mr. WOLF, and Mr. REED.

H.R. 675: Mr. GEORGE MILLER of California.

H.R. 676: Mr. HOLT, Mr. LEWIS, and Mr. SCOTT of Virginia.

H.J. Res. 11: Mr. NUNNELEE.

H.J. Res. 25: Ms. GABBARD and Mrs. NAPOLITANO.

H.J. Res. 26: Mr. POSEY.

H. Con. Res. 3: Mr. BENISHEK.

H. Res. 11: Mr. COHEN, Mr. GRAYSON, Mr. HUFFMAN, and Mr. POCAN.

H. Res. 12: Mr. GRAYSON, Mr. HUFFMAN, and Mr. POCAN.

H. Res. 24: Mr. HARPER, Mr. CASSIDY, and Mrs. ROBY.

H. Res. 30: Ms. CLARKE, Mr. REED, Ms. ZOE LOFGREN, Ms. GABBARD, Mrs. LOWEY, Mr. LYNCH, Mr. THOMPSON of California, and Mr. POCAN.

H. Res. 36: Mr. JONES and Mr. SCALISE.

H. Res. 51: Mr. COURTNEY and Mr. TAKANO.

H. Res. 65: Mr. POE of Texas, Mr. CHABOT, Mr. FRANKS of Arizona, Mr. KINZINGER of Illinois, Mr. RADEL, Mr. ISRAEL, Mr. HOLDING, Mr. MESSER, Mr. DUNCAN of South Carolina, Mr. PASCRELL, Mr. SHERMAN, Ms. ROS-LEHTINEN, Mr. TURNER, Mr. KELLY, Mr. SMITH of New Jersey, Mr. PERRY, Mr. COLLINS of Georgia, Mr. YOHO, and Mr. COOK.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 273

OFFERED BY: MR. VAN HOLLEN

AMENDMENT NO. 1: Page 2, after line 11, add the following:

SEC. 2. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act (excluding section 1) may be cited as the ''Balanced Approach to Deficit Reduction''.

(b) TABLE OF CONTENTS.—

Sec. 2. Short title; table of contents.

TITLE I—BUDGET PROCESS AMENDMENTS TO REPLACE FISCAL YEAR 2013 SEQUESTRATION

Sec. 101. Repeal and replace the 2013 sequester.

Sec. 102. Protecting veterans programs from sequester.

TITLE II—AGRICULTURAL SAVINGS

Sec. 201. One-year extension of agricultural commodity programs, except direct payment programs.

TITLE III—OIL AND GAS SUBSIDIES

Sec. 301. Limitation on section 199 deduction attributable to oil, natural gas, or primary products thereof.

Sec. 302. Prohibition on using last-in, first-out accounting for major integrated oil companies.

Sec. 303. Modifications of foreign tax credit rules applicable to major integrated oil companies which are dual capacity taxpayers.

TITLE IV—THE BUFFETT RULE

Sec. 401. Fair share tax on high-income taxpayers.

TITLE V—SENSE OF THE HOUSE

Sec. 501. Sense of the House on the need for a fair, balanced and bipartisan approach to long-term deficit reduction.

TITLE I—BUDGET PROCESS AMENDMENTS TO REPLACE FISCAL YEAR 2013 SEQUESTRATION

SEC. 101. REPEAL AND REPLACE THE 2013 SEQUESTER.

(a) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DISCRETIONARY SPENDING.—Section 251A(7)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

(b) ELIMINATION OF THE FISCAL YEAR 2013 SEQUESTRATION FOR DIRECT SPENDING.—Any sequestration order issued by the President under the Balanced Budget and Emergency Deficit Control Act of 1985 to carry out reductions to direct spending for fiscal year 2013 pursuant to section 251A of such Act shall have no force or effect.

(c) SAVINGS.—The savings set forth by the enactment of title II shall achieve the savings that would otherwise have occurred as a result of the sequestration under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. PROTECTING VETERANS PROGRAMS FROM SEQUESTER.

Section 256(e)(2)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985 is repealed.

TITLE II—AGRICULTURAL SAVINGS

SEC. 201. ONE-YEAR EXTENSION OF AGRICULTURAL COMMODITY PROGRAMS, EXCEPT DIRECT PAYMENT PROGRAMS.

(a) EXTENSION.—Except as provided in subsection (b) and notwithstanding any other provision of law, the authorities provided by each provision of title I of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1651) and each amendment made by that title (and for mandatory programs at such funding levels), as in effect on September 30, 2013, shall continue, and the Secretary of Agriculture shall carry out the authorities, until September 30, 2014.

(b) TERMINATION OF DIRECT PAYMENT PROGRAMS.—

(1) COVERED COMMODITIES.—The extension provided by subsection (a) shall not apply with respect to the direct payment program under section 1103 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713).

(2) PEANUTS.—The extension provided by subsection (a) shall not apply with respect to the direct payment program under section 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7953).

(c) EFFECTIVE DATE.—This section shall take effect on the earlier of—

(1) the date of the enactment of this Act; and

(2) September 30, 2013.

TITLE III—OIL AND GAS SUBSIDIES

SEC. 301. LIMITATION ON SECTION 199 DEDUCTION ATTRIBUTABLE TO OIL, NATURAL GAS, OR PRIMARY PRODUCTS THEREOF.

(a) DENIAL OF DEDUCTION.—Paragraph (4) of section 199(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(E) SPECIAL RULE FOR CERTAIN OIL AND GAS INCOME.—In the case of any taxpayer who is a major integrated oil company (as defined in section 167(h)(5)(B)) for the taxable year, the term 'domestic production gross receipts' shall not include gross receipts from the production, transportation, or distribution of oil, natural gas, or any primary product (within the meaning of subsection (d)(9)) thereof.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after December 31, 2013.

SEC. 302. PROHIBITION ON USING LAST-IN, FIRST-OUT ACCOUNTING FOR MAJOR INTEGRATED OIL COMPANIES.

(a) IN GENERAL.—Section 472 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(h) MAJOR INTEGRATED OIL COMPANIES.—Notwithstanding any other provision of this section, a major integrated oil company (as defined in section 167(h)(5)(B)) may not use the method provided in subsection (b) in inventorying of any goods.''.

(b) EFFECTIVE DATE AND SPECIAL RULE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to taxable years ending after December 31, 2013.

(2) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by the amendment made by this section to change its method of accounting for its first taxable year ending after December 31, 2013—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account ratably over a period (not greater than 8 taxable years) beginning with such first taxable year.

SEC. 303. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) SPECIAL RULES RELATING TO MAJOR INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

''(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a major integrated oil company (as defined in section 167(h)(5)(B)) to a foreign country or possession of the United States for any period shall not be considered a tax—

''(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

''(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

''(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

''(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

''(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term 'dual capacity taxpayer' means, with respect to any foreign country or possession of the United States, a person who—

''(A) is subject to a levy of such country or possession, and

''(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

''(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'generally applicable income tax' means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

''(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

''(i) persons who are not dual capacity taxpayers, and

''(ii) persons who are citizens or residents of the foreign country or possession.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHELD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

TITLE IV—THE BUFFETT RULE

SEC. 401. FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS.

(a) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART VII—FAIR SHARE TAX ON HIGH-INCOME TAXPAYERS

''SEC. 59B. FAIR SHARE TAX.

''(a) GENERAL RULE.—

''(1) PHASE-IN OF TAX.—In the case of any high-income taxpayer, there is hereby imposed for a taxable year (in addition to any other tax imposed by this subtitle) a tax equal to the product of—

''(A) the amount determined under paragraph (2), and

''(B) a fraction (not to exceed 1)—

''(i) the numerator of which is the excess of—

''(I) the taxpayer's adjusted gross income, over

''(II) the dollar amount in effect under subsection (c)(1), and

''(ii) the denominator of which is the dollar amount in effect under subsection (c)(1).

''(2) AMOUNT OF TAX.—The amount of tax determined under this paragraph is an amount equal to the excess (if any) of—

''(A) the tentative fair share tax for the taxable year, over

''(B) the excess of—

''(i) the sum of—

''(I) the regular tax liability (as defined in section 26(b)) for the taxable year,

''(II) the tax imposed by section 55 for the taxable year, plus

''(III) the payroll tax for the taxable year, over

''(ii) the credits allowable under part IV of subchapter A (other than sections 27(a), 31, and 34).

''(b) TENTATIVE FAIR SHARE TAX.—For purposes of this section—

''(1) IN GENERAL.—The tentative fair share tax for the taxable year is 30 percent of the excess of—

''(A) the adjusted gross income of the taxpayer, over

''(B) the modified charitable contribution deduction for the taxable year.

''(2) MODIFIED CHARITABLE CONTRIBUTION DEDUCTION.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The modified charitable contribution deduction for any taxable year is an amount equal to the amount which bears the same ratio to the deduction allowable under section 170 (section 642(c) in the case of a trust or estate) for such taxable year as—

''(i) the amount of itemized deductions allowable under the regular tax (as defined in section 55) for such taxable year, determined after the application of section 68, bears to

''(ii) such amount, determined before the application of section 68.

''(B) TAXPAYER MUST ITEMIZE.—In the case of any individual who does not elect to itemize deductions for the taxable year, the modified charitable contribution deduction shall be zero.

''(c) HIGH-INCOME TAXPAYER.—For purposes of this section—

''(1) IN GENERAL.—The term 'high-income taxpayer' means, with respect to any taxable year, any taxpayer (other than a corporation) with an adjusted gross income for such taxable year in excess of $1,000,000 (50 percent of such amount in the case of a married individual who files a separate return).

''(2) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of a taxable year beginning after 2014, the $1,000,000 amount under paragraph (1) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—If any amount as adjusted under subparagraph (A) is not a multiple of $10,000, such amount shall be rounded to the next lowest multiple of $10,000.

''(d) PAYROLL TAX.—For purposes of this section, the payroll tax for any taxable year is an amount equal to the excess of—

''(1) the taxes imposed on the taxpayer under sections 1401, 1411, 3101, 3201, and 3211(a) (to the extent such taxes are attributable to the rate of tax in effect under section 3101) with respect to such taxable year or wages or compensation received during the taxable year, over

''(2) the deduction allowable under section 164(f) for such taxable year.

''(e) SPECIAL RULE FOR ESTATES AND TRUSTS.—For purposes of this section, in the case of an estate or trust, adjusted gross income shall be computed in the manner described in section 67(e).

''(f) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter (other than the credit allowed under section 27(a)) or for purposes of section 55.''.

(b) CONFORMING AMENDMENT.—Section 26(b)(2) of such Code is amended by redesignating subparagraphs (C) through (X) as subparagraphs (D) through (Y), respectively, and by inserting after subparagraph (B) the following new subparagraph:

''(C) section 59B (relating to fair share tax),''.

(c) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Part VII—Fair Share Tax on High-Income Taxpayers''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

TITLE V—SENSE OF THE HOUSE

SEC. 501. SENSE OF THE HOUSE ON THE NEED FOR A FAIR, BALANCED AND BIPARTISAN APPROACH TO LONG-TERM DEFICIT REDUCTION.

(a) The House finds that—

(1) every bipartisan commission has recommended – and the majority of Americans agree – that we should take a balanced, bipartisan approach to reducing the deficit that addresses both revenue and spending; and

(2) sequestration is a meat-ax approach to deficit reduction that imposes deep and mindless cuts, regardless of their impact on vital services and investments.

(b) It is the sense of the House that the Congress should replace the entire 10-year sequester established by the Budget Control Act of 2011 with a balanced approach that would increase revenues without increasing the tax burden on middle-income Americans, and decrease long-term spending while maintaining the Medicare guarantee, protecting Social Security and a strong social safety net, and making strategic investments in education, science, research, and critical infrastructure necessary to compete in the global economy.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, THURSDAY, FEBRUARY 14, 2013 No. 24

Senate

The Senate met at 10 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by the guest Chaplain, Rev. Edward T. Kelaher, of All Saints Church, Chevy Chase, MD.

The guest Chaplain offered the following prayer:

Let us pray.

Father God, You alone are the sovereign Lord of this great Nation. Send Your Spirit among the men and women of this Chamber that Your will on Earth may be done as it is in Heaven.

People suffer, children hunger, laborers strain under their burdens, and those without a voice cry out in silence. Yet we stand before You at risk of doing little or nothing to comfort and relieve them unless our hearts are yielded to You alone. There is nothing we can do without You.

Give our Senators wisdom beyond human understanding, courage beyond their human hearts, and a sense of urgency and benevolence that matches Your own. Lord, as You hear the cries and prayers of Your people, enable our leaders by Your Holy Spirit to hear likewise in humility and charity.

We pray these words in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BRIAN SCHATZ led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 14, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Following my remarks, the Senate will resume consideration of the nomination of Senator Hagel to be Secretary of Defense.

Yesterday I filed cloture on the Hagel nomination. That vote will occur tomorrow morning.

HAGEL NOMINATION

Mr. REID. Mr. President, in less than 2 hours our country will be without a Secretary of Defense at a time when we have a war going on in Afghanistan and about 70,000 troops there. We have a nuclear weapon which was detonated in North Korea a few days ago. They are threatening, as they have publicly on other occasions, but after this bomb was set off, that they are doing it to attack us. We have this situation in Iran with all their very militaristic statements against us.

All over the world America is involved in matters dealing with our military. I met the night before last in my office with the man who killed Osama bin Laden. I talked to him about his 16-year career as a SEAL and the places he went around the world protecting the interests of the United States. It wasn't just in Afghanistan, not only in Pakistan, but all over the world.

To think we have now in the Senate a situation where we are going to wind up without a Secretary of Defense at this time. We had all the talk—you know, we have some questions about Senator Hagel.

Keep in mind he is a Republican. They say: We have some questions to ask. But publicly a significant number of Republican Senators have said they would not filibuster.

Remember, there has never in the history of the country been a filibuster of a Defense Secretary nominee—never.

I needed to file cloture. Not all the shows, but a number of shows, attacked me last night. They said: We told REID and all these people we shouldn't have agreed to the rules changes because this is what we have going on.

I am ignoring that, but it is shocking that my Republican colleagues would leave the Nation without a fully empowered Secretary of Defense during all the things we have going on in the world, including a war. Several of my colleagues requested a letter from the President. A letter was sent at their request to the chairman of the committee, which is standard procedure, with Senator LEVIN answering all their questions.

They said: We need that letter so we may vote. One stall after another. I am told now that the letter was sent to the chairman of the committee, and that is not good enough. They want it sent to individual Senators.

This isn't high school getting ready for a football game or some play that is being produced at high school, we are trying to confirm somebody to run the defense of our country, the military of

● 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 country. That letter was received yesterday about 4 o'clock, and now they have indicated they want something else.

A committee of jurisdiction, the Armed Services Committee, has extensive information on Chuck Hagel. They have as much information that is available on the Benghazi situation: testimony from administration officials, from multiple committees, and from an independent review board. Secretary Clinton testified; Secretary Panetta, who is going to be leaving his job in less than 2 hours; Chairman of the Joint Chiefs, Martin Dempsey; and others have all testified regarding the attack that claimed four American lives. Chuck Hagel had nothing to do with the attack in Benghazi. Stating the administration hasn't been forthcoming is outlandish.

There are serious consequences to this delay, consequences that are occurring right now.

The President is making some important decisions about Afghanistan. He announced to the world just a day or two ago that 34,000 troops will be coming home during the next year from Afghanistan. We are negotiating with the Afghan Government regarding how we will support them beyond 2014. Negotiations are going on right now.

I heard today from former Senator John Kerry that he is headed for the Middle East. Why? Syria. That is something else the Secretary of Defense has to be concerned about.

Next week while we are on recess—while we are on recess—they are having a NATO Defense Ministers meeting in Brussels about what to do to coordinate our approach on Afghanistan and the rest of our obligations as members of NATO. It is going to be somewhat unusual that the United States isn't represented by the Secretary of Defense. We will not have one if we don't get this done this week.

I am sure they are going to focus on how to end the war responsibly in Afghanistan, how our alliance will work together through the time of transition, and how we can ensure Afghanistan doesn't become a safe haven for al-Qaida again. We need a Secretary of Defense at that meeting. It sends a terrible signal to the hundreds of thousands of troops we have around the world and the military personnel in the United States that we are not going to have a Secretary of Defense.

Republicans are telling our troops: Well, you may have a leader later. What is going on in Europe, the Brussels conference, doesn't really matter.

It sends a terrible signal not only to our military personnel but to the world.

He has answered exhaustive questions about his record. He has the support of the President of the United States.

I heard a lot of speeches from the other side saying the President should have the right to choose whomever he wants. He has the support of this body, the majority vote in this body, and this democracy. We are a nation at war. We are, whether we like it or not, the world's indispensable leader. We are.

For the sake of our national security it is time to put aside this political theater, and that is what it is. People are worried about primary elections. We know how the tea party goes after Republicans when they aren't conservative enough. Is that something they need to have on their resume: I filibustered one of the President's nominees? Is that what they want?

The filibuster of Senator Hagel's nomination is unprecedented. I repeat, not a single nominee for Secretary of Defense of our country has ever been filibustered—never, ever. As we all know, in a matter of days across-the-board cuts are going to take place, and it will affect defense to the tune of $600 billion. Wouldn't it be nice if we had a Secretary of Defense to work things out?

Leon Panetta, after more than 30 years of service to this country—Congress, chairman of the Budget Committee, OMB, the President's Chief of Staff, head of the CIA, Secretary of Defense—after all these years has gone home to his farm, his family in California.

We do not have, as of 12 o'clock today, a Secretary of Defense. These across-the-board cuts are going to be very difficult. The Pentagon needs a leader to oversee and manage historic cuts and ensure they are made in a responsible way.

A moment about Hagel. He was an enlisted man in the Vietnam war. He didn't have to go; he enlisted. The story of Senator Hagel is not a legend, it is true. He was a heroic warrior. He was an infantryman. He saved his brother's life.

When he was a Senator here the picture he had was of him and his brother in Vietnam on a personnel carrier. He is proud of his service. He should be. He was wounded two times, an infantry squad leader, and a man of integrity and dedication who has a deep understanding of our national security establishment. This came not only from his military service but as a Senator, a member of the Foreign Relations Committee, and a member of the Intelligence Committee. He has been a member of the President's Foreign Intelligence Advisory Board.

At a time when America faces so many threats—I have outlined just a few of them—all across the world our Nation needs a man of Senator Hagel's combination of strategic and personal knowledge. We need a Secretary of Defense. It is tragic that they have decided to filibuster this qualified nominee. It is really unfortunate.

RECOGNITION OF THE MINORITY LEADER

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

A FAMILIAR SCENARIO

Mr. MCCONNELL. In just 15 days significant across-the-board cuts are set to take effect unless the President and the Senate Democrats come up with a plan to replace them with smarter, targeted spending reductions. The President and the Senate majority have known about this deadline for more than a year. Yet here we are just days before the so-called sequester is set to hit, and a familiar scenario is playing out once again. It goes something like this:

Phase 1. Republicans identify a challenge and actually propose a solution.

Phase 2. Liberals sit on their hands until the last minute.

Phase 3. They offer some gimmicky tax hike designed to fail and then blame everybody else when it does.

Phases 1 and 2 have gone exactly according to plan. House Republicans proposed and passed plans to replace the sequester months ago. As if on cue, Senate Democrats have doggedly refused to consider any of them, much less offer any of their own. Here we are again at phase 3. That means it is now time for them to swoop in with the gimmick.

That is why our friends on the other side have been huddled behind closed doors with pollsters and PR spinmeisters. They have been busy devising the most appealing-sounding tax hikes they can think of.

Don't believe me? Just watch what happens now. Later today, Senate Democrats are expected to roll out the gimmick. Remember, this is not a solution. Even they know it can't pass. But that is the idea. It is a political stunt designed to mask the fact they have offered no solutions and don't plan to offer any solutions. It is a total waste of time.

For nearly 2 months, I have been coming to the floor to ask Senate Democrats to work with us on a bill that could pass both Houses of Congress. If they were the least bit serious about a solution, they have had more than a year to write a bill in committee, bring it to the floor, vote on amendments, get it to the House and fix this.

Instead, they have waited right up until the moment of crisis, just as they always do, and then they get together not with the goal of finding a solution but to hatch an escape plan aimed at making Republicans look like the bad guys. Their whole goal here isn't to solve the problem, it is to have a show vote that is designed to fail, call it a day, and wait for someone else to pick up the pieces.

My message this morning is quite simple: There won't be any easy off-ramps on this one. The days of eleventh hour negotiations are over. Washington Democrats have gotten used to Republicans bailing them out of their own lack of responsibility. But those days have passed. Look, they run the Senate; they run the White House. It is time they started acting like it.

As a first step, Senate Democrats need to honor their pledge to return to regular order. Legislation that passes through this Chamber should be written with input from both parties. It should get a fair public vetting in committee, and Senators should get a chance to offer amendments. Just yesterday, the President's own Treasury nominee called for a return to regular order.

So it is time for the President and Senate Democrats to put the games and gimmicks aside. It is time they stopped waiting until the last minute to get things done around here. People are tired of it. I know my constituents in Kentucky are certainly tired of it. They have had enough of the political theater. It is time to put the stunts aside and actually work on real solutions. That is what we were sent here to do, and we should do it.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

EXECUTIVE SESSION

NOMINATION OF CHARLES TIMOTHY HAGEL TO BE SECRETARY OF DEFENSE

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read as follows:

Department of Defense. Nomination of Charles Timothy Hagel, of Nebraska, to be Secretary.

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

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

Mr. LEVIN. Mr. President, it has been suggested that the Senate should not move forward with Senator Hagel's nomination, alleging he has not complied with requests that he produce speeches. In fact, the standard committee questionnaire requires nominees to provide a copy of ''any formal speeches you have delivered during the last 5 years of which you have copies.'' Senator Hagel complied with this requirement before his hearing 2 weeks ago.

Before the hearing, a number of requests were received from Republican Members that Senator Hagel seek and obtain and provide to the committee some transcripts of additional speeches. In fact, hundreds of pages of transcripts were, in fact, supplied to the committee before the hearing, in addition to those he had submitted in response to the committee questionnaire.

Since then, we have received two additional requests for specific speeches, and in each case we forwarded to Senator Hagel the requests. He sought and provided transcripts of speeches for which he had no prepared remarks and of which he had no copies. So he has responded to those requests, and where he was able to obtain a transcript or a video of the speech from the organization he addressed, he provided a copy. Where no such materials existed, he told us that was the case.

Senator Hagel was informed that a video of his remarks existed in one of those cases but that the organization had been unable to find it. The organization has now located the video, and it will be provided to the majority and minority staffs of the committee today.

In the last few days there has been some finding of transcripts or videos that have surfaced on the Internet—a handful of 2008 and 2009 speeches that Senator Hagel did not recollect. So I ask unanimous consent that a list of links to the Web transcripts or Web videos and a list of Senator Hagel's potentially relevant Senate speeches that are a part of the CONGRESSIONAL RECORD from 2008 be printed in the RECORD immediately following my remarks.

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

(See exhibit 1.)

Mr. LEVIN. Mr. President, Senator Hagel stated in his financial disclosure that he received $200,000 from Corsair Capital, which is a private equity firm, and he was a member of its advisory board. It has been alleged that Senator Hagel failed to provide complete financial disclosure, despite the admitted lack of evidence of any kind, and a highly negative innuendo was dropped by one of our colleagues which said that, and I quote, ''it is, at a minimum, relevant to know if that $200,000''—referring to those fees from Corsair Capital—''that [Senator Hagel] deposited in his bank account came directly from Saudi Arabia, [or] . . . from North Korea. . . .'' Without any evidence of any kind, that kind of innuendo has been dropped here. It is inappropriate, unfair, untrue.

Senator Hagel has provided the same financial disclosure and met the same conflict of interest standards that the committee requires of all previous nominees. As I explained in a February 8, 2013, letter to my ranking member, Senator INHOFE:

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 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 [Armed Services] 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.

And I added:

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. . . . The committee cannot have two different sets of financial disclosure standards for nominees—one for Senator Hagel and one for other nominees.

As required by the Senate Armed Services Committee and by the Ethics in Government Act, Senator Hagel 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 asks whether during the last 10 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.'' And Senator Hagel's answer was ''No.''

Mr. LEAHY. Mr. President, will the distinguished chairman of the Armed Services Committee yield for a question?

Mr. LEVIN. I will be happy to.

Mr. LEAHY. Mr. President, I have listened to the recitation. Basically what the Senator is saying is that all the rules that were in place for nominees to the Department of Defense under Republican Presidents are being followed for Senator Hagel. But there are some who want to go beyond those and create new rules beyond those for Vice President Cheney when he was Secretary or Donald Rumsfeld or Gates or any of the other Secretaries of Defense. The Senator is saying some now want to do something different for this nominee of President Obama's than the practices they found totally acceptable for the nominees of President Bush?

Mr. LEVIN. The Senator is correct. A number of our colleagues have made that demand, and it is simply not something on which we are going to set a precedent. It is not the way to proceed in this body.

Mr. LEAHY. I stand with the Senator from Michigan. In the Judiciary Committee, we follow the same procedure for our judicial nominees regardless of the party of the President who nominates them. If we begin switching the rules depending upon who is President—well, if we think the American public holds Congress in low esteem right now, it is going to get even

worse. So I compliment the Senator for sticking to the rules.

Mr. LEVIN. Mr. President, I thank my good friend from Vermont.

Just to complete my statement on the financial part, this is relative to the fees he received when he was on the advisory board of Corsair Capital.

This is a company he does not control. He is not in a position to require that it disclose anything. The other members of the advisory board—all of whom are identified, by the way, on the company's Web site—include the chairman of JPMorgan Chase International, who is a laureate of the 2002 Israel Prize in Economics and a recipient of the Scopus Award from Hebrew University. Other members of the advisory board: the former director of investments for Yale University and the former chairman of the Financial Services Authority, which is responsible for regulating the insurance industry in the United Kingdom. So the innuendo that Corsair Capital is somehow a puppet entity that is funneling tainted money to members of its advisory board is unfair. It is totally inappropriate.

Senator INHOFE said yesterday that he is not filibustering this nomination. He is just insisting on a 60-vote requirement for Senate approval. And he said it is not unusual to insist on 60 votes for the approval of a nominee and this was done during the Bush administration for the nomination of Stephen Johnson to be EPA Administrator and the nomination of Dirk Kempthorne to be Secretary of the Interior.

Well, the Senate rules do not provide for 60-vote approval of nominations or any other matter. These rules establish a 60-vote requirement to invoke cloture and end debate. If 60 votes are required here, it is because there is filibuster. There is no 60-vote requirement for the approval of a nomination, and the two examples cited by Senator INHOFE actually prove this point. On the nomination of Stephen Johnson, cloture was invoked by a 61-to-37 vote on April 29, 2005. On the nomination of Dirk Kempthorne, cloture was invoked by an 85-to-8 vote on May 26, 2006. But—and this is the point—after the debate was ended by those votes on cloture, the nominations were confirmed by regular votes of this body. And those regular votes are either a voice vote or a majority vote on a rollcall vote.

So that history is, again, an example of how the Senate operates. Sixty votes is not required to approve a bill or approve a nomination. If a matter is being filibustered, 60 votes is required to end the debate, and then, if the debate is ended, there is a vote on a nomination or a bill.

No nomination for the position of Secretary of Defense has ever before been filibustered. This filibuster breaks new ground. The filibuster of a nomination for Secretary of Defense is the first one under any circumstances, and it is unwise. The Department is facing a budget crisis that was described as a 10 on a scale of 1 to 10 by the Chairman of the Joint Chiefs of Staff. So a filibuster at this time of a budget crisis is exceptionally ill-advised. Leaving the Department of Defense leaderless at a time when we are in an Afghan conflict, when North Korea has just exploded a nuclear device is exceptionally ill-advised. And perhaps most important, having a Department of Defense that does not have a new Secretary confirmed is unfair to the men and women in uniform. It sends them exactly the wrong message, as it does to our friends and our adversaries around the world.

Mr. President, I yield the floor.

EXHIBIT 1

ADDITIONAL SPEECHES AND EVENTS BY CHUCK HAGEL THAT ARE AVAILABLE ON THE INTERNET

December 4, 2008	Israeli Policy Forum Annual Event: ''In His Own Words: Sen. Chuck Hagel on the Middle East''.	http://mycatbirdseat.com/2012/12/35795-senator-chuck-hagel-keynote-speech-israel-policy-forum-annual-event/
May 16, 2009	Georgetown University Commencement Speech	http://commencement09.georgetown.edu?p=620
September 23, 2009	2009 McCarthy Lecture—College of Saint Benedict/Saint John's University	http://www.csbsju.edu/McCarthy-Center/McCarthy-Lecture/McCarthy-Lecture-Archieve/2009-Lecture-htm
October 2009	Gerald R. Ford School of Public Policy—University of MIchigan	http://www.fordschool.umich.edu/events/calendar/148/
May 28, 2012	50th Anniversary of the Vietnam War Commemoration	http://www.vietnamwar50th.com/media_center/the_honorable_chuck_hagel_memorial_day-2012_speech/

SPEECHES THAT SENATOR GAVE ON THE SENATE FLOOR IN 2008 THAT COULD BE RELEVANT TO HIS NOMINATION

February 28, 2008	Senate Floor Speech re: GI Bill
May 8, 2008	Senate Floor Statement re. Chief Master Sergeant Glenn Freeman
May 20, 2008	Senate Floor Speech—Feingold-Hagel bill establishing an independent Foreign Intelligence and Information Commission
May 20, 2008	Senate Floor Speech re. GI Bill
June 12, 2008	Senate Floor Speech—233rd Birthday of the United States Army
October 2, 2008	Senate Floor Speech—Farewell to the Senate

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

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

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

Mr. LEAHY. Mr. President, I applaud what Senator LEVIN has said about Senator Hagel. If you made a list of the qualifications of the perfect Secretary of Defense, it would look like the resume of Chuck Hagel. If you look past the partisan posturing of some, I think the American public supports his confirmation as Secretary of Defense.

I worry that this partisan posturing adds to the low opinion Americans have of both the House and Senate. This is not the way we should be doing the country's business.

I strongly support the nomination of Chuck Hagel to be Secretary of Defense and urge all Senators to support him. We are at a time of fiscal austerity. We all understand that. But we need a leader at the Pentagon, one who understands what it takes to maintain the strongest military force in the world.

Senator Hagel is a former enlisted soldier. He understands defense policy and practice from the ground up. He is the leader we need as Secretary of Defense. He is experienced by any measure. Like thousands of people he will lead at the Pentagon, he has earned a combat infantryman's badge. These qualifications are not abstract. He has two Purple Hearts from combat service in Vietnam. He still carries shrapnel in his body from those injuries.

On any issue having to do with the U.S. military, I have long valued the firsthand experience of Chuck Hagel. But this service alone is not what makes him qualified. He has been a leader in the public and private sectors. He cofounded Vanguard Cellular Systems, a successful cellular carrier in the 1980s and 1990s. He was president and CEO of the USO and the chief operating officer of the 1990 G7 Summit. He served as president of an investment bank, on the boards of some of the world's largest companies, and as a two-term U.S. Senator. He is clearly a qualified nominee.

Since his nomination was announced last month, some have questioned Senators Hagel's position on a number of issues—notably, his support for Israel. Well, as recently as his confirmation hearings, he has reaffirmed his long record of support for Israel. In January, Danny Ayalon, the Israeli Deputy Foreign Minister and former Israeli Ambassador to the United States, affirmed what he sees as Senator Hagel's commitment to the unique U.S.-Israeli relationship. As a member of the Foreign Relations Committee, Senator Hagel supported the authorization of almost $40 billion in aid to Israel. In a 2008 book, Senator Hagel wrote that, ''there will always be a special and historic bond with Israel exemplified by our continued commitment to Israel's

defense.'' He also wrote that that there can be no compromise on Israel's identity as a Jewish state. He has affirmed the U.S. commitment to Israel's security and Israel's right to defend itself against aggression. These are just a few examples, but by any objective measure, Senator Hagel is committed to the mutual interests of the United States and Israel.

Attacks suggesting that Senator Hagel is soft on Iran are also baseless. Through all my conversations with Senator Hagel, I have never once doubted his belief in the President's responsibility to build alliances and exhaust all available means to achieve our foreign policy goals through diplomacy. But he also believes that aggressive actions by us against a foreign government should be strategic. There is not a shred of evidence to support claims that he supports a nuclear Iran, or that he does not support the President's efforts—unilateral or multilateral—to bring Iran to the negotiating table over its nuclear program. He has reaffirmed that he believes in keeping all options on the table, including force if necessary, to prevent Iran from obtaining a nuclear weapon. Senator Hagel supports the sanctions against Iran already in place. He has affirmed the need to keep military action on the table. He supported the Iran Missile Proliferation Sanctions Act of 1997, the Iran Nonproliferation Act of 2000, and the Iran Freedom Support Act of 2006. Any assertion that Senator Hagel accepts Iran's nuclear program is false.

Then there are the bogus, inflammatory claims that Senator Hagel is soft on terrorism. Nothing could be further from the truth. He has not hesitated to call Hezbollah and Hamas what they are—terrorist organizations. He condemned Iran's support of Hezbollah and cosponsored the Senate resolution demanding that Hamas recognize Israel's right to exist. He also supported the Palestinian Anti-Terrorism Act of 2006, a multilateral effort to force Hamas to recognize Israel, renounce violence, disarm itself, and accept prior agreements with Israel.

I have traveled with Senator Hagel to different parts of the world, combat areas and areas of great security concern to the United States. I have sat in meetings with him as he spoke with our military and intelligence officials. Please excuse me if I am somewhat vague, since most of these meetings were of a highly classified nature, but I can say this: he asked tough questions and always kept the security interests of the United States foremost at hand with both U.S. security officials and also with the leaders of other countries. Senators who were with us of both parties commented to me afterward how impressed they were with the way Senator Hagel conducted these meetings.

In this time of talk of across the board budget cuts, some have suggested that Senator Hagel would recklessly weaken the defense budget. Nothing in Chuck Hagel's record supports that. He resigned as Deputy Administrator of the Veterans Administration over what he considered to be inappropriate budget cuts.

He opposes cuts that would weaken our security. He vigorously opposes sequestration, which has been rightly compared to cutting with a meat cleaver. Like Secretary Panetta and Secretary Gates, Chuck Hagel believes the Pentagon has a role to play in deficit reduction but not at the expense of keeping our military the preeminent fighting force in the world. He says that reductions must be smart and strategic. I agree. I am confident that our men and women in uniform will have no stronger advocate and that our Nation will have a solid defender in Chuck Hagel.

Senator Hagel, who has seen combat from the perspective of an enlisted member of our Armed Forces, sees our military as the last resort, not the first resort in international relations. Those who have been in combat, from President Eisenhower on until today, have taken that same position. No matter what any detractor may say, his is sound policy.

Matters of war and peace are matters of life and death. Those who sit in boardrooms or in easy chairs and say: Let's commit our soldiers here and our soldiers there—they are not the ones going. By and large, it is not their family members risking their lives. We need a Secretary of Defense who knows what it is like to go and to face combat and to be wounded. Should we commit our troops when it is necessary for our defense? Of course. That is why we have troops. But let's recognize that such decisions come at great human cost.

Senator Hagel, a decorated veteran who still walks with the shrapnel from his wounds in Vietnam, understands that a decision to go to war is a decision to send our sons and daughters, husbands and wives, fathers and mothers into harm's way. It is his deep, visceral understanding of this fact, his record of experience, his patriotism, and his dedication to this Nation that qualify him to be the next Secretary of Defense.

We should have the vote and confirm this patriotic American hero. Let's not hide behind a filibuster. Let's have the courage to vote yes or vote no. Do not hide behind parliamentary tricks. Do not vote maybe. The American people elected us to vote yes or vote no. When you want to set up a filibuster rule on something, you are basically saying: Let's vote maybe. That is hardly a profile in courage and certainly not the kind of courage we would expect from a Secretary of Defense. So vote yes or vote no. But however you vote, let's do it without delay. I will vote yes.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Indiana.

Mr. COATS. Mr. President, I ask unanimous consent to speak as in morning business.

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

MANDATORY SPENDING

Mr. COATS. Mr. President, earlier this week I outlined four main topics that I hoped to hear the President discuss in his State of the Union Address. Today, I would like to talk in more detail about one of those items and perhaps the most challenging—restructuring Medicare, Medicaid, and Social Security to preserve them for current and future generations.

In Washington, these three programs fall into the category of mandatory spending, meaning they are not contingent on annual congressional review or funding. Instead, they are based on formulas that have already been written into law, and therefore this spending occurs automatically, as if it is on autopilot. So, anyone who becomes eligible for the program based on the requirements in the law automatically qualifies for the benefits. We do not have the ability on a year-to-year basis to review or change this. We can only make structural changes and reforms to the program as necessary.

Today these items make up a majority of the government's annual budget. This is because when these programs were implemented they did not take into account the remarkable and wonderful increase in the lifespan of Americans, nor the impact of the post-World War II baby boom generation reaching the point of retirement age, which is now at the level of about 10,000 retirements each and every day of the year. That is putting an enormous strain on the overall budget and the amount in proportion to the budget that goes for funding these mandatory programs.

After World War II and after a long decade of depression, Americans saw a bright new future. They came home from the war. They began to start families. Millions upon millions of children were born in the post-war period up until the earlier 1960s. This is the so-called baby boom generation.

Initially, when they were born, certain industries came into play. If you were in the diaper business, suddenly you were in a boom business or cribs and strollers and then tricycles and bicycles. These children moved on to the age where they began to enter elementary school, and we built schools all over the country to accommodate this growth in our population working their way through the system. Then it was junior highs and then we needed to enlarge our high schools, and new colleges and universities sprung up across the land, too. Upon graduation, they found jobs, and it was time to start their own families—housing boomed.

Throughout the whole lifespan of this baby boom generation, there have been enormous economic changes to adapt to this massive amount of people working their way through life and becoming such an integral part of the American dream and American history.

We often talk now about this issue in cold hard facts because this generation

is reaching retirement age, moving into retirement and qualification, for Social Security and Medicare coverage in massive numbers—10,000 or more a day. But when we are talking about it in just cold hard facts and numbers, we tend to ignore the impact of these programs in a much more personal way on our American public.

Becoming eligible for the programs we are talking about means access to health care during a more difficult time of life. Perhaps you are no longer covered by your employer because you have made the decision to retire or reached retirement age. There are health care issues as we age that we wish did not happen, but they come on in ever-increasing intensity. It means grandparents having enough money to travel to see the kids and a new grandbaby. It means men and women who have worked hard all of their lives to provide for their families finally having the financial freedom to take some time off to retire.

Hoosiers and Americans all across this land have paid into the system all through their working years. They rely on these health and retirement security programs and their benefits. These are honest, hard-working men and women who have been told that if they made contributions through their paychecks to these programs, they would become eligible at a certain age for a certain standard of coverage. They expect to receive that. So, the challenge before us today is to make sure these benefits continue to be available to both current and future recipients. But, as we examine our Nation's current fiscal state, we all need to come to terms with the fact that these programs will not be available in their current form if we do not make some necessary changes.

The Heritage Foundation reports that mandatory spending has increased at almost six times faster than all other spending. In other words, spending on Medicare, Medicaid, and Social Security is growing faster than all of our spending on defense, education, infrastructure, medical research, food and drug safety, homeland security, and I do not begin to have the time to list all of the various functions of spending that go toward reaching out and meeting the needs of this country.

The nonpartisan Congressional Budget Office reported this month that spending on these programs and interest on the debt will consume 91 percent of all Federal revenues 10 years from now. Imagine our budget as being a big pie. It is cut in certain slices in terms of how much money is spent on defense, how much money is spent on mandatory programs, and the amount of money that is spent on all of the other functions in which the Federal Government is engaged. That part of the pie which provides for the automatically entitled mandatory spending benefits is growing at a rate that is unsustainable.

It is ever shrinking the defense and nondiscretionary part—everything else we spend money. We spend too much money on too many things so we are going to have to be very careful. I have talked about this many times of how we spend and allocate funds in the future.

Unless we address this runaway mandatory spending issue, we are not going to be able to have the funds to do even essential constitutionally mandated things, such as providing for our national security and making funds available for paving roads, health care research, education, or whatever else we feel is appropriate for our Federal Government to engage.

Furthermore, this mandatory spending has enormous impacts on our young people. In a recent New York Times column titled ''Carpe Diem Nation,'' David Brooks wrote about two ways spending on health and retirement programs not only threatens our economic growth but hurts young people. It squeezes government investment programs that boost future growth. Second, the young will have to pay the money back. To cover current obligations, according to the International Monetary Fund, young people will have to pay 35 percent more taxes and receive 35 percent fewer benefits.

This is the plight that exists. These are the cold hard facts. We have to deal with this math. Understanding how we deal with this directly affects people's lives, directly affects the benefits they rely on for their retirement and for their health care.

The challenge before us is to understand, if we don't do something, this 35-percent higher taxes and 35-percent fewer benefits on our young is not only unacceptable, I think it is, in my opinion, immoral. Immoral for our generation, for this Congress, and our executive branch to leave our children and grandchildren in such a position without doing something about it. The challenge before us and the goal this body should be striving for is finding common ground—not how to eliminate these programs but about how to save these programs while ensuring we have adequate resources to finance the essential and necessary functions of the Federal Government. This starts with our constitutional obligation to provide for the Nation's security, the security of the American public, as well as providing for the general welfare.

Republicans and Democrats and conservatives and liberals recognize we need to restructure Medicare, Medicaid, and Social Security if we are serious about putting this country on a sounder fiscal footing and if we are going to be able to keep these programs from becoming insolvent. Hopefully, there are Members on both sides of the political spectrum who agree we need to make the changes now in order to avoid more painful changes later.

We have been postponing this action and this needed legislative process for decades. It has always been too hot to handle. It is too politically damaging. It might put us in political jeopardy.

The President, in his State of the Union Address, said it is time we put the interests of our Nation ahead of our own personal political interests. I couldn't agree more. That is what we should always be doing. We have not done that when it comes to this critical issue, which has such an enormous impact on everything we do. It has such an enormous impact on people who have saved all their lives for the benefits they were promised when they retire or became a certain age or the young people in this country who are coming out of school, starting a family, getting a job, hoping to also participate in the American dream, owning a home, and raising a family. We have the freedom our country provides us in ways no other country ever has or perhaps ever will. We are so blessed to have been born in this country, to live in this country, and to have the freedom and the possibility of achieving our dreams.

All of those are in jeopardy if we don't address this situation. For decades now, we have known what is coming. We have seen a growth in our population of baby boomers moving through their entire lifecycle and are now reaching retirement age. We have postponed this over and over. We have come up with short-term solutions over and over and over and failed to come up with any long-term solutions over and over and over.

The time is now. We are at the point where if we don't do something now, the prediction of David Brooks is going to take place. Our young people are going to be saddled with ever-higher taxes to hold up a system that is going to only be able to deliver ever-lower benefits.

As we consider the right path to move forward, we need to acknowledge that any bipartisan congressional effort to reform and preserve these programs will be unsuccessful unless the President shows a willingness to get involved and engage fully in this effort. I believe he understands the magnitude of the issue because he has said: I refuse to leave our children with a debt they cannot repay.

We all want a government that lives within its means. We need to get our fiscal house in order now. We cannot kick this can down the road. We are at the end of the road, said the President of the United States in comments made when he was a Senator, comments made when he was a candidate for President, comments made when he was President during his first 4 years, and comments made subsequent to that, in his inaugural address, and in his recent State of the Union Address.

We need more than talk. We need engagement. We need an engagement of the President if we are going to make these difficult decisions to put our country on a better fiscal path and to save these programs for those who have put their hard-earned money and work into them and then not qualify for those benefits.

I would like to take this opportunity to remind the President of his repeated commitment to reduce our debt and deficit. I want to remind him of the many times he has spoken about the need to fix Medicare, Medicaid, and Social Security.

Now, Mr. President, what I would like to say is this: We need more than your soaring rhetoric. We need more than the promises you made. We need your direct engagement if we are going to address this fiscal crisis and essentially do what I think all of us know we need to do.

We basically have two options: we may continue with the status quo and wait until the moment that a crisis hits and we may no longer send out the checks; we must raise taxes once again to cover a program that should have received needed reforms or at the point where the programs become solvent. Or, the alternative is that we can come together and commit to the American people that we will act and no longer avoid or delay the challenging and necessary task of fixing these programs to save them for future generations.

I stand ready. I trust my colleagues stand ready to address this issue now, and we are asking you to stand with us. Let's do what we all know we need to do to restore our Nation's fiscal health, to save these programs from insolvency, to grow our economy, and get Americans back to work. The time is now.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am proud to stand here to support the nomination of Chuck Hagel as our next Secretary of Defense.

I believe he will be confirmed by this Chamber, I hope, on a bipartisan basis. He is, in fact, extraordinarily qualified for this position of unique trust and responsibility. That is the criterion we must apply. Is he qualified? We may have, probably each of us does have among us 100 Senators, someone whom we would make our first choice or a better choice or is the right person, in our view. That is not the question before us. It is whether he is qualified to be part of the President's team and to be held accountable for the policies the President sets.

Chuck Hagel is a decorated war veteran with two Purple Hearts. He is a highly successful businessman and entrepreneur and a real manager at a time when we need a manager in the Department of Defense.

He is a former colleague as a Member of this body, but he is also a former deputy head of the Veterans' Administration. He has given his life to public service and, most especially, to helping men and women in uniform while they serve this country in the military, and then when they come back to civilian life, helping them contribute and continue to give back to this Nation.

He is a Republican who has won the confidence of President Obama and whom President Obama has chosen to be a member of his team.

We speak, as Members of the Senate, about giving the President a measure of deference, a prerogative in making the selection about who will serve on his team because it is the President who sets policy. The President will set our policy on the Middle East and on Israeli security. Chuck Hagel has said he is committed, unequivocally, clearly, unambiguously, to the security of Israel and to whatever weapons systems are necessary to provide Israel in maintaining and sustaining that security, the Iron Dome, David's Sling, and other measures this Nation has committed to its great ally in the Middle East. This is an ally that is necessary not only to stability there and hopefully to peace but also to our national interests. Chuck Hagel may have made comments in the past that seemed to vary somewhat from the President's policy, but it is the President who sets that policy and whom we will hold accountable for that policy.

Likewise, on Iran, Chuck Hagel has said he is in favor of preventing a nuclear-armed Iran, not containing it but preventing it. Whatever his past says, it is the President who sets that policy. Chuck Hagel has indicated he is completely in accord with it, in support of it, and will implement it. Again, it is the policy of the President to prevent a nuclear-armed Iran, and we must in this body give support and encouragement to the President in being strong and tough, setting even stronger and tougher sanctions, and using the military option, if necessary, to stop a nuclear-armed Iran.

Going from policy to what I think is perhaps the unique challenge of the next Secretary of Defense, which is to attract and retain the best and the brightest to our military—we talk all the time about people being our greatest asset in the military. We have weapons systems that defy the imagination, let alone comprehension.

At the end of the day, the people who run those weapons systems, the people who staff and work every day to keep America safe, are the ones who are our greatest asset. At a time when we are bringing troops back from Afghanistan when Secretary-to-be, hopefully, Hagel, has indicated we ought to do it even more quickly, our greatest challenge will be to prevent the hollowing out of our military as has occurred in the wake of past conflict.

That hollowing out is not only about hardware and weapons; it is about the people who command and the people who run those weapons. We need to ensure we keep those midlevel officers and enlisted members who are so important to the leadership of our military. Chuck Hagel's leadership and commitment will be critical to that task.

I have met with Chuck Hagel privately. I asked him tough questions about Iran and Israel. I am satisfied on those points that he will advise the President in accord with those policies.

But even more important, I am struck by his passion and the intensity of his commitment to our men and women in uniform. His caring about them is indicated in so many ways—spontaneously and strongly in his testimony as well as in his private conversation. He will make sure that sexual assault in the military—the epidemic and scourge of rape and assault against men and women who serve and sacrifice for this country—will be stopped; that there will be, in fact, zero tolerance not only in word but in deed, and his viewing, for example, of the documentary ''Invisible War''—his understanding that this kind of misconduct is an outrage, never to be even complicitly condoned and to treat as a criminal offense the most extreme kind of predatory criminal activity is important to the future of our military and our men and women in uniform.

He is committed to making sure that women in combat—a policy of the President—is implemented forcefully and faithfully. He is committed to making sure the policy of repealing don't ask, don't tell is implemented zealously and vigorously. He is committed to making sure that our veterans—not only for our returning Iraq and Afghanistan veterans but also for the veterans of his own generation—our Vietnam veterans who had Post-Traumatic Stress at a time when it was undiagnosed and, in fact, unknown as a condition resulting from combat—have the benefit of policies and practices we are now implementing to deal with Post-Traumatic Stress and traumatic brain injuries.

He is also committed, equally importantly, to making sure the epidemic of suicide among our currently serving men and women in uniform and also our veterans is addressed forcefully. There are tragedies every day involving those suicides—families who lose loved ones and a country that loses a great public servant—and Chuck Hagel cares about those men and women. He will see a person in uniform not as simply an officer or an enlisted man but as someone who will soon be a veteran and become part of a continuum.

Chuck Hagel has served the VA as well as now in the Defense Department, and he will make sure the transition from active service to reservist service is seamless; that veterans are provided with the transition assistance they need for employment, education, and health care, and that our National Guard receives the respect and service it deserves.

I am convinced Senator Hagel's No. 1 priority will be taking care of our troops. He was a veteran's advocate with the USO, and he has won the respect and admiration of veterans groups. In addition, he has won the support of an extraordinary array of former Secretaries of Defense, ambassadors and diplomats, senior retired military leaders, and, in particular, two former Members of this body who appeared with him at his testimony, former Senators Warner and Nunn.

I believe Chuck Hagel is the right man for the fiscal challenges that will confront the Department of Defense. Putting aside sequester—which I dearly hope will not happen; Secretary Panetta has said it would be irresponsible for the Congress to allow it to happen, and many of us agree it must be avoided—and the challenges in the next month or series of months, the long-term outlook for the Department of Defense is that it must do more with less, and Secretary Hagel, if he is confirmed, will have that management task. He is one of the people in this country who is almost uniquely qualified to carry it out, and I believe he will, with great distinction. He will take care of our men and women in uniform and strengthen our national defense. He will do what he thinks is right, even if it is not popular.

Finally, Chuck Hagel is, as everyone has said, a good and decent man. And I thank in particular Senator MCCAIN for his very compelling and telling comments during our consideration before the vote in the Armed Services Committee. He said, and I agree, that no one should impugn Chuck Hagel's character. He is a person of integrity and character, and I believe he will have the respect at all levels of our defense—the men and women who serve and sacrifice every day, the men and women who are essential to our national security—and I recommend him and urge my colleagues to support him.

I respectfully hope he will be confirmed quickly and that it will be done on a bipartisan basis so we will be united—as our Armed Services Committee in this body is almost always united—in favor of the President's choice for this uniquely important responsibility.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Republican whip.

TIME TO GOVERN

Mr. CORNYN. Madam President, I rise to mark another sad record for the Senate: 1,387 days since the Senate has passed a budget—1,387 days.

The last time I checked the 2012 election was over, and of course it has been over for more than 3 months now. Unfortunately, the President still seems to be very much in campaign mode, giving speeches all around the country. For the time being, what we need, rather than a President on a perpetual campaign, is for Democrats and Republicans to work together to try and solve some of our Nation's most pressing problems, and there is no more important issue than our national debt.

Unfortunately, the President, after extracting about $600 billion in new taxes as a result of the fiscal cliff negotiations, is still coming back to the well, and he is calling for tens of billions of dollars in new spending. At a time when we ought to be talking about bending the cost curve down, trying to rein in wasteful Washington spending, the President wants to spend more, and he wants to raise taxes to do it.

Perhaps worst of all, we know the promises we made to our seniors for Medicare and Social Security are imperiled. Unless we act together to save and protect Social Security and Medicare, they are on a pathway to bankruptcy, and that is irresponsible and wrong.

I am tempted to describe President Obama's spending and tax ideas as small ball, but they are worse than that. They represent a conscious decision to neglect some of the most pressing issues that confront our country. One might even say it is a dereliction of duty in the battle to save America.

Last week, the Congressional Budget Office projected our gross national debt will increase from $16 trillion in 2012 to $26 trillion in 2023. Now that may seem like a long way off, but since President Obama has been President, the national debt has gone up by 55 percent—just in the last 4 years. If we project that forward to 2023, when some of these young men and women who are working here as pages will be looking at entering the workforce and looking at their futures, all they will see ahead of them is debt and a reduced standard of living. This is what lies ahead for all of us unless we embrace real spending cuts and unless we deal with the unfunded liabilities of Medicare and Social Security.

If President Obama has a secret strategy for getting our debt under control, we would all love to hear it. His last two budget proposals failed to receive a single vote in the Senate. The last 2 years his budget has actually been put to a vote, no Democrat voted for it and no Republican, because it simply didn't address the problems I have described. I hope this year is different. Unfortunately, the President has already missed the statutory deadline for submitting his own budget, which was February 4. I hope when he finally gets around to sending us his proposed budget it is a serious plan for long-term debt reduction. Based on experience, I can't say I am overly optimistic, but hope springs eternal.

I guess one of the things that worries me the most is that in the President's State of the Union message, which he so eloquently delivered a few nights ago, he didn't say one word about his 2014 budget—not one word. I would urge the President to take a long hard look at the new Congressional Budget Office report. I would urge him to launch serious bipartisan budget negotiations as soon as possible so we can avoid another last-minute cliffhanger and another 2 a.m. Senate vote.

Above all, I would urge the President to take a look at a balanced budget amendment to the U.S. Constitution that I have cosponsored along with all of my colleagues on this side of the aisle. That amendment would require the Federal Government to balance its budget each and every year.

Is that such a crazy idea? Well, no. That is what every family has to do. That is what every small business has to do. And that is what 49 States are required to do under their laws. This amendment to the Constitution would be the 28th amendment to the Constitution, including the first 10, which are, of course, our Bill of Rights. It would require a congressional supermajority to raise taxes or to raise the debt ceiling.

As I said a moment ago, families across America have to balance their budgets. And, of course, along with a budget brings the discipline of deciding what our priorities are—the things we have to have and we can't live without, the things we want but we have to defer, and then the things that maybe we would like to have but simply can't afford. Well, this number right here, 1,387 days since the Senate passed a budget, is one reason why our debt continues to go up by leaps and bounds, and there is no plan in sight to bring it under control.

Here is the bottom line for President Obama: The 2012 election is over, and now it is time to govern. It is time to move beyond the campaign rhetoric, drop the gimmicks and work across the aisle with Republicans to do what is right for the country. We are ready, willing, and able to engage with the President and our Democratic colleagues to try to address these problems that confront our country. In fact, there is no good reason for any of us to be here unless we are willing to do that.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, while the Senator from Texas is still on the floor, he knows I have a lot of respect and affection for him, and I am delighted to serve with him here and also to serve with him on the Finance Committee. I appreciate Senator SHAHEEN for letting me jump in for just a minute.

We agree on so much. We actually do. And not just the Senator and I but our colleagues here. And I think we fully recognize that although the deficit comes down from $1.5 trillion to about $850 billion or so, it is way too much. I think we also agree that one of the best ways to reduce the deficit is to strengthen and grow the economy.

I believe—and I think I heard the President say this the other night—there are three things we need to make sure we address.

One, we need to address—and the President said this—we need to address entitlement programs, not to savage old people or to savage poor people but to figure out how to get better health care results for less money to be able to preserve those programs for the long haul.

I think we will have an interesting proposal from Senator DURBIN later this year with respect to Social Security and putting it in a structured way, maybe a path forward on Social Security that makes it clear we are not trying to balance the budget on Social Security but actually do reforms that we

know are needed and I know are needed so we will have that program for the long haul.

I commend my side of the aisle, and I commend your side of the aisle. We acknowledge that we need some revenues, whether it is on the tax expenditure side, the deductions and loopholes and so forth, or finding other ways to raise revenue.

Third, we just came from a press conference this morning with Congressman ISSA, Congressman CUMMINGS, Senator COBURN, and myself to focus on the GAO and their high-risk list, high-risk ways for wasting money. That comes out today. Every 2 years they give us this high-risk list for how to find ways to save money and spend our tax dollars more efficiently.

We have all that working together, those three things: entitlement reform, some additional revenues, and actually looking in every nook and cranny to see how we can get a better result for less money. Those we can do together. My colleague and I have worked on some things together, and I want to work on those with the Senator, and I look forward to that. I think that if we do, a lot of our colleagues will join us.

Mr. CORNYN. Would the Senator yield for a question?

The PRESIDING OFFICER. The Republican Whip.

Mr. CORNYN. Madam President, I would like to tell the distinguished Senator from Delaware how much I appreciate him and his friendship, and it is genuine.

I guess the thing that is so maddening about serving in the Senate is that everyone in this body—the Senator from Delaware, the Senator from New Hampshire—everyone who serves in this body understands the problems that confront our country that he so eloquently described in terms of unfunded liabilities for Medicare and Social Security, which are on a path to bankruptcy, the debt, and just imagine, if interest rates were to go up, what that would mean in terms of our ability to fund everything from safety net programs to national defense.

But it never seems to happen. The date never seems to arrive when we actually sit down and address it. And I believe this number of days without a budget is really symptomatic of the problem. But thanks to our colleagues across the Capitol—who passed a ''no budget, no pay'' bill, which has now been signed by the President—unless Congress passes a budget, we are not going to get paid, which is entirely appropriate and long overdue.

So I would just say to my friend, and he is my friend, that I appreciate his comments. I hope someday soon we can find a way, Republicans and Democrats alike—that is the only way it is going to happen—I hope we can get serious about this. Unfortunately, it hasn't happened yet. I am an optimist. I think it can happen. But it is going to require Presidential leadership, and, frankly, that is one reason I wish the President would get off the campaign trail. Now that he has won—he has another 4-year term—he doesn't have to worry about running for election again, but then to work with us because that is the only way it is going to happen.

So I appreciate his comments and look forward to continuing to work with the Senator.

Mr. CARPER. Again, I thank Senator SHAHEEN and Senator HOEVEN for allowing us to have this colloquy.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I ask unanimous consent to speak as if in morning business.

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

REMEMBERING CHARLIE MORGAN

Mrs. SHAHEEN. Madam President, today I rise with a heavy heart because our Nation has lost one of its outstanding citizens and many of us have lost a dear friend.

Charlie Morgan, chief warrant officer of the New Hampshire National Guard, passed away early Sunday morning with her wife Karen and their daughter Casey by her side. Chief Charlie Morgan was just 48 years old. For those of us who had the pleasure of knowing Charlie, it has been a difficult week. However, as I rise today, I take comfort in the opportunity I had to share part of Charlie's life and work.

Many know Charlie for the national attention she received over the last several years advocating on behalf of her fellow gay servicemembers and their families. However, first and foremost, Charlie was a soldier. She enlisted in the U.S. Army in 1982. After a brief period away, Charlie returned to service as a member of the Kentucky National Guard in 1992, 1 year before the now-repealed don't ask, don't tell policy became law.

Following the terrorist attacks of September 11, 2001, Charlie returned for a third time, joining the 197th Fires Brigade of the New Hampshire National Guard, a tour that included a yearlong deployment in Kuwait.

In addition to the mental and emotional challenges of military service, Chief Warrant Officer Morgan shouldered the constant burden of keeping her life secret from her fellow soldiers. Married to her partner Karen in 2000, Charlie was unable to live openly under the military's don't ask, don't tell policy.

Immediately following the repeal of don't ask, don't tell, Charlie made national news as one of the first servicemembers to publicly confirm her homosexuality and shed light on many of the remaining inequalities faced by same-sex military families.

I first met Charlie in 2011. She contacted my office during her deployment in Kuwait when she learned that despite the repeal of don't ask, don't tell, her partner Karen of over 10 years would not be allowed to attend mandatory National Guard Yellow Ribbon Reintegration Programs upon her return. I was pleased to work with Secretary Panetta and the New Hampshire National Guard, which has been very supportive of Charlie, to ensure that she and her wife Karen would be able to participate in the program together.

However, as those of us who appreciated her determination understood, Charlie was not satisfied. She continued to vigorously pursue equal benefits for same-sex spouses, particularly survivors' benefits and compensation still denied under the Defense of Marriage Act. And this was not an abstract issue for Charlie. In 2011 she was diagnosed for a second time with breast cancer. Concerned for the future well-being of her family, Charlie took aim at DOMA by challenging its constitutionality in Federal court, and her case is set to be heard by the Supreme Court later this year.

Several days ago my office sent out an online condolence card to the Morgan family, and the response from that card has been overwhelming. In less than a week we received over 2,000 messages of support from citizens all across our country, and I would like to read just a couple of those this morning.

From Hobkinton, NH, we heard: Charlie is a hero to many of us. Thank you for making your lives public so others can live their lives privately in love.

From Oregon, we heard: Thinking of you in this time of loss. It is also a loss for our country, but she leaves a legacy that will carry on.

From Fulton, IL, we heard: Thank you so much, Charlie, for all you have done. You will not be forgotten, and your service, work, and legacy will live on. Those of us left behind will honor you by continuing on in this all-important fight for equality.

I hope Charlie Morgan knew how many lives she touched and how greatly we admired her efforts. I know that she will be sorely missed and that her example will continue to guide us well into the future.

With Charlie's memory in mind, I will soon be introducing the Charlie Morgan Act. This bill will end a number of restrictions on benefits for legal spouses of all military servicemembers and veterans regardless of their sexual orientation. Every individual who provides for our defense deserves the peace of mind that comes with knowing one's family will be taken care of should the worst happen. No one should ever again go through what Charlie and her family had to go through. I hope all of us in the Senate will take up this legislation and act quickly to address this issue. It is long overdue.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

KEYSTONE XL PIPELINE PROJECT

Mr. HOEVEN. Madam President, I rise today for the purpose of engaging in a colloquy with my distinguished colleagues on the matter of the Keystone XL Pipeline for 30 minutes.

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

Mr. HOEVEN. Madam President, I rise today with my distinguished colleagues, both Republican and Democratic, on a bipartisan basis to urge approval of the Keystone XL Pipeline.

Joining me today will be Senator MARY LANDRIEU from the great State of Louisiana, a Democrat; Republican Senator JOHN CORNYN from Texas; Republican Senator JOHN BOOZMAN from Arkansas; Democratic Senator JOE MANCHIN from West Virginia; Republican Senator JOHN BARRASSO from Wyoming; Democratic Senator MARK BEGICH from Alaska; and Republican Senator LISA MURKOWSKI, also from Alaska. I emphasize that to show the bipartisan support for this critically important project.

I also will have a statement from Senator MAX BAUCUS of Montana, who has been leading this effort with me, in his case on the Democratic side of the aisle. He wasn't able to be here, but I do have a statement from Senator BAUCUS that I will read as well, and I appreciate very much his statement of support.

You may have seen that the national gas price has now risen to an average of $3.62 per gallon. So the average price for gasoline today in the United States—and it continues to go up—is up to $3.62 a gallon. That is the highest it has ever been in the month of February. So that is a new record—not a record we want to make, either, but it is a record, the highest price for a gallon of gasoline in the United States that we have ever had in February.

If you take a look at that trend line, you will see it has been going up dramatically, and that price is double—$3.62 a gallon average across the country—that is double the price of gasoline compared to when this administration first took office. So it is a doubling of the price, and, of course, every consumer, every working American is paying that price at the pump. It affects our small businesses across the country, and it affects our families across the country every day.

There was a poll released yesterday that you may also have seen. The poll was commissioned by API, which is American Petroleum Institute, and was conducted February 5 through February 10 by Harris Interactive. They polled just over 1,000 registered voters, and so the poll has a margin of error of plus or minus 3 percent. In that poll, 69 percent of the respondents support construction of the Keystone XL Pipeline—69 percent—and 17 percent oppose it. So Americans overwhelmingly support the project—69 percent to 17 percent—in the most recent poll. And, of course, why wouldn't they.

This is a project which provides energy to our country when we very much need it. It is a project which will provide jobs—tens of thousands of jobs. We have 7.9 percent unemployment. We have 12 million people out of work. Here is a project that won't cost the Federal Government one single penny, but it creates tens of thousands of high-quality private sector jobs.

It is about economic growth. This is a $7.9 billion project. The project over its life will create hundreds of millions of dollars of tax revenue for State and local governments, as well as the Federal Government to help with our deficit and our debt without raising taxes—more tax revenue without raising taxes.

It is also about our energy security, energy security for America. Instead of bringing oil from the Middle East, this is about working with our closest friend and ally Canada to meet our energy needs. This pipeline will not only bring in Canadian oil, however. It also moves oil from my State of North Dakota and from the State of Montana to our refineries in places such as Texas and Louisiana and other places around the country. So this is about making sure we don't have to import oil from the Middle East, and I think that is something every American wants. That truly is an issue of national security.

It has been 4½ years since TransCanada—the company that is seeking to build the Keystone XL Pipeline—it has been 4½ years since they first applied for a permit. Here is a chart that shows the route the pipeline would take, and it shows that they had already built another pipeline. This is actually a second pipeline they are seeking to build. But after 4½ years, they still don't have approval of a project that is similar to other projects that have been built.

As a matter of fact, we have built quite a few pipelines through the country, and they go everywhere. For some reason this project has been held up for 4½ years when almost 70 percent of Americans support it. We need the energy, and we need the jobs. Why would that be?

There was a report in the news yesterday that actress Daryl Hannah and about 40 activists handcuffed themselves to the fence of the White House, and they were arrested for that. They were doing that in protest of the Keystone Pipeline project. Maybe that is where we should be today. Instead of our bipartisan group of Senators here in the Senate arguing the merits of this project and advocating for what the American people want, maybe we should be handcuffed to the White House fence because that seems to work.

It has been 4½ years, and we still don't have a decision. We still don't have approval from the administration on this project even though gas prices have doubled on this President's watch, even though the American people overwhelmingly support the project, even though we need the energy and the jobs. We don't want to keep importing oil from the Middle East, and that is why we are here. We are here on a bipartisan basis to make our case and to get this project approved.

I want to begin by recognizing a distinguished colleague and somebody who has been a real leader in the energy world and has a direct interest on behalf of his constituents in the great State of Texas concerning this project. We need to move oil to the refineries in Texas; we need to move oil—not only Canadian oil but oil from North Dakota, Montana—and we need to get it to refiners so we can get it to our consumers, so instead of seeing the price continue to go up, we can bring it down. I think that is what the American people want.

Perhaps the Senator from Texas can talk about the refining and jobs aspect of this multimillion-dollar project.

The PRESIDING OFFICER. The Republican Whip.

Mr. CORNYN. Madam President, I want to express my appreciation to the Senator from North Dakota for his leadership on this issue. He has been relentless in pursuit of this Presidential permit to authorize the Keystone XL Pipeline because he recognizes, as I do, that it is important in terms of jobs, energy security, and national security.

It has been said that because of the revolution in natural gas production in America, and as a result of horizontal drilling and fracking—combined with the energy we can get from the Keystone XL Pipeline from Canada—that North America could potentially be energy independent—North American energy independence—in the not-too-distant future.

The Senator from Louisiana is scheduled to be here as well. This is a bipartisan effort, as all successful efforts around here must be.

Before Senator LANDRIEU speaks, I want to talk about the Keystone XL Pipeline, which would create an estimated 20,000 American jobs in construction and manufacturing in my State, which still is the No. 1 energy-producing State in the Nation. As a result, job growth in Texas is outpacing most of the rest of the country. I would add that North Dakota is now the second largest energy producer in the country thanks to the Bakken shale efforts. In Texas alone the Keystone would lead up to $1.6 billion worth of direct investments and would boost our State's economic output by an estimated $2 billion. This would not only create thousands of long-lasting and well-paying jobs, it would allow Texas refineries to refine up to 700,000 barrels of oil each day to produce gasoline, jet fuel, heating oil, and the like.

As the distinguished Senator from North Dakota pointed out, this would increase the supply at a time when gas prices have gone up, because of restricted refinery capacity, in the worldwide price of oil. It can do nothing but help America contain those high prices.

It strikes me that this is a no-brainer. While we find ourselves engaged in armed conflicts in places such as the Middle East—where Iran periodically threatens to block the Strait of Hormuz, through which about 20 percent of the world's oil supply flows—

why wouldn't we want to make ourselves less dependent on Middle Eastern oil? Why wouldn't we want to make ourselves more independent on North American energy? This is a no-brainer on almost every count I can think of.

Let me express my gratitude to the distinguished Senator from North Dakota for his relentless leadership. I know he is not going to give up. He just keeps getting stronger.

In excess of 50 Senators have signed a bipartisan letter to the President on this, and it is very important for our country as it relates to jobs, energy independence, and national security.

I see the distinguished Senator from Louisiana here, and I know others wish to speak on this important issue as well.

I yield the floor.

Mr. HOEVEN. Madam President, I want to thank the distinguished Senator from Texas. Look at the economic growth and dynamism in his State of Texas; look at the economic growth and dynamism in the State of North Dakota. We are now the fastest growing State in the country. Senator CORNYN is correct when he said Texas is the largest producer of oil in the country. I think they produce about 1.1 million barrels of oil a day. We are at 750,000 barrels and growing, so we are after you. The important point is we are producing this product and we have to have the infrastructure to get it to market.

Again, I thank the distinguished Senator from Texas, and I wish to now turn to the distinguished Senator from Louisiana. Here is another State that is doing amazing things in oil and gas. They have refineries, and they have refineries that need product. To get that product from North Dakota, Montana, and our ally Canada to Louisiana, we need pipelines. We don't want to ship it in from the Middle East. We want to send them our oil.

I am very pleased Senator LANDRIEU is here, and I would ask for her comments.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I am very proud to join in this colloquy with over eight Members of the Senate this afternoon. We are here to talk about this important issue and share ideas with our colleagues and with those who are listening to this debate. This pipeline is important so we can get a reliable, steady stream of oil and gas as we move to cleaner fuels in the future for our country.

I say to my good friend, the Senator from North Dakota, how important it is for drilling, particularly for natural gas, using the breathtakingly new technology that is allowing us to find both wet and dry gas, which is very valuable to our country. This is happening in many places in the country. It will help to fuel a renaissance in manufacturing.

This is not just going to help traditional oil- and gas-producing States such as Louisiana and Texas, this breakthrough in technology enables us to retrieve gas not only in an economically efficient way but in an environmentally sensitive way. It is going to be very important and impactful to many States in the Union.

We are already seeing companies coming back to the United States. They are relocating from Chile, places in Europe, places in Asia, and coming back to the United States primarily because of this resurgence of gas.

But here we are talking about a pipeline that is primarily for oil that comes out of sand. This is not the traditional deep wells where there are large deposits of oil that are drilled. This is a technology that is allowing the separation of these sands to get the carbon or oil out of them.

Now, yes, we want to move as quickly as we can away from carbon—or to lessen carbon because of its damaging impacts—but there is a transition period we have to go through. There is no waving of a magic wand; there is no snapping of a finger; there is no jumping from this generation of energy production to the next overnight.

Even President Clinton—even Al Gore when he was Vice President—talked about the transition we have to go through. I see this pipeline as a transition. It is giving us oil from one of our closest, most dependable, and friendliest of all allies, Canada, as opposed to pushing over the next 5 or 10 years to continuing to do business with countries that do not share our values, such as the leadership in Venezuela today or the problems with countries in the Middle East. Even the Saudis, whom we respect in some ways, do not have the same value system as the United States. We would much rather—at least my constituents would much rather—deal with Canada and Mexico. Not only are they better allies, but for Louisiana, we like working in Canada. It is a little closer to home. We like working in Mexico.

Many of the workers on these rigs and in this business come from Louisiana and Texas. Let me be crystal clear: My colleagues who are helping on this issue are absolutely right, the people of Louisiana wish to work in Canada where there are environmental protections, where the wages are good, where there are not a lot of pirates floating around, and where workers are much less likely to be kidnapped. I mean, these are serious issues for the oil and gas industry. That is one of the reasons I have been urging President Obama, along with many of my colleagues, to rethink his position on this pipeline.

I guess this has been said by my colleagues—I see the Senator from West Virginia is here, and I am sure he has said this on the floor before—Canada is going to produce this oil one way or another. The question is: Who are they going to send it to? Are they going to send it to their good friend the United States and our refineries in Texas and Louisiana or are they going to ship it somewhere else in the world? I would like—and the Senator from North Dakota knows this—to form a stronger partnership with Canada and Mexico so we can have security in North America. This will help the Canadian economy and it will help the Mexican economy, which immediately and directly affects our whole Nation. These are our border countries. We are doing a lot of work. I don't know if the Senator knows this, but down in Mexico, in the Gulf of Mexico—I literally—and this is a little bit afield—was recently in Israel and had the great opportunity to go offshore to visit a field, the Leviathan field, which is one of the largest fields in the world. It was discovered in a remarkably new place, which gives Israel a great opportunity to think about being energy independent or energy self-sufficient, which is quite exciting.

When I went offshore in Israel, I met my own workers from Morgan City, Thibodeaux, and Lafourche. They said: Why are you here? I said: The same reason you are. The Louisiana workers go everywhere. We are proud to do it. We would love to be close to home in Canada, Mexico, and our refineries, which are expanding for the first time in many years. Our manufacturing base is expanding.

Finally, I would say in this colloquy, I ask the Senator from North Dakota: Has he had a conversation with the oil minister from Canada—I think it is Minister Oliver—and talked to him at all recently? I had a conversation with him yesterday, and I wanted to maybe share that with the Senator from North Dakota.

Mr. HOEVEN. To the distinguished Senator from Louisiana, I recently visited with the ambassador, Ambassador Gary Doer. We talked about this and other issues.

Ms. LANDRIEU. Through the Chair, I wanted to say I had a very good conversation with the Canadian Minister of Natural Resources. We had a long conversation, about 10 or 15 minutes, and he explained to me the importance of this development for Canada. He also said to me what I just shared with my colleagues. He said: Senator, Canada is going to develop this resource. It is just a question of whom we send it to or with whom we share these benefits.

So for those who are opposed to the pipeline because they don't like the direction it is going or they think there is something America can do to prevent this resource from being developed, that is simply not true.

I see the Senator from West Virginia. I wanted to get that in the RECORD. I thank the Senator for his leadership and for allowing me to join this colloquy because the people of Louisiana strongly support the development of this pipeline. We are proud of the oil and gas industry, but we also recognize we need to make a transition to cleaner fuels and we want to do our part and are happy about the natural gas that is being discovered in this Nation.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I wish to thank the Senator from Louisiana for her leadership in energy, onshore and off, in a big way. She is absolutely right.

This is our opportunity to have North American energy security and North American energy independence, working with our closest friend and ally Canada. This is how we do it—Mexico as well. The Senator from Louisiana is also absolutely right: Canada will produce this oil. That is a fact. That is going to happen. The question is, Is it going to come to the United States or is it going to go offshore to China? We see these green lines; they show the pipelines that would take that oil to China rather than the United States. Net effect: We continue then to import oil from the Middle East, and Canadian oil goes to China. It makes no sense—not to mention better environmental stewardship that we would enjoy working with Canada, which we will touch on as well.

I wish to at this point ask the distinguished Senator from Arkansas, Mr. BOOZMAN, to join the colloquy, and I would also invite Senator MANCHIN as well. I see Senator BEGICH is here also. So I invite Senator BOOZMAN to make his comments but then also offer the opportunity for our other distinguished Senators to join in the colloquy.

Mr. BOOZMAN. Madam President, I thank the Senator from North Dakota for his leadership and for, again, spearheading this effort. I thank all the Senators who are here and are, in a very bipartisan way, trying to move this project forward.

We speak a lot about jobs in regard to this project, but that simply cannot be overemphasized. The U.S. Chamber of Commerce, most of the largest labor unions—major labor unions—all agree that if this pipeline were to go forward, which it has to do, it would create 250,000 jobs; 20,000 of those tomorrow, almost immediately. Again, it is so important.

It is important to my home State because many businesses, many hardworking Americans living there would benefit tremendously. We have a large Nucor plant. That Nucor plant in Blytheville, AK, in Mississippi County, would supply a lot of the iron that would be used. We have another facility, Welspun Tubular Company, they make oil pipe. They have 500 miles of this pipe sitting in storage that they have produced to go forward, which should be a great thing. The problem is instead of increasing employment for the future, right now they have had to lay off workers because of the indecision.

So there are all kinds of reasons we need to do this. Others have talked about national security reasons, but the labor—the good-paying jobs that would be created, again, not being dependent on places such as Saudi Arabia and Venezuela, that is a pretty good deal, and we need to move forward immediately.

Mr. HOEVEN. Madam President, I wish to recognize the Senator from the great State of West Virginia.

Mr. MANCHIN. Madam President, if I may, I wish to thank all my colleagues. This is something wonderful for the people who are watching and the people watching who are here, to see a bipartisan colloquy; that we all agree, basically, about energy being the crux of what we do and how this country is made up and how we got to where we are today.

My little State of West Virginia now has a tremendous shale gas find in the Marcellus Shale, with the Utica Shale in Ohio, the shale being explored and produced all over our country. We truly have an opportunity in our lifetime to become totally energy independent.

The only thing I am saying is, where I come from, the people are such good people and they have a lot of common sense. They say: We would rather buy from our friends than our enemies. How much would this displace, as far as us buying from and depending on areas of the world that haven't been friendly to the money we give them for the product of oil they sell us; does the Senator from North Dakota have an idea about that?

Mr. HOEVEN. Madam President, I wish to respond to the Senator from West Virginia. Right now, between the oil we produce in the United States, both together with Canada and Mexico, we generate about 70 percent of the oil we consume. This project alone would add 6 percent. We are talking about over 800,000 barrels a day this project adds and brings to market. So we go from about 70 percent just for this project phase 1 to about 76 percent. But understand this pipeline project is expandable to 1.4 million barrels a day, so we can see it would take us up even higher.

So we are talking about a significant contribution to our oil supply, again, from North Dakota, Montana, and Canada, versus, as the Senator says, countries such as Venezuela or from the Middle East.

Mr. MANCHIN. My other question would be this. Since we have Senators from two of our great producing areas, knowing the challenges we had in Louisiana and the gulf coast with the BP oilspill, as well as a lot of concern about the environment and that is why it has been held up, I understand our friend, Gov. Dave Heineman from Nebraska, now has approved this. That, as I understand it, was the last concern he had.

I have always said this, and I will ask the question of the Senator from Alaska—they have one of the harshest climates and are one of the largest oil producers for our country and they have been able to do it in a safe atmosphere—will the Senator from Alaska comment on his concerns, if he has them, about doing this in a safe environment.

Mr. BEGICH. Absolutely. I thank my friend from West Virginia. We built the largest single capital project back in the 1970s when we brought oil off the North Slope, almost 800 miles through the harshest, most unpredictable climates one would ever see. I can tell my colleagues, if we went back to the stories and articles, the sky would fall, the environment would be destroyed, and the world would come to an end by us building that pipeline. We are multiple decades past. It has worked very well. There haven't been those disasters people claimed would happen.

On top of that, my friend from Louisiana mentioned the environmental impact and it makes sense that the pipeline is the safest way to move oil.

On top of that, we have a choice—the Senator from North Dakota made it very clear—and that is to get it refined in China or the United States. I don't know about anybody here, but I would bet we all agree that between the environmental standards, we have a better environmental record than China in the refining of oil products, so it makes sense for us to do it.

On top of that, people are traveling to Alaska not just for the jobs and the opportunity but the beauty of Alaska, and we have more visitors who want to see the pipeline, to visit the pipeline. When I went down the Gulkana on a rafting trip, it is unbelievable beauty. But one of the last things people do when they come down and land the raft and begin to pack to go back home, there is the pipeline going right across the Gulkana. Guess what. It hasn't damaged the environment. As a matter of fact, there are plenty of photos of people trying to get their raft underneath the pipeline; trying to get the pipeline and the rapids at the same time. So the Senator's point is a very good one.

The Governor of Nebraska has approved it going through their State, but there is nothing similar to Alaska when it comes to the harsh environment we had to build in. We did it, and we did it when technology was much different. Today, the standards are even greater. Again, I wish to echo the Senator's point.

If I could make one other point. This is unique, the Chamber and labor working together for the common good of this country and the jobs and the groups—we think of the Teamsters and Operating Engineers, the pipeline contractors, the plumbers and pipefitters, they are all part of this agreement to build this pipeline and train workers; as my colleagues know, there is a huge gap in our trades. So we get to utilize a training opportunity, employ thousands of people not only for today but for the future.

So from Alaska's perspective, we like it. We know pipelines. We know we have to build big ones, as we did, and the fact is, as the Senator from North Dakota said, they are going to move this oil one way or another. We have a choice. Do we do it in our country, get

the jobs that are attached to it, the opportunity to refine it in States with great quality refineries or do we let China do it? This is a no-brainer for my State.

Mr. MANCHIN. One very quick question, if I may, to the Senator from North Dakota.

There might be a fallacy of thinking that only oil that is going to move is what we would buy from Canada. How much oil would be moved from the United States that we produce in the United States but that is captive right now, that is not being refined, maybe down in Louisiana and Texas? Would this help U.S. production?

Mr. HOEVEN. I appreciate the question from the Senator from West Virginia. For starters, it would put 100,000 barrels a day—this is for starters—into the pipeline. So day one is 100,000 barrels.

Mr. MANCHIN. Just for North Dakota?

Mr. HOEVEN. North Dakota and Montana. It is very important to understand that is just when we start. The pipeline is expandable. Today, North Dakota is the second largest producer of oil in the Nation, second only to Texas. We produce 750,000 barrels a day—and it is growing—and more of our oil is leaving the State by truck and rail than by pipeline. We need these pipelines. This project alone will take 500 trucks a day off our roads, trucks which are beating up our roads and creating safety issues in our State. This is vital infrastructure we need to get this product to refineries in Louisiana, in Texas, in Illinois, and other points around the country.

At this point, I wish to thank the Senator from Louisiana, again, for her participation in this colloquy. I wish to turn to the esteemed Senator from Wyoming, Mr. BARRASSO, another major energy-producing State, and ask him for his thoughts in regard to the regulatory obstacles to energy development. If we are going to be energy secure, energy independent in this Nation, we have to find a way to empower project investment and empower the kind of development we are talking about—not only infrastructure but the new technologies that will help us produce more energy in our country with better environmental stewardship. That is what we seek to do and I know that is exactly what Senator BARRASSO is working on in his State. I would like him to address that aspect.

Mr. BARRASSO. Madam President, if I may join in this discussion—and it is wonderful to see the bipartisan nature of this discussion, to turn and look around the floor of this Chamber and see three Democratic Senators talking to this issue and three Republican Senators talking to the same issue and agreeing, because all of us are like-minded in the fact that when we think of energy—and the Keystone XL Pipeline is a big part of that—we think of energy security for our Nation, which is part of this, economic growth, and environmental stewardship. We just heard from one Alaskan Senator and the other Alaskan Senator will speak shortly.

We hear what a wonderful job people continue to do in one of the most pristine areas of the country, the State of Alaska. I will tell my colleagues, as a Senator from Wyoming, an energy capital of this Nation, that energy is a big part of our economy but so is tourism. If we did things that did not focus on environmental stewardship for our own State, it would impact our tourism. Energy is a big part of the economy, so we want to have economic growth, energy security, as well as environmental stewardship.

But I will tell my colleagues it has been a difficult task based on some of the regulatory obstacles to energy development. The President likes to talk about how he supports all-of-the-above American energy development. But, in fact, we heard him the other night during the State of the Union Address. His actions over the past 4 years tell a completely different story. Instead of making it easier for our own country to produce energy, I believe he has made it harder.

If we look at the folks who are leaving his administration: The EPA's Director, Lisa Jackson, she said the EPA's role is, interestingly, ''to level the playing field against fossil fuels.'' Secretary Chu, who is leaving the administration, said he would ''boost the price of gasoline to the levels in Europe.'' Secretary Salazar, who is leaving, continues to talk about the fact that the energy strategy, he says, showed good results, but they have restricted access to Federal offshore and onshore oil and gas resources through moratoriums, through blocking permits, through leasing plans. They have denied Americans billions in public revenue and thousands of jobs.

I stand here saying that the Keystone XL Pipeline is a perfect example of the Obama administration's pattern of delaying good projects by requiring excessive redtape.

So I come here with the Senator from North Dakota and the Senator from Alaska—and I thank the Senator from North Dakota for his leadership, for his determination, for his courage, and for his fortitude—in fighting to make sure we as a country continue to strive for American energy security. That is exactly what we are going to have with this proposal.

I call on the administration today—the President, as well as the new Secretary of State—to approve the Keystone XL Pipeline, to allow that energy—which is either coming here to the United States or going to China or elsewhere—to approve it to come to the United States, to help our production, to help our consumers, to help our jobs in this country. Those are the things that are important as we try to focus on energy security for our Nation, economic growth for our Nation, as well as environmental stewardship.

So I thank the Senator from North Dakota for his leadership.

I see now the ranking member of the Energy Committee is here with us as well, who has done a masterful job with a visioned ''Energy 20/20.'' For people who have not seen it, I would say they are missing something—if they have not really read through it—from the Senator from Alaska because she has focused like a laser on these three E's of energy security, economic growth, and environmental stewardship.

So I thank both the Senator from North Dakota and the Senator from Alaska, the ranking member of the Energy Committee, for their leadership.

Mr. HOEVEN. I thank the Senator. I appreciate the Senator from Wyoming being here and for his leadership on energy. Again, I want to recognize that he comes from an energy-producing State, a State that is producing energy for this Nation and creating hundreds of thousands of good jobs in doing so. I thank him for his leadership on the Energy Committee as well.

I want to turn to and recognize the Senator from Alaska, who is the ranking member on our Energy Committee. As the Senator from Wyoming said, she has recently put out a blueprint for energy development, energy independence, energy security for our Nation. It is comprehensive. It includes all types of energy and, again, developing—developing—them the right way, with good environmental stewardship and the latest technologies but truly accomplishing something the people of this country very much want; that is, energy security.

So at this point I would turn to the Senator from Alaska and ask for some of her comments on this Keystone Pipeline project in terms of the economic benefits and the need for our Nation to truly have energy security.

Ms. MURKOWSKI. I thank my colleague from North Dakota. I thank him for his leadership on how we can get the Keystone Pipeline moving, how we can ensure that a resource from our friend and ally Canada can be utilized, can help us here in this country to truly gain that level of energy security we have been talking about.

There have been several good comments about the report I released last week, my ''Energy 20/20.'' I just happen to have a copy of it here on the floor. But out of 115 pages, I can distill it in one simple bumper sticker; that is, energy is good, energy is necessary.

If you look at the cover of the report here, it is essentially a map of the world from way up high. When you are looking down and you see the lights at night, you can tell the prosperous places within the world. It is where the lights are on. It is where our energy is. So when we talk about energy, I think it is important to really put it in the context of how important, how significant it is to our daily lives.

Over a week ago now we were all reminded of the importance of energy when there were 34 minutes of dead

time during the Super Bowl. A lot of folks were paying attention to, well, where do we get our energy sources from? It starts a good conversation, a necessary conversation.

In my document I focus on five different areas where we need to talk about energy policy. I am looking for an energy policy that is abundant, affordable, clean, diverse, and secure. When we talk about the fifth one, the security, this is where the Keystone XL project really comes in to play. When we are talking about security, that does not necessarily mean that everything we want as a nation is going to be produced right here within our own borders. What it means is how we reduce vulnerabilities from others, how we can eliminate our reliance on OPEC.

Ladies and gentlemen, this is a reality. This is doable. This is possible by 2020. This is not pie in the sky. Let me give you some numbers.

In 2011 Canada produced roughly 2.9 million barrels of crude oil per day. Mexico produced 2.6 million. When you add this to the approximately 6 million barrels the United States produces each day, total North American production—which is 11.5 million barrels—it is far greater than the Nation's net imports, which was 8.5 million barrels back last year—more than double the imports from OPEC.

So if we can do more within our own borders here and ensure that we are able to rely on our friends to the north, the Canadians, and our friends to the south, the Mexicans, we can displace—we can fully displace our reliance on OPEC imports by the year 2020.

But part of achieving this goal is being able to count on the Keystone XL Pipeline. It is as simple as that. It is about security. It is about ensuring that we have a supply that not only helps us achieve that energy security, but it allows us to achieve economic security.

So far as the jobs that are created, really the ripple effect that goes out—it is not just constructing one pipeline. It is the ripple effect that comes from this boom of opportunity within our country.

So it is jobs and economic security. It is energy security from the perspective of reducing our reliance on those countries we do not necessarily like, removing ourselves from the need to import OPEC oil, and having the ability to control our destiny from a perspective of abundance rather than from scarcity.

We should look to our friends and neighbors. We should work with the Canadians. The President should sign the Keystone XL Pipeline bill into law. He should make it happen. We should not be waiting any longer for all the reasons so many on this floor have discussed this afternoon.

So to my friend the Senator from North Dakota, I say thank you for your leadership. Let's make this happen now.

Mr. HOEVEN. I thank the Senator from Alaska again for being here today talking about the importance of moving forward with the Keystone XL Pipeline project and, again, for her leadership on energy issues. She is our ranking member on Energy. I think no matter whom you talk to, she is absolutely inclusive when she talks about energy development, all aspects—the energy development, the environmental stewardship, the jobs, developing all types of energy. She brings tremendous knowledge and experience to energy issues. So I would urge the administration to listen to one of the leading voices in energy in our country, and that is Senator MURKOWSKI, and ask them to approve this project.

The senior Senator from Montana could not be here today but did ask that I express his strong support for the Keystone XL project—Senator MAX BAUCUS from Montana. My friend from Montana has said over and over the same thing all of us know; that is, Keystone is about jobs, and every day we delay the Keystone Pipeline is another day we delay creating American jobs.

So I want to thank not only Senator BAUCUS but all of the Senators who have joined us here today: Senator LANDRIEU from Louisiana, Senator CORNYN from Texas, Senator BOOZMAN from Arkansas, Senator MANCHIN from West Virginia, Senator BARRASSO from Wyoming, Senator BEGICH from Alaska, and, as you have just heard, Senator MURKOWSKI from Alaska.

We have made the environmental case. The environmental case is stronger with the pipeline project than without it. Every single State on the route is supporting the project. And I think, as Senator MURKOWSKI so well concluded for us, it is about energy; it is about jobs; it is about tax revenue we need to close the deficit and address the debt without raising taxes; and it is about energy independence and energy security for this country so we do not continue to import oil from the Middle East or from places such as Venezuela but, rather, we get it from our closest friend and ally Canada, as well as from States such as my own State and from Montana, and we refine it in our refineries and provide it to our hard-working citizens across the country. So instead of having record highs in the price of gasoline—we have the highest price ever at this point in February: $3.62 a gallon—we start moving energy costs down for our consumers, to create a more robust economy, and to ease the pain at the pump for our hard-working Americans.

I just want to close with that there will be another rally of demonstrators around the White House this weekend. I think it is scheduled for Sunday. Now, I do not know if they are going to handcuff themselves to the fence like actress Daryl Hannah did the other day or what they are going to do. But the simple point is this: I just gave the information from a poll that was conducted from February 5 through February 10. One thousand voters were contacted in that poll that was commissioned by API and conducted by Harris Interactive. One thousand voters were contacted, and 69 percent support construction of the Keystone XL Pipeline and 17 percent oppose.

So here is a project which on the facts is something that needs to happen. We need approval of this project on the facts, as we have gone through and cited in great detail. But this is a project which the American people support 69 percent to 17 percent. My question for the administration is, Is this decision going to be made on the facts and what the American people want or is this going to be made on the basis of special interest groups that may demonstrate from time to time around the White House? I believe the decision needs to be made for the American people to approve the Keystone XL Pipeline project.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Wyoming.

UNIONS AND OBAMACARE

Mr. BARRASSO. Mr. President, I rise today as a physician who practiced medicine in Wyoming for more than 25 years, and I rise to continue the debate we have been having in this body about the President's health care law.

Although there has been significant debate and discussion, what I have continued to try to do is discuss some of the many ways in which this law falls short of its goals and falls way short of what the American public has asked for when it comes to the need for health care reform.

The Obama administration continues to put significant effort into trying to sell its health care law and tries to convince people that it is the answer to all of their problems. But in the words of John Adams, ''Facts are stubborn things.''

Despite all the spin of this administration, the American people continue to learn the facts—the facts about just how bad this law is and how much it is going to cost them personally in terms of finances and personally in terms of their own health care. That is why the President's health care law continues, this day, to be unworkable, unpopular, and absolutely unaffordable.

We saw another example of this recently when one group who had previously supported the law learned more about what is in it.

Back when we were debating the bill originally, labor unions around the country were among the biggest backers of the law. Unions sent their lobbyists up here to press their Democratic supporters to pass the law. They put out many statements saying things like, ''We need this health care law now.'' They held rallies right out in front of the Capitol.

We saw the same kinds of demonstrations last spring when the Supreme Court was considering a challenge to the law. Now, I went to the oral arguments, and I remember one group of

union members chanting: ''We love ObamaCare.''

Well, apparently now, today, I will tell you, the love is gone. According to a recent front-page article in the Wall Street Journal, some union leaders now say that ''many of the law's requirements will drive up the costs for their health-care plans and make unionized workers less competitive.''

Republicans said the President's plan would drive up costs for hard-working Americans from the beginning. Union leaders absolutely ignored our warnings and supported the law anyway. Now we have been proven right, and we are seeing buyer remorse by a lot of the law's supporters. This was absolutely predictable. What is really interesting is the reaction. It is clear from that Journal article that many union leaders are angry and disappointed.

Well, union leaders should be angry. The Obama administration misled them into believing their members could keep the health care plan they had. They should be angry with President Obama. They were deliberately deceived when he promised repeatedly, saying health insurance costs would go down $2,500 for the average family by today.

The unions are also now lobbying the Obama administration to do an end-run around the law. The Wall Street Journal quoted union leaders saying that they were going to push the Obama administration to now subsidize their health insurance costs. Now disturbing comments come from the administration suggesting it might be willing to do just that.

Unions have focused their efforts on trying to get the administration to expand access to advanced premium tax credits. The subsidies were intended only for people who cannot get insurance through their employers. That is how it was set up. Well, that means union members who have insurance for a plan jointly run by the union and their employers are not eligible for the subsidies.

The law is crystal clear. In fact, the law lays out four conditions for getting the tax credit: You have to get insurance through the exchange, either a State exchange or the Federal exchange; you have to pay the premiums yourself; you must not be eligible for minimum essential coverage other than the plans offered in the individual market; and you must not be enrolled in an eligible employer-sponsored plan. Those are all four. That is it. So union workers covered by their employer or by a joint plan from their employer and the union do not meet these four criteria.

Let's go back to NANCY PELOSI and that famous quote: ''First you have to pass it before you get to find out what's in it.'' The union bosses should have read the bill before they decided to support it. And if they had read the bill, they would have been smart to oppose it.

Despite the clear law, a spokesman for the Treasury Department told the Wall Street Journal that ''these matters are the subject of pending regulations.'' Amazingly, one of the lobbyists for the union said the administration can ''create a loophole for them through Federal rule-making.'' Create a loophole for the unions. Create a loophole.

Well, that is wrong. The American people know it is wrong. The administration has no legal authority to expand access to health insurance subsidies under the law. This is not a matter of regulation, it is a matter of the law. It was a bad law—bad law as it was being adopted, bad law as it was being signed. It is full of unintended consequences. This particular consequence was spelled out unambiguously. Last week, 31 Republican Senators wrote to remind the President of that fact.

Of course, it is not just union members who are disturbed by the law's effects on health care costs. Numerous reports have pointed out that costs will continue to rise when more of the health care law's mandates kick in next January. One study estimates that healthier people are going to see their insurance costs go up by 40 percent to cover the cost of insuring less healthy people. The law's requirements on caps on medical benefits will also cause an increase in premiums. So will the requirements that adults up to age 26 be allowed to stay on their parent's plan.

Late last year, Blue Shield of California asked for permission to raise its rates by as much as 20 percent. The CEO of Aetna said rates in some areas could go up as much as 100 percent. That is on top of the premium increase of more than $3,000 the average family has seen since President Obama took office.

We have got to lower the cost of health care. President Obama and the Democrats who voted for this piece of legislation in the House and in the Senate promised the law would do that. Well, it has not done it. It will not do it. Their plan was short on reform and long on budget tricks and accounting gimmicks and on empty promises.

The cost concerns the unions raise are absolutely legitimate. I share those concerns and so do all of the Senators on this side of the aisle. But we cannot give extra benefits to union members. The problem is not that the law makes union health benefits more expensive; the problem is the President's health care law makes everyone's health insurance more expensive. The answer is to control costs for everyone, not just for special-interest groups with friends in the White House.

We need to revisit the taxes, the fees, and the other policies that drive premium increases. We need real health care reform in this country, reform that gives people the care they need from the doctor they choose at a lower cost.

When we were debating the President's health care law, some of us warned about the danger of writing a bill behind closed doors. Actually, the President warned about the danger of writing a bill behind closed doors until he decided that was exactly what he wanted to do. So he sent his Chief of Staff to do just what he said would be dangerous, write a law behind closed doors.

Some of us were concerned about the special deals for special groups. Of course, these were special deals that would harm health care for the rest of us. President Obama and Democrats in Congress rejected our concerns. NANCY PELOSI famously said we need to pass the law so we can see what is in it. Well, the American people now are seeing more and more of what is in the law, and they do not like what they see. Now they are calling for all of us to do something about it. This is not the time for special-interest loopholes. It is not the time to make more deals behind closed doors. It is not the time to hand out breaks for one favored group at the expense of everyone else.

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

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

TRIBUTE TO RANDY AND SUZY STORMS

Mr. MORAN. Mr. President, another sad occasion in Kansas. A week ago this past Sunday, the Wichita community was struck by the tragic news that Randy and Suzy Storms were killed in a fatal car accident in east Wichita. Randy and Suzy were traveling home from visiting a friend at a local hospital when Randy experienced a health problem while driving, which led to a devastating accident.

Randy and Suzy were very well known and very well loved in the Wichita community for more than 30 years. Their care and compassion for those in difficult circumstances shaped how they lived their lives. Randy had a special gift for connecting with those who were struggling, perhaps because he knew how difficult life could be. As a teenager, Randy suffered a spinal injury which forced him to live as a quadriplegic. Resolved to make his faith in Jesus the core of his identity and not his physical disability, Randy chose to invest his life in caring for others.

Shortly after high school, Randy began to serve on the staff of Young Life, a Christian organization that mentors and works with young people. His position at Young Life was a springboard to reaching a wider Wichita community. Over the years, Randy became a counselor and friend to countless pastors, community leaders, young adults, and everyone else who was in need of a friend.

Jen Shively, who served with Randy for 27 years, remembered that he

''loved people well,'' and that ''loving others was effortless for him.''

Nan Chastain met Randy while attending Young Life and she remembers Randy as ''the definition of faithfulness.'' She said, ''He was always there for anyone whenever they needed him.'' In short, Randy Storms valued every life.

His wife Suzy was also known for her great love and her care for others. On any given day, you could find Suzy helping young women and teen mothers in need of encouragement and a listening ear.

Sean Spencer, a long-time friend of the Storms, knew Suzy to be a person of great strength and grace. Together, the couple invested in the lives of many married couples, both young and old, who were facing the trials of life together. Randy and Suzy found joy in serving together and encouraging others.

The Wichita community came to know the Storms as the folks who would show up to your kids' sporting events, high school graduations, and baptisms to celebrate what means the most in life—people. The Storms were also known as the folks who would faithfully show up at the darkest hour to lend a helping hand or to offer comfort to those facing serious difficulties.

Randy and Suzy Storms lived out the biblical teaching to love your neighbor as yourself, and they touched the lives of countless Kansans. My heartfelt sympathy goes out to their two children Nick and Natalie and their two grandchildren Jack and Lucy. Randy and Suzy were two very special people who will be greatly missed by so very many.

This tragedy is a somber reminder that every day is a gift and we are not promised a tomorrow. May we learn from the Storms that what truly matters in life is the people around us, and may their example spur us to love one another more deeply.

I ask my colleagues as well as all Kansans to remember the Storms family in their thoughts and prayers in the days ahead.

GLOBAL BATTLE FOR TALENT

Mr. President, I am thankful for the opportunity to be on the Senate floor today to continue to tell my colleagues about the issues of entrepreneurship and the global battle for talent, the opportunity to start businesses, and the challenges we face from other countries in competing in this global economy.

From our Nation's earliest days, entrepreneurs have been the driving force behind U.S. economic growth and expansion. Yet the state of entrepreneurship in America is not as strong as it once was. In today's global economy, an entrepreneur has more choices than ever about where to start his or her business.

Over the last 2 years, at least seven other countries have taken action to better support and attract entrepreneurs. In the 2-plus years I have been a member of the Senate, seven countries have changed their policies, their laws, and their regulations to be attractive to entrepreneurs, while we have not. This map shows those countries—Russia, Singapore, Australia, Brazil, Chile, Canada, and the United Kingdom.

I recently shared what Canada was doing to attract more entrepreneurs, and today I will share what is happening in the United Kingdom and explain why it is in our country's best interests to act quickly to retain highly skilled and entrepreneurial immigrants.

Much like the United States, the UK had a range of visa categories for immigrants with varying skills and financial resources. But in 2011, the UK Government made changes to simplify their visa rules in order to attract more talented entrepreneurs to their country. The UK recently created an entirely new type of visa for what they call ''prospective entrepreneurs.'' These individuals are allowed to enter the UK for a set period of time to secure funding and start the process of setting up their businesses before they begin the traditional visa process. Raising capital can be one of the more challenging aspects of starting a new business, and this visa gives entrepreneurs a running start.

The UK has also changed its top visa category, tier 1, to be restricted to entrepreneurs, investors, and the exceptionally talented. Those entrepreneurs falling within the tier 1 category must have set up or taken over a British business. The initial investment in their companies can be as little as 50,000 pounds, given that certain criteria are met. By lowering the initial capital investment required, entrepreneurs can get set up and running their businesses sooner rather than just raising more money.

The UK has also revamped its Global Entrepreneurs Programme, which works to encourage innovative technology businesses to relocate to the UK. The program is aimed specifically at foreign entrepreneurs and offers a range of support to startups, from help in raising capital to providing mentors to offering networking opportunities with successful entrepreneurs. This program has helped more than 200 entrepreneurs and early-stage technology companies get established in the United Kingdom so far.

You can see from this poster, Sir Richard Branson is helping promote this program because he knows firsthand the value of entrepreneurship. Many people today know Richard Branson as the creator of Virgin Airways, but he got his start at the young age of 16 by successfully launching a new student magazine. Now, 45 years later, his investment group employs approximately 50,000 people in 34 countries and its revenues in 2011 were around $21 billion.

The UK's Immigration Minister said this about the country's recent efforts to attract more startup companies:

> Entrepreneurs and investors can play a major part in our economic recovery, and I want to do everything I can to ensure that Britain remains an attractive destination for them. Last year we issued far too few visas to those who wish to set up a business and invest in the UK—I intend to change that.

That was the Immigration Minister of the UK speaking. And this is our competition.

We in Congress and the administration need to take notice. Other countries are aggressively courting entrepreneurs and those talented individuals will not sit on the sideline with their good ideas. They will go to the country that welcomes them and set up shop.

A story I heard while visiting Silicon Valley recently illustrates this point. A large company that was just a few years ago a startup itself told me they had plans to hire 68 highly skilled immigrants but could not get visas for them to work in the United States.

Rather than letting that talent go, the company hired them but in a different country. While it is troubling to me that we lost 68 jobs because there was no visa for them—we lost those jobs here in the United States and the visa program didn't work to attract and retain them—what troubles me even more than that is we know that someone—and maybe several of those 68 people hired—will go on to start a business that may result in significant job creation. Those are jobs that could have been created in the United States but now will be created in another country.

There is a global battle for entrepreneurial talent, and the United States is falling behind. When we lose those entrepreneurs and highly skilled immigrants, we lose the jobs they create. This is certainly about the entrepreneurs, but it is more about the folks whom they will employ—folks here in the United States who are in desperate need of employment.

The legislation that led to changes in the UK's visa law was drafted by Cambridge venture capitalist Alex van Someren. Alex is aware that here in America there have been recent efforts to attract entrepreneurs to our country, but the barriers to entry are still higher than in the United Kingdom. Alex said this in a recent interview he had with Business Weekly: ''We have beaten the American effort and that is fabulous news for UK entrepreneurship.''

This might be good news for the United Kingdom, but it is not good news for Americans. I want to make sure that the first choice for entrepreneurs looking to start a company remains the United States of America, and Congress has the responsibility to make certain that happens.

In a bipartisan effort, Senator WARNER, Senator COONS, Senator BLUNT, and others introduced the Startup Act 3.0 yesterday and an identical bill is being introduced today in the U.S. House of Representatives. Startup Act 3.0 makes changes to the Federal regulatory process to lessen government

burdens on job creators, modifies the Tax Code to encourage investment in new businesses, seeks to accelerate the commercialization of university federally funded research that can lead to new ventures and, importantly, provides new opportunities for highly educated and entrepreneurial immigrants to stay in the United States where their talents and new ideas can fuel economic growth and, most importantly, create American jobs.

Startup Act 3.0 creates an entrepreneur's visa for foreign-born entrepreneurs currently in the United States. Those with a good idea, capital, and willingness to hire Americans would be able to stay in the United States and grow their businesses.

In many instances, foreign-born entrepreneurs, here legally, have an idea and want to begin a company that will employ Americans but are told their visa does not allow them to remain in the United States. With few ways to stay, these entrepreneurs are forced to move and to take their business with them where they will create jobs in other countries.

I want to make certain America is the best place for entrepreneurs who want to build in America and hire Americans. Passing Startup Act 3.0 will help make that happen by creating new ways for immigrants legally in the United States to open a business and to employ our fellow citizens.

People come from all around the world to the United States. They come to study and they come to work. They come to live in a place where they can have the freedom to pursue their dreams. The entrepreneur's visa would allow these risk-takers to stay here and operate their businesses.

Each immigrant entrepreneur would be required to create jobs for Americans. If the business was not successful and the jobs were not created, the immigrant would have to go back to his or her own home country.

While some immigrant entrepreneurs would fail, others would follow a path worn by many who came before them and succeeded. Entrepreneurial immigrants have long contributed to the strength of our economy by starting companies and creating jobs. I can think of the Russian immigrants, for example, who are entrepreneurs in a sense who came to Kansas and brought hard red winter wheat with them. What a true entrepreneur—an immigrant entrepreneur—who changed the face of our State.

On the current Fortune 500 companies, more than 40 percent were founded by a first- or second-generation American. Not only are these immigrants entrepreneurial, but they are also disproportionately innovative. Foreign nationals residing in the United States were named as investors or coinvestors in a quarter of all patent applications filed in the United States in 2006.

Today, one of every ten Americans employed in a privately owned U.S. company works for an immigrant-owned firm. While we work in the United States to continue educating our children with the skills for a 21st century economy and training the next generation of great American entrepreneurs, we also need to welcome those who want to create a business here in the United States and employ our citizens.

I believe that 80 percent of my colleagues here would agree with the provisions of Startup Act 3.0. They understand these are important issues for the economic growth and new job creation for Americans. I urge my colleagues to pass what we can agree to now and keep working to find common ground on issues that still divide us. The longer we wait, the farther we fall behind in this global competition for the most entrepreneurial immigrants.

While the United Kingdom and other countries are creating new opportunities for entrepreneurs, the United States remains the land of opportunity and birthplace of the American dream. We need to pass Startup Act 3.0 so foreign entrepreneurs can strengthen our economy and so American business men and women can pursue their dreams here in the United States.

Millions of our citizens, unfortunately, remain out of work. Many are underemployed. Our economy is barely growing. We can jump-start the American economy through Startup Act 3.0, and the skills we need to pursue the American dream can be here in the United States and we can strengthen our economy.

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

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. KING). The Senator from Maryland.

Mr. CARDIN. 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. CARDIN. Mr. President, I ask unanimous consent that I be permitted to enter into a colloquy with my colleague from Maryland, Senator MIKULSKI.

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

(The remarks of Mr. CARDIN and Ms. MIKULSKI are printed in today's RECORD under ''Morning Business.'')

SEQUESTER IMPACT

Ms. MIKULSKI (Ms. HEITKAMP). Madam President, while we are waiting to take up some other important legislation, I wanted to come to the floor to speak on another very important matter.

What I wish to talk about is sequester. ''Sequester'' is a nine-letter word that would be a big hit in a Scrabble game, but it is a lousy word for the game of life and the functioning of our economy. Sequester is a technique we are going to use as Washington-speak for saying we will have, starting March 1, across-the-board cuts that will be devastating to our economy and to the functioning of government. I just held a hearing this morning in my full Appropriations Committee about the consequences of these cuts. It is really scary. We are going to cut defense. It is going to have a negative impact on our readiness. At the same time, people building some of the smart weapons for the future, such as shipyard workers, over several thousand of them, could be laid off.

Not only must we protect our military from these devastating cuts, but there are others who wear the uniform of the United States of America who protect us. For example, we have 57,000 Border Patrol guards who could be laid off. We also have people who run our weather satellites who help provide the important information to warn for tornadoes, to warn for hurricanes, to warn for these terrible blizzards so that local governments can efficiently prepare. Then there are terrible cuts in the area particularly of education.

We need to be able to come up with $86 billion to cancel this year's sequester. That is $86 billion—''b'' as in BARBARA, not ''m'' as in MIKULSKI. We have less than 2 weeks to do that.

Now, as the full chair of the Appropriations Committee, working with our Democratic leadership and our very able chair of the Budget Committee, Senator MURRAY, as well as Senator BAUCUS, the chair of the Finance Committee, as well as other people in the Senate, we have been able to come up with an alternative. It offers a balanced approach to revenues as well as to cuts.

Our proposal will include reforms to the Tax Code and save $55 billion. At the same time, what we will be able to do is come up with cuts in spending. One will be $28 billion of cuts in the farm bill and then another $27 billion in defense.

Now, before people worry and before Iran gets any funny ideas—or anybody who is a foe of the United States—that we are going wimpy or soft, the answer is no. These cuts will not go into effect until 2015, after we have brought our troops back home from Afghanistan. Then they will be spread out over 8 years until 2021. So we won't impact readiness. If there is a foreign predator, don't think we are weakening ourselves. What we are doing is looking at ways the Defense Department can get rid of some of these programs that are now dated, some of the weapons systems that are no longer as relevant as they once were, as we modernize.

So between the mandatory spending cuts in the farm bill and in defense, we will cut spending by $55 billion. So we take $55 billion in cuts and $55 billion in revenue, and this will give us the $110 billion to be able to deal with this problem.

I am really jazzed about sequester. I represent some of the great iconic Federal agencies in the State of Maryland. I have 1,000 Federal employees. People say: Oh, we know them. Aren't those the pointy-headed bureaucrats who only do heavy lifting by getting a latte in the morning? The answer is absolutely not. Let me tell my colleagues who those people are, and I am really proud of them.

They run the Social Security Administration. They make sure the checks go out on time. They are doing all the actuarial work. They are making sure Social Security is relevant, financially solvent, and far more efficiently run, with lower overhead than an insurance company.

I represent the National Institutes of Health, whose sole job is to find cures for the diseases affecting the American people. Right this very minute we are working on the cure for Alzheimer's, with a cognitive stretch-out of Alzheimer's. My dear dad died of that. I know the consequences. It is a terrible heartbreak for the family, and I will tell my colleagues that it is a budget-buster when one has to turn to long-term care. If we can keep the funding going and if we can have that breakthrough, if we can even find a cognitive stretch-out for 3 to 5 years for people going into nursing homes, we could cut our Medicaid budget in half because 80 percent of the money in our Medicaid budget goes to paying for long-term care for people with Alzheimer's, Parkinson's, Lou Gehrig's disease, or other diseases with neurological impairments. We are being pound foolish to save nickels and dimes. We need a long-term solution.

By the way, the sequester is supposed to happen every year for 9 years. It was to get us to the table so we could deal not only with our debt and deficit—yes, we got that message, but the other message is that we have to get America ready for the future. We have to create jobs today and innovate for jobs tomorrow. That is at NIH. Those are the people working there.

I represent three Nobel Prize winners who are civil servants, several Nobel Prize winners over at Johns Hopkins. They are not only proud of winning the prizes, but they want to help America win the markets—new ideas for new products that will lead to new jobs.

We also have in my State the Federal Drug Administration. I wish the Presiding Officer could come over there. There are 4,000 people working there.

They say: Well, all those people. Yes, all those people. Again, there are Ph.D.s and M.D.s, people with master's degrees, and what are they working for? They are looking for new medical devices to help people, the new breakthroughs in perhaps the next generation of the pacemaker. They are taking ideas invented by the private sector, including a new insulin pump that will help a diabetic person have a more active life or even breakthroughs for neurological impairment for perhaps the child with cerebral palsy—they are looking for safety and efficacy so those products can move to clinical practice, to the marketplace, and products we can sell to the world. There are many countries that could never afford an FDA, but because they are FDA-certified in our country, they will buy our products.

I am proud of that, that we are going to be the country that is inventing cures for cancer. We only look at the ''a'' words: AIDS, Alzheimer's, autism, arthritis. Just look at that. At the very time we are looking to lay off people or furlough people at NIH, they have just lowered the cancer rates in the United States by 12 percent—12 percent.

During the terrible fiscal cliff negotiations around New Year's, I spoke to Dr. Francis Collins, who heads that agency. We were making these announcements on how America leads the way to lower cancer rates among its own people. Isn't that a great victory? At the same time, I was telling him he could be heading into sequester or going over a fiscal cliff.

Every day these 130,000 people are working to help America, whether they are working with weather satellites, whether they are doing the next generation of drug approval, whether they are running the Social Security Administration, whether they are over at the National Institute of Standards making sure American products have American standards and not the Chinese standards—again, so we can manufacture here and sell over there.

So I think sequester is a terrible thing. As the chair of the full Appropriations Committee, I am working with our leadership to try to deal with this issue, but I also say to the other side of the aisle, let's come together. Let's work with our President. Let's have that grand bargain through looking at tax reform, reviewing some of our mandatory spending and how we can get savings out of that, as well as targeted, strategic cuts. Let's get us on the right fiscal path, but also let's get us on the path for innovation, for jobs today and jobs tomorrow. We want to continue to lead the world, and we want to defend ourselves not only against foreign predators who might wish to do us harm but those other horsemen of the apocalypse who ride, such as pestilence and disease, and we can do it. So let's saddle up and get the job done.

Madam President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

Mr. McCAIN. Madam President, I ask unanimous consent to join in a colloquy with my colleague from South Carolina.

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

Mr. McCAIN. Madam President, there seems to be a lot of back and forth and misinformation about where various Senators stand on the issue of the Hagel nomination. I have a statement I will give in a few minutes about why I am opposed to Senator Chuck Hagel to be Secretary of Defense, but I think it is important to make a couple points. One is that the distinguished chairman and I were here back in 1988.

In 1988, on December 16, John Tower was nominated to be Secretary of Defense.

On January 25, 1989, his confirmation hearings began. On February 2, 1989, the committee postponed the confirmation vote after allegations were raised. On February 8, the committee vote was delayed again until February. February 23, he was voted out of the committee. March 10 was the time where the Senate rejected the nomination by 53 to 47.

I was there. I saw. One of the worst things I have ever seen in the history of the Senate, the way they dragged out Senator John Tower—a good and decent man's reputation with allegation after allegation, all of which turned out to be false. So I would like to inform my colleagues, this is not the first time we have had a delay in the confirmation of a Secretary of Defense.

I will be glad to go over what I saw, including allegations that were thrown over the transom day after day, week after week. They destroyed a good and decent man in Senator John Tower. So the allegation that somehow we are dragging this out or delaying it, it is not the first time in history, I will say to my dear friend, the chairman of the Armed Services Committee.

Having said that, there are still questions outstanding. I believe Senators have the right to have those questions answered. The Senator from South Carolina and I, the Senator from New Hampshire had a response from the President today on the question we had, but there are other questions. But I think during the break is sufficient time to get any additional questions answered. I will vote in favor of cloture on the day we get back. I believe my colleagues would also—a number of my colleagues would do the same.

I think that is a sufficient period of time to get answers to outstanding questions. I think Senator Hagel, after that period of time, deserves a cloture vote and an up-or-down vote on his nomination.

I ask if my colleague wants to comment.

Mr. GRAHAM. We reported Senator Hagel's nomination out at 5 o'clock. I would argue that the hearing was interesting, I think at times unnerving. Here it is Thursday. So there are some questions being asked by our colleagues that I think are legitimate. Some are kind of creating a new standard. I am confident, in the next week,

unless there is some explosive bombshell that I cannot quite get my hands around, I intend to vote for cloture and against the nomination. I am one, along with Senator MCCAIN, who believes filibustering should be a rare thing.

But what we are doing is saying the debate time for Senator Hagel is not yet over, since he just got reported out Tuesday at 5 o'clock. Put yourself in the shoes of the colleagues who are not on this committee. This has been a very controversial nominee. I will say the reason we voted for Senator Kerry on the same day he got reported out of committee and he got 97 votes, that all of us felt comfortable with the nomination. There are very uncomfortable things about this nomination. But having said that, I do believe that unless there is something new that comes out, we should proceed to a vote, up or down. I am willing to invoke cloture because I think, as Senator MCCAIN said, the week time period would give us a chance to answer these questions.

Let me inform my colleagues that just about an hour ago, there was a press report that a speech was given by Senator Hagel—I can't remember the group. But one of his aides posted—based on his notes what he had said the next day on a Web site.

During that speech, according to this aide, Senator Hagel said the U.S. State Department was an extension of the Israeli Government. Things such as that are unnerving. There is at least one speech he gave that he did not report that we think there is a copy of. We should get it in the next few days. That is why I would oppose cloture today, vote for it after the recess.

Mr. MCCAIN. Madam President, I ask unanimous consent that the Senator from Tennessee, who also, in my view, is one of the great protectors of the Senate, preserving its tradition and customs—I would ask if he has a view on this issue. I wish to repeat: I would vote for cloture. The Senator from South Carolina would vote for cloture. I would be interested in the view of the Senator from Tennessee on this whole issue.

Mr. ALEXANDER. I thank the Senator from Arizona. Probably the best known function of the Senate—constitutional responsibility—is the right of advise and consent. We take it very seriously. Here that means we have to consider what happens. The Armed Services Committee, upon which I do not have a chance to serve, completed its consideration of Senator Hagel's nomination 2 days ago. Now it is before the whole body. He is the President's appointee. The President has a right to appoint people in whom he has confidence. But we have a constitutional responsibility to consider the nominee.

A number of Republican Senators have questions, including the Senator from Arizona, the Senator from South Carolina, that they would like to have answered. I think they are entitled to that. I think if the shoe were on the other foot and it were a Republican President making a nomination, Democratic Senators would say the same thing: Give us a reasonable amount of time to consider this nomination on the floor of the Senate.

I have a little experience in that myself. The first President Bush nominated me to be U.S. Education Secretary about 20 years ago. I thought I was a fairly noncontroversial nominee, much less important than the Secretary of Defense. But I remember very well, it was 87 days between the time the President announced my nomination and the day on which the Senate unanimously confirmed me.

There was, at the time, a Senator from Ohio named Metzenbaum, who for whatever reason decided the Senate needed more delay to consider my record and my background.

There is nothing new about this. I would respectfully suggest that the majority leader's motion to cut off debate on Senator Hagel, made 2 days after his nomination comes to the floor of the Senate, is premature.

Republican Senators have questions they would like to have answered. I think they are entitled to do that. When we come back from recess, 10 days from now, I think that is sufficient time to consider those questions. I will vote for cloture so we can have an up-or-down vote on the President's nominee for the Secretary of Defense. I think the President is entitled to that but not prematurely.

I thank the Senator from Arizona for yielding time.

Mr. MCCAIN. Madam President, I note that the present occupant of the chair is familiar with the rigors of this process as well. So I think it is important to note. Again, I wish to say that it is one thing to support or oppose a nominee, but I do not believe a nominee deserves a dragged-out process. I think the Senator from Tennessee and the Senator from Massachusetts would agree with me; that it might be a disincentive in the future for well-qualified men and women who want to serve, who see a process that is dragged out and allegations made and requirements for disclosure that frankly are not required.

I note the presence of the majority leader on the floor, so I would like to filibuster for an hour or so.

I yield to the majority leader.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, at the request of the Republicans, I ask unanimous consent that at 4:15 today, the Senate proceed to vote on the motion to invoke cloture on the Hagel nomination; that the time until 4:15 be equally divided between the two leaders or their designees. My designee is Senator LEVIN.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, I will not object because of the assurances of my three friends from the other side of the aisle stating that they plan on voting for cloture. They obviously said they will not vote for cloture today, which is, I think, too bad because there has been more than enough time in the last 2 days to read the additional speeches that have been coming in.

The only argument that was raised beyond that, that I know of, has to do with a payment from an equity fund. That was received. It has been fully explained. It is a highly reputable fund that Senator Hagel was an adviser to, similar to many other very reputable people. So I think the continuation of what amounts to a filibuster, since 60-vote votes are required to end debate, is too bad when there is a Secretary of Defense who is leaving to go back to California, and we very much need to have our new Secretary of Defense in place, given the circumstances in this world.

We have a budget crisis in this country. Our sequester is confronting us. That sequester will have a damaging effect on the Defense Department, on the men and women in uniform, and on programs, the equipment, the training they need to be ready for any kind of a contingency.

So the delay in having a vote on cloture, to me, is a mistake, and we ought to approve the ending of the debate today so we can get on with the confirmation vote, which will be a majority vote. After there is a cloture vote, debate is finally ended in this body, the final passage of a bill or the vote on the nominee is a majority vote, not 60 votes. So I am hoping there will be 60 votes today so we can get on with approval of this nominee, hopefully shortly thereafter, and fill this spot which is sitting there waiting to be filled.

We have North Korea exploding a nuclear device. We have a war going on in Afghanistan. We need to have a Secretary of Defense in place. So I hope there is not a delay. Following the vote today, I hope we do invoke cloture, because I think there has been more than adequate time. Surely, there has been time on the floor when we have had hour after hour go by with no one who seeks to be recognized to speak.

I do hope that if the unanimous consent proposal is agreed to, there will be 60 votes today. But if not, then there will be no alternative but to have the vote when we come back. At that point, we would, of course, look forward to the support, at least on cloture, of the three Senators who have just spoken, our friends on the other side of the aisle.

That is the best we can hope for. But that is my hope. I will not object because of that.

Mr. MCCAIN. Madam President, reserving the right to object. I will not object, I will just respond to my friend. He is my dear friend. I did not note that sense of urgency for 3 months when John Tower's nomination was held in limbo by the then-majority

Democrats. The Secretary of Defense post was vacant at that time as well. So this is not the first time in history a Secretary of Defense position has been vacant.

Again, I hope we can get this resolved, move forward. I think the Senator from Michigan, my friend, understands we can get this issue resolved on the day we return from the recess. Certainly, there are, I believe, sufficient votes to invoke cloture at that time.

Mr. LEVIN. If the Senator from Arizona would yield for 1 minute, I do not believe Senator Tower was filibustered. There was a delay in getting to that vote. But I do not believe there was a requirement—I may be wrong on this. I do not believe there was a filibuster for the Secretary of Defense nominee at that time, and many Secretary of Defense nominees have been approved in a matter of days, just the way Senator Kerry was approved in a matter of days.

So circumstances differ nominee to nominee. I again will not object, based on the statements which we have heard from my friends on the other side of the aisle.

Mr. MCCAIN. Madam President, I always enjoy some exchanges with my friend, the chairman. But the fact is, as the chairman knows, that was delayed and delayed and delayed. A new allegation came in, it was delayed. A new allegation came in, it was delayed. All those allegations turned out to be false. I will not rewrite history anymore, except to say it was one of the more shameful chapters, in my view, in the history of the Senate.

Again, I thank him. I am confident that within 1 week or so we will probably have this vote completed. I do not object to the unanimous consent request.

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

Mr. MCCAIN. Madam President, how much time remains on either side?

The PRESIDING OFFICER. There will be 30 minutes on either side.

Mr. MCCAIN. I yield myself 10 minutes.

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

Mr. MCCAIN. For all the years that I have known Senator Hagel, I have known him to be an honorable man and a patriot in this Chamber and elsewhere—overseas, in the field of battle. Senator Hagel has served this country faithfully and with distinction.

We have our differences. Senator Hagel was and remains my friend. There was a time when Senator Hagel and I saw the world and America's role in it in much the same way.

When the Balkans were torn apart with mass atrocities and genocide, Senator Hagel and I stood together with Senators Bob Dole and Joe Lieberman to lend bipartisan support to President Clinton in taking more forceful action to end the slaughter.

In May 1999, Senator Hagel said on this very floor why the United States should intervene militarily in Kosovo:

> But we also understand there are things worth going to war for, there are things worth dying for. . . . When people are being slaughtered at a rather considerable rate, and genocide is occurring, and ethnic cleansing is occurring, and people are being driven from their homes.

On and on.

> What do we do now? The geopolitical consequences, the humanitarian consequences involved in this are great.

He went on to say:

> History has surely taught us that when you defer the tough decisions, when you let the butchers continue and the tyrants and dictators continue, it gets worse. And it has gotten worse with Milosevic. For 10 years we've dealt with him. Four wars he's started.

Et cetera.

I agreed with his statement at the time, and I still do. I think it applies with greater or equal force to Syria today. I am not sure that Senator Hagel believes that anymore.

When America was attacked on September 11, 2001, Senator Hagel and I urged a strong American response to vanquish the enemies who attacked us, beginning in Afghanistan. Two years later, President Bush decided the United States may have to use force against Saddam Hussein in Iraq, and then Senator Hagel and I voted to authorize the use of force in Iraq.

Senator Hagel and I were often together in our criticism of the Bush administration's conduct of the war in Iraq. We both were disturbed by the apparent arrogance of then-Secretary of Defense Donald Rumsfeld and his abject failure to respond to the clear fact that we were losing the war in Iraq on the ground.

In August 2003 I urged President Bush to send more troops. The Senator from South Carolina and I called for the resignation of the Secretary of Defense, and we wanted to change our strategy, to replace military and civilian leaders who were failing in their responsibilities. Senator Hagel, on the other hand, believed we should cut our losses and withdraw from Iraq.

Since that time, Senator Hagel has taken policy positions that I believe call into question the quality of his professional judgment on issues critical to national defense. I am also concerned that Senator Hagel is ill-suited to lead the 2.5 million uniformed members of the Armed Services and to ensure the sound management of an agency that has an annual budget equal to the 17th largest economy in the world.

Of all the responsibilities of government, none is more fundamental than providing for the Nation's defense. We must have the most qualified and able person for the position, and having carefully reviewed Senator Hagel's long public record, I find his nomination wanting.

Senator Hagel's appearance before the Senate Armed Services Committee failed to allay my concerns about his nomination. During the hearing he repeatedly refused to give an assessment of his previous statements on issues such as the troop surge in Iraq, the identification and engagement of terrorist organizations, and his past rhetoric about our allies. In response to these questions, he either assigned history the task of judging the merit of his past statements and positions or simply said:

> If I had an opportunity to edit that, like many things I've said, I would—I would like to go back and change the words and the meaning.

History isn't likely to affirm Senator Hagel's declaration that the decision to increase forces in order to wage a counterinsurgency in Iraq, a decision that helped prevent our losing that war, he said was the most dangerous foreign policy blunder since Vietnam.

It is quite obvious now that statement was histrionic, woefully uninformed, and absurd. But I didn't raise it at Senator Hagel's hearing for the satisfaction of an ''I told you so'' moment, but to determine if Senator Hagel recognizes he was in error and, more importantly, if that recognition informs his judgment today.

I wanted to know if he had learned from his mistakes. Unfortunately, I am not confident that he has. After 2 weeks of reviewing his record, my concerns about whether Senator Hagel is ready to serve as Secretary of Defense have not diminished.

Nothing in Senator Hagel's background indicates he would effectively manage the Department of Defense. In today's unprecedented environment of fiscal uncertainty, ensuring that defense investment decisions affecting an agency as massive and unwieldy as the Department of Defense do not adversely impact our military readiness is enormously challenging. It requires that the Secretary have, as Secretary Gates and Secretary Panetta had, a proven track record of successfully managing large and complex organizations. Senator Hagel has no experience.

There are those of us who seek to cut waste, fraud, and abuse from the Department of Defense. Senator Hagel seeks something else entirely—to cut military capabilities that serve as tools to ensure our continued engagement throughout the world in support of America's interests and those of our allies.

In the eyes of the President, at least, Senator Hagel, however, apparently is the right man to oversee the continuing drawdown of the Armed Services. Over the past 4 years, the administration has pursued a program of defense reductions that exceed those expected of a normal post-war drawdown, cuts that have begun to directly undermine U.S. global military power. Last week, Secretary Panetta said people would stand by and deliberately hurt this country in terms of our national defense by letting sequestration take place.

My doubts about Senator Hagel's suitability extend beyond his prospective management of defense budgetary resources. The North Koreans recently tested another nuclear weapon. Iraq is

unraveling. The Iranians just rejected Vice President BIDEN's proposal at the Munich Security Conference for one-on-one talks concerning nuclear weapons. Libya, Mali, Tunisia, and Egypt are in various states of unrest, for which we have no strategy. We are in the most unsettled period since the end of the Cold War, and I have serious concerns as to the quality of Senator Hagel's professional judgment and the acuity of his views on critical areas of national security, including security in East Asia and the Middle East.

His record on Iraq was particularly troubling. As I alluded to a moment ago, in 2002 Senator Hagel voted to authorize the use of force against Iraq. By 2006, his support for the war had diminished.

After Republican losses in the 2006 midterm elections, the Senator wrote an opinion piece for the Washington Post under the title ''Leaving Iraq, Honorably,'' foreshadowing his opposition to the surge and advocating ''a phased troop withdrawal from Iraq.'' When President Bush announced his decision to surge troops in 2007, Senator Hagel actively campaigned against it.

He voted in February 2007 in favor of a bill expressing opposition to the surge and later in favor of measures to set a date certain for withdrawal of troops from Iraq, an equally bad policy. Senator Hagel wrote in his 2008 memoir, ''America: Our Next Chapter'' that ''history . . . will show'' that his legislative efforts to oppose the surge correctly framed the political matters at issue at the time.

CARL LEVIN, on the other hand, said in 2009:

> In considering whether or not to surge troops in Iraq . . . I think that history will show that President Bush reached the right decision.

Senator Hagel advocated the complete withdrawal of U.S. forces from Iraq by 2007 rather than negotiating an agreement for an enduring presence of U.S. forces. The President ultimately did exactly what Senator Hagel recommended, reportedly against the advice of military leaders. In response to written questions on this matter, Senator Hagel again stated that the complete withdrawal of U.S. troops in Iraq was the right call and asserted that Iraq is in a better place today because of it. That is another Orwellian statement.

In fact, since the withdrawal of our forces in 2011, the fragile political accommodation made possible by the surge of 2007 has unraveled over the past year. Al-Qaida in Iraq is remobilizing. Iranian-backed Shiite militias are gaining strength. Meanwhile the country is on the brink of civil war as protests against the Maliki government draw thousands, Iranian aircraft are flying over Iraq with weapons for Syria, and there are many other examples. Nevertheless, Senator Hagel is equally quick to advocate full withdrawal from Afghanistan despite conditions on the ground or the advice of military commanders.

Senator Hagel's views on Iran are also profoundly troubling. Consider, for instance, his recent set of incorrect and confused responses to basic questions about President Obama's Iran policy during his confirmation hearing last month, which one senior White House official rightfully described as ''somewhere between baffling and incomprehensible.''

I am more deeply concerned by Senator Hagel's overall record on this issue.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MCCAIN. Madam President, I ask for 2 additional minutes.

Mr. INHOFE. Reserving the right to object, may I ask how much time remains on our side?

The PRESIDING OFFICER. There is 19 minutes remaining.

Mr. INHOFE. I ask unanimous consent that the last two speakers on our side—the last would be me, the next to last would be Senator GRAHAM—be given 5 minutes for Senator GRAHAM and 7 minutes for me.

Mr. LEVIN. Reserving the right to object.

The PRESIDING OFFICER. Without objection—reserving the right to object.

Mr. LEVIN. How much time remains on our side?

The PRESIDING OFFICER. There is 30 minutes remaining on each side.

Mr. LEVIN. I assume the 12 minutes the Senator referred to would be counted against their time?

The PRESIDING OFFICER. The Senator is correct.

Is there objection?

Mr. LEVIN. No objection.

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

The Senator from Arizona.

Mr. MCCAIN. Finally, Senator Hagel's opposition to the use of sanctions, his apparent confusion about administration policies and its implications, and his apparent incomprehension of the threat a nuclear-armed Iran poses to international stability is alarming and would cause other nations to doubt the credibility of the President's commitments.

Senator Hagel is an honorable man who has sacrificed much and bravely for our Nation. About his character and love of country, there can be no doubt or debate. However, his positions on the principal national security issues facing our country—the Iranian nuclear program, the resurgent Islamist terrorist threat in North Africa and the Middle East, and, more broadly, whether we should maintain our ability to project strength in defense of our interests and allies'—indicate to me a disqualifying lack of professional judgment. Also, Senator Hagel's complete lack of experience in running an enterprise of such size and complexity casts further doubt.

Therefore, despite my esteem for Senator Hagel, on the basis of his record, I will not support his confirmation. I say this with regret, but he is the wrong person at the worst time for the job this day. We can and must do better.

I thank my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Madam President, I wish to ask my colleagues to support the Hagel nomination. Let me just hit a couple of highlights.

He volunteered to go into the Army during Vietnam. He was assigned to Germany. He volunteered to go to Vietnam.

His brother was assigned in one part of Vietnam, he in another. His brother Tom and he asked to be in the same unit. While on patrol in the jungles at night, his brother saved his life. On another patrol at night, he saved his brother's life. He was wounded twice. He was medevaced. He asked to go back into the fight.

He has served as Deputy Administrator of the Department of Veterans' Affairs with a quarter of a million employees under his management. He represented the State of Nebraska in the Senate for 12 years. He coauthored the post-9/11 GI bill with Senator Webb. Out of uniform and away from Capitol Hill, he has lead the USO.

This is exceptionally capable man, who is a patriot, has given extensive testimony to the Senate Armed Services Committee. He has cleared up the issues that have been asked over and over, including one that was raised about his role in authoring the Global Zero report. First, the report didn't propose anything. It was, in the words specifically used in the front end of the report, ''illustrative,'' proposing nothing but laying out different scenarios and possibilities. There was nothing that was proposed in a recommendation that we unilaterally disarm, reduce the arsenal, or eliminate the triad. And that would especially be so since another of the coauthors was General Cartwright, the former commander of U.S. Strategic Command and the eighth Vice Chairman of the Joint Chiefs.

This is a critical time for national defense. It is a critical time for our country. We need to get on and approve the nomination so he can get on with his duties as Secretary of Defense.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Madam President, I have 5 minutes. Would the Presiding Officer let me know when 4 minutes has elapsed.

The PRESIDING OFFICER. Yes.

Mr. GRAHAM. Madam President, I ask unanimous consent to have printed in the RECORD an opinion piece by the editorial board for the Washington Post dated December 18, 2012.

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

[From the Washington Post, Dec. 18, 2012]

CHUCK HAGEL IS NOT THE RIGHT CHOICE FOR DEFENSE SECRETARY

Former Senator Chuck Hagel, whom President Obama is reportedly considering for defense secretary, is a Republican who would offer a veneer of bipartisanship to the national security team. He would not, however, move it toward the center, which is the usual role of such opposite-party nominees. On the contrary: Mr. Hagel's stated positions on critical issues, ranging from defense spending to Iran, fall well to the left of those pursued by Mr. Obama during his first term—and place him near the fringe of the Senate that would be asked to confirm him.

The current secretary, Leon Panetta, has said the defense ''sequester'' cuts that Congress mandated to take effect Jan. 1 would have dire consequences for U.S. security. Mr. Hagel took a very different position when asked about Mr. Panetta's comment during a September 2011 interview with the Financial Times. ''The Defense Department, I think in many ways, has been bloated,'' he responded. ''So I think the Pentagon needs to be pared down.''

While both Republicans and Democrats accept that further cuts in defense may be inevitable, few have suggested that a reduction on the scale of the sequester is responsible. In congressional testimony delivered around the same time as Mr. Hagel's interview, members of the Joint Chiefs of Staff said the sequester would lead to ''a severe and irreversible impact on the Navy's future,'' ''a Marine Corps that's below the end strength to support even one major contingency'' and ''an unacceptable level of strategic and operational risk'' for the Army.

Mr. Hagel was similarly isolated in his views about Iran during his time in the Senate. He repeatedly voted against sanctions, opposing even those aimed at the Iranian Revolutionary Guard Corps, which at the time was orchestrating devastating bomb attacks against U.S. troops in Iraq. Mr. Hagel argued that direct negotiations, rather than sanctions, were the best means to alter Iran's behavior. The Obama administration offered diplomacy but has turned to tough sanctions as the only way to compel Iran to negotiate seriously.

Mr. Obama has said that his policy is to prevent Iran from obtaining a nuclear weapon and that containment is not an option. Mr. Hagel has taken a different view, writing in a 2008 book that ''the genie of nuclear weapons is already out of the bottle, no matter what Iran does.'' The former senator from Nebraska signed on to an op-ed in The Post this September that endorsed ''keeping all options on the table'' for stopping Iran's nuclear program. But Mr. Hagel has elsewhere expressed strong skepticism about the use of force.

We share that skepticism—but we also understand that, during the next year or two, Mr. Obama may be forced to contemplate military action if Iran refuses to negotiate or halt its uranium-enrichment program. He will need a defense secretary ready to support and effectively implement such a decision. Perhaps Mr. Hagel would do so; perhaps he would also, if installed at the Pentagon, take a different view of defense spending. (Mr. Hagel declined through a spokesman to speak to us about his views.)

What's certain is that Mr. Obama has available other possible nominees who are considerably closer to the mainstream and to the president's first-term policies. Former undersecretary of defense Michéle Flournoy, for example, is a seasoned policymaker who understands how to manage the Pentagon bureaucracy and where responsible cuts can be made. She would bring welcome diversity as the nation's first female defense secretary.

Mr. Hagel is an honorable man who served the country with distinction as a soldier in Vietnam and who was respected by his fellow senators. But Mr. Obama could make a better choice for defense secretary.

Mr. GRAHAM. This is an editorial about the nomination of Senator Hagel to be Secretary of Defense. The Washington Post said:

Mr. Hagel's stated positions of critical issues ranging from defense spending to Iran fall well to the left of those proposed by Mr. Obama during his first term and place him near the fringe of the Senate that would be asked to confirm him.

The last line is:

Mr. Hagel is an honorable man who served the country with distinction as a soldier in Vietnam and who was respected by his fellow Senators, but Mr. Obama can make a better choice for defense secretary.

That sort of sums up where I am: a fine man. If it were about friendship, there wouldn't be a problem. This is about the times in which we live. And I want to echo the statements of the Washington Post about him being out of the mainstream.

We have had two hearings, and we will have a couple of votes in the next week or so. I would say to my colleagues regarding the cloture vote today, they have every right to say now is not the time to end the debate about Senator Hagel. He was reported out of the committee at 5 o'clock Tuesday. There are some legitimate questions and information we haven't gathered, and we should be able to have an opportunity to look at that, and people not already committed should have a chance to review this information. So the idea of waiting until after the break makes eminent sense. I think we will be better informed regarding our decision. Debate should continue for at least that period of time.

Senator Kerry was able to get out of committee and to be voted on the same day because all of us felt comfortable with John Kerry, even though we may have disagreed with his politics. I believe John Kerry is a good man. We are on opposite sides of the issues sometimes when it comes to Iraq and initially Syria, but I have always thought he was in the mainstream of the debate. So he got 97 votes because we felt comfortable with him. You can tell people on our side, and some others, quite frankly, in the Democratic Party have expressed some discomfort.

I would argue that after the hearing there is more discomfort than there was before the hearing. Senator INHOFE and Senator LEVIN, we had a very good hearing, but to me it was unnerving, some of the things that came out of that hearing. The performance created more questions and doubts than it created confidence.

That is the question the Washington Post posed. It is one thing to be in the left lane, the right lane, or the center lane, but I would say Senator Hagel's statements and votes put him in a league of his own. And that is why I will vote no.

When it comes to Israel and his statement that ''The Jewish lobby intimidates a lot of people up here. I'm not an Israeli Senator, I'm a United States Senator,'' Senator Hagel, to his credit, said that was inappropriate and he apologized. But think for a minute how many of my colleagues would have said that. I asked him to name one Senator who has been intimidated, and he couldn't name one. I asked him to name one policy we have enacted because of the Jewish Israeli lobby, and he couldn't name a policy.

Now we find out today—and I don't know if this has been verified, but it is posted—that an aide of his reported that during a speech Senator Hagel gave several years ago he said the U.S. Department of State was an extension of the Israeli Government. Now this is showing a chip on one shoulder about Israel—an unhealthy statement, to say the least, and I think patently false. But it is unnerving to a guy like me, and I can only imagine what kind of signal a statement such as that sends in these dangerous times.

On Iran he was one of two Senators to vote against renewing unilateral U.S. sanctions against Iran and Libya in 2001. He was one of twelve Senators who did not sign a letter asking the European Union to declare Hezbollah a terrorist organization. He refused to designate the Iranian Revolutionary Guard as a terrorist organization in 2007——

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. GRAHAM. I thank the Presiding Officer. While they were killing our soldiers in Iraq. He refused to sign a letter to President George W. Bush, he said, to engage in direct unconditional comprehensive talks with the Government of Iran. He was for that, telling Bush to do it unconditionally. He voted against comprehensive Iranian sanctions.

He was one of two Senators who failed to sign a letter to President Clinton showing unconditional support for the State of Israel.

I would argue that this man's record, when it comes to Iran and Israel, and statements he has made, puts him well out of the mainstream. The Washington Post was right when they said he is on the fringe. And now is not the time to have somebody on the fringe serving as Secretary of Defense when it comes to Iran and Israel. For that reason, I will vote no. I will oppose cloture because debate should continue. When we get back, unless there is a real bombshell, I will vote for cloture and move on to his nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I yield 5 minutes to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I am proud to support Chuck Hagel for Secretary of Defense. If Chuck can make it through the jungles of Vietnam, he can surely make it through the bureaucracy of the Pentagon.

America needs Chuck as its Secretary of Defense to bring our troops home and to keep our military the strongest in the world. Sergeant Hagel is an American hero. When so many Americans were dodging the draft, he volunteered to serve in Vietnam. The draft board gave him the option to return to college, but Chuck refused. He said:

> I think the best thing for me is to go in the Army. It may not be the best thing for the Army, but I think that's the way to get all this straightened out. I was the oldest of four boys. My father [had] passed away, and I just was not coming together the way I should come together. There was a war going on in Vietnam. I felt a sense of some responsibility. So I said, ''No. Let's—let's go. And so I volunteered for the draft, went in the Army and celebrated my 21st birthday down at White Sands Missile Range.''

And Chuck didn't serve in a safe billet. When assigned to Germany, he protested and asked to deploy to Vietnam. So he volunteered for Vietnam and saw the horrors of war as an infantry sergeant.

Chuck and his younger brother Tom are the only known American brothers to serve side by side in Vietnam. At different times, they risked their own lives to save each other's. At one point, Tom frantically dressed a wound around Chuck's chest hoping, praying, that his older brother would make it out of Vietnam alive. And Chuck eventually returned the favor by dragging Tom out of a burning vehicle just before it exploded, saving his brother's life. Talk about brothers in arms, these were real brothers in arms.

These experiences made Chuck who he is, and they help you and me understand why he is the right man to run the Pentagon and to be put in charge of defending America. Just listen to how Chuck describes what it was like to serve in Vietnam. He says:

> I walked a lot of point, and my brother Tom and I together walked a lot of point, which was all right. You know what happens to a lot of point men, but I always felt a little better if I was up front than somebody else.

Chuck is willing to walk point for America now. He has been walking point for most of his life. This is how Chuck describes a point man:

> A point man, as I think most people know, is the individual who is out front. And these are usually squad-sized patrols, sometimes a company-sized patrol, depending on the mission. And you have the front—physically the front position, but also the responsibility of essentially not walking your squad or your company into an ambush or a trap. So you had to be very, very focused on the peripheral vision and the antenna and just the sense and the instincts that something doesn't look right or grenades hanging in trees, which booby traps were just a way of life. You dealt with that all the time. And there were a lot of guys who just didn't pay attention to it. They just—that's just the way they were. And I, again, always felt better if I was up front than maybe some others.

Let me repeat that: Chuck Hagel always felt better if he was up front, where it was most dangerous. We live in dangerous times today and we need a man such as Chuck Hagel right now who has seen the horrors of war and will do all he can to prevent another generation from seeing them.

In my interactions with Chuck, I have been struck by his honesty, his sincerity, and his commonsense approach. I know if he were still a sitting U.S. Senator, we would probably be great friends. That is because we come from similar backgrounds and the same generation. He is like many Americans. He grew up in a working class, ''salt of the earth'' family. In Chuck's words, he was raised in Little Town, NE, where the local legion club and the VFW hall were the centers of the universe.

I could go on and on about Chuck Hagel, but let me say this in closing. When I think about people and I go to my little town in my community where I grew up—in Farmington, WV—and I know Chuck grew up in a small town—I can shake people's hands and look them in the eye and they see me to my soul. They know if I am sincere or I am telling the truth. And I want to say to all of you that I have shaken Chuck Hagel's hand. I have looked him in his eyes and I saw the soul of a good man, a man I want leading this country and taking care of our youth, our infantry, our men and women in uniform. So I implore all of my colleagues to consider voting for Chuck Hagel.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, parliamentary inquiry: How much time remains on each side?

The PRESIDING OFFICER. The Democrats have 22 minutes and the Republicans have 12 minutes.

Mr. REED. Madam President, I yield myself 5 minutes.

As so many of my colleagues have described, Chuck Hagel is a soldier, a statesman, a businessman, a patriot. As my colleague from West Virginia pointed out, he could have chosen a much easier path in the 1960s, a path that many trod, but he chose the most difficult. He not only joined the Army, but he volunteered for Vietnam, when he had the opportunity to serve honorably and well in Europe. He joined his brother at Fort Dix. He knows the pressures our men and women face. And he knows the decisions we make here, and the decisions that are made in the Pentagon, ultimately are carried out by those young men and women in uniform. In fact, I can't think of anyone over the last several decades who has learned that lesson so well.

The other thing that is so impressive is that this is not a one-dimensional resume. Chuck Hagel was a businessman, and very successful. He founded his own company, created jobs, and created opportunities. He was the Deputy Administrator of the Veterans' Administration. He has run a large Federal agency. Very seldom do people come into one of these positions having run a Federal agency, or at least being the second in command. And he has been a U.S. Senator. So he knows very well the procedures and the personalities that are here in the U.S. Congress.

To me, though, some of the most compelling endorsements come from those who have actually done the job before. When Bob Gates and Bill Cohen and Bill Perry stand up and say, this is the person for the job, you have to believe that. These gentlemen have done the job for Republican Presidents and Democratic Presidents, and they have done it with great distinction.

Then when you get somebody such as Brent Scowcroft, who is, in my view, one of the most knowledgeable and authoritative voices in national security, and was the National Security Adviser to President George Herbert Walker Bush—who also weighed in, along with Madeleine Albright—you have compelling, irrefutable evidence and testimony from those who have done the job that Chuck Hagel can do the job.

There has been a lot said and discussed as to whether he truly appreciates the relationship between the United States and some of our closest allies, particularly Israel. Here we have the current Deputy Foreign Minister of Israel Danny Ayalon, who also serves as our Ambassador from Israel to the United States, saying that he has met him, he feels, in his view—and I will paraphrase—he has a true understanding of the natural partnership between the United States and Israel. Again, that is compelling evidence.

If you add to that the unconditional endorsement of several former U.S. Ambassadors to Israel, American patriots who have dedicated themselves to maintaining a strong, vital, vibrant, and crucial relationship for both the State of Israel and the United States, the evidence accumulates more and more that the President has chosen well and wisely.

This is a critical time. We are looking at conflicts in Afghanistan, we are looking at a nuclear detonation on the Korean peninsula, we are looking at budget problems that have never faced any previous Secretary of Defense and that have to be addressed within days or weeks. There is a ministerial meeting next week in Brussels for our defense ministers. We have to maintain our alliances. All these forces come together.

So I think the evidence is overwhelming. The President has chosen well and wisely.

But let me make one final point. This is a historic vote. By my recollection, no nominee for the Secretary of Defense has been defeated, delayed, or dismissed on a procedural vote.

Our history suggests, because of this office, because it is one so closely associated with the President making life-

and-death decisions, that deference is given to that choice—at least that it is not caught up in a procedural battle, that there is an up-or-down vote. My colleagues, in good faith, after careful study, can vote yea or nay, but to defeat someone on a procedural vote would be unprecedented and unwarranted. As a result, I would urge that this procedural motion before us be carried, cloture be dispensed with, and we can get on to expressing our true feelings based on the evidence and based on our best judgment of whether Senator Hagel should serve as Secretary of Defense.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, my colleague, Senator CRUZ, is ill and unable to speak on this nomination. He has, however, expressed his concerns to me in the form of a letter. I appreciate his contributions to this debate throughout the committee process.

I ask unanimous consent the letter be printed in the RECORD.

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

U.S. SENATE,
February 14, 2013.

Senator JAMES INHOFE,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR INHOFE: I continue to have considerable concerns with the unnecessary rush to force through a vote on Chuck Hagel's nomination before he has adequately responded to multiple requests from members of the Armed Services Committee for additional information.

Our requests directly relate to matters he would have significant influence over as our nation's Secretary of Defense and are based on his alarming record on foreign policy matters. For instance, Sen. Hagel has repeatedly declined to support measures to crack down on state sponsors of terrorism, belittled the notion of using any means to prevent a nuclear Iran, advised U.S. leaders to engage in direct negotiations with rogue nations and hostile terrorist groups, and expressed remarkable antagonism towards the longstanding U.S. alliance with Israel. Moreover, these are all positions he's disavowed since his nomination.

These deeply concerning positions rightfully raise the question of what conflicts of interest could exist as a result of financial compensation he has received in the recent past. Under the Senate's responsibility to advise and consent on nominations, it is completely appropriate to make these requests for disclosure—requests that are absolutely relevant to the role of our nation's Secretary of Defense. Several senators, who currently oppose such requests for information, contradict their own past statements that affirm the importance of disclosures related to executive branch nominations.

In a February 6 letter, 25 senators, including every Republican on the Senate Armed Services Committee and both the Minority Leader and the Whip, agreed that neither the Committee nor the full Senate has sufficient information to assess Sen. Hagel's nomination.

In order to have sufficient information, we have submitted several requests. This includes requests for disclosure on the personal compensation that he has received in the last five years—information which is entirely within his own control; requests for additional disclosure on foreign funds that he may have received indirectly, and whether any such foreign funds raise conflicts of interest; requests for a complete list of his prior public speeches, notably multiple speeches on controversial topics have been made public by the press, despite those speeches having been omitted from his own disclosures; and a critical request from the Administration regarding additional information about the precise actions taken on September 11, 2012, during and immediately following the tragic murder of four Americans in Benghazi.

I believe that to date, responses to these requests are insufficient. Very few positions have as great an impact on national security as does the Secretary of Defense and it is our responsibility to ensure that those nominated to serve in this critical position are held to the highest standards.

I am prepared to move forward on Senator Hagel's nomination in a timely manner, but I do not believe the Senate should vote on that nomination unless and until he provides adequate disclosure in response to these requests.

Sincerely,

TED CRUZ.

Mr. INHOFE. Madam President, let me start off by saying that I agree with almost everything they have said on both sides about Chuck Hagel. I agree that he was a hero. I think of my own Army career and I think of his and how much greater his was. That isn't the issue.

I think both Senator GRAHAM and Senator MCCAIN said it very well. Yes, his character is wonderful. We love the guy. He served his country. All of those things are true. The problem is the stances he has taken regarding Israel and countries like Iran. Israel has historically been a very, very close ally of ours and, I have often said, our only true ally in the Middle East we can count on. But we need to take a close look at Senator Hagel and how he would act, judging from his past performance, as the Secretary of Defense.

The vote that is coming up at 4:15 is the vote for or against Senator Hagel. All of this talk about a procedural vote and filibustering: no. This is the vote to determine whether Chuck Hagel should be the next Secretary of Defense.

This statement about filibustering has been made over and over again. They say this the first time this has ever happened. Look, we have people nominated all the time for Cabinet positions who are subjected to a 60-vote threshold. I will describe some of them right now, starting on the Republican's side:

Kathleen Sebelius is now the Secretary of Health and Human Services. In 2009 there were a lot of people who didn't think she would be good, and so they objected to force a 60-vote threshold. That is what happened.

John Bryson was up for Secretary of Commerce. I didn't think he would make a very good Secretary of Commerce. I opposed him, and he was subjected to the 60-vote margin.

Here is the interesting thing. Today we have Barack Obama, who is a Democratic President of the United States, and then we have HARRY REID, who is the majority leader, so the Democrats are in control. During the last Bush administration, we had exactly the reverse. George Bush was President of the United States and a Republican, and the Democrats were in the minority—the same situation.

So what happened? First of all, we had John Vogel come up. It was the same thing—subjected to a 60-vote margin. We had Senator Dirk Kempthorne. There were a lot of people who did not approve of him. He was nominated by President Bush, a Republican, and the Democrats didn't like him. They subjected him to a 60-vote margin. That wasn't a filibuster then. This isn't a filibuster today.

People are trying to blame me as the bad guy who is causing a filibuster. That is not the case at all, any more than it was the case back in 2005, 2006, and other times when we had a nominee who was put forth by President Bush who was objected to by the Democrats.

When Dirk Kempthorne was nominated to be the Secretary of Interior, there was a lot of opposition to him by the Democrats. Of course they said: We have to subject him to a 60-vote threshold. The Secretary of the Interior is a Cabinet position, but they seem to be drawing a distinction, for some reason, between the Secretary of Defense and any other Cabinet positions. As Cabinet positions, they are the same. And the process of requiring a 60-vote threshold happens over and over again.

Senator ROB PORTMAN—the same thing happened to him when he was appointed by President Bush to be the U.S. Trade Representative. The cloture motion was vitiated later on, but it was objected to first so that he would have been subjected to a 60-vote threshold.

One that is kind of interesting is Stephen Johnson. President Bush appointed him to be the EPA Administrator. Actually, he was a guy whom I thought a lot of, and he was a Democrat. So we have here President Bush, a Republican, appointing a Democrat who was objected to by the Democrats. Now we have President Obama, a Democrat, nominating a Republican who is objected to by the Republicans. It is exactly the reverse. There is no difference at all.

I am the ranking member of the Armed Services Committee. I will stand up and walk through fire to make sure every member of the committee has all their questions answered. That is what advice and consent is all about. We want to look at the individual. In the case of our committee, we want to make sure every member of the Committee has a chance to look at the process and make sure everything is out there.

This is kind of a funny thing. The distinguished junior Senator from Texas, Mr. CRUZ, lost his voice. For a Senator to lose his voice—what worse

can happen than that? So he is not able to speak, but if he could, I believe he would say: It is not so much my concern, the issues that have been articulated by Senator MCCAIN and by Senator GRAHAM. My concern is about the process.

Madam President, I give myself 3 additional minutes.

The fact is this new member of the committee, a new Member of the Senate, knew he was entitled to have all his questions answered. He has tried now for weeks. He was stonewalled. He can't get them. So this is about the process. Senator CRUZ is not making any accusations. He says: I just want the information I have asked for.

I have the utmost respect for CARL LEVIN. He and I, despite what the media wishes, get along great. I love the guy. We disagree now and then on policy, but I really like him.

The other day, CARL LEVIN said:

> Every member, every member should add his or her voice to the demand for the production of relevant documents which Senators need to decide on confirmation or for any other legitimate reason.

I agree wholeheartedly with that, and that is exactly what these individuals are asking for. They are asking for that information.

Senator CRUZ is very articulate. I regret that he lost his voice today.

In the past, every time the minority has objected and has wanted as a matter of procedure, to have a 60-vote margin, that is what has happened. It has happened with a consent agreement. I asked for that, and I think we have that now, but we had to force it.

This is not a filibuster. It is the same thing that was required and requested by HARRY REID, back when he was the minority leader, against John Bolton, against Stephen Johnson, against ROBERT PORTMAN, and against Dirk Kempthorne. This is a normal way of operating.

A lot of us still don't have the information we want, but I am willing and they are willing. I have checked with the people who have not gotten all the information they want. They said: Let's go ahead and have the vote. So, in a way, are they caving in? In fact, they are just doing all they can to be conciliatory. I think we are doing everything we can. We are not filibustering, and we don't want to string this out.

I repeat one last time that this vote is the vote on Chuck Hagel. It is not on procedure or anything else. It is a vote on Chuck Hagel.

Madam President, I retain the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, how much time does the majority have?

The PRESIDING OFFICER. There is 17 minutes remaining for the majority and 3 minutes for the minority.

Mr. LEVIN. Madam President, I yield 5 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, this is rare. Twice in the history of the Senate have we had a filibuster involving a nominee for a Cabinet position—twice.

But especially disappointing about this is that it was just a few weeks ago that we came together on a bipartisan basis and we said: We are not going to do this anymore. We are going to try to work together. We are going to try to avoid these filibusters. And here we have, sadly, a historic filibuster over an appointment of a former Senator—Chuck Hagel, a Republican of Nebraska—as Secretary of Defense.

I know there is controversy associated with his nomination, but I also know Chuck Hagel. I served on the Senate Intelligence Committee with him. We served together in the Senate. There is no question in my mind that the President made a good choice.

I will also tell you that you need to know a little bit about the man to understand why it is a historic choice. Chuck Hagel volunteered and enlisted in the U.S. Army during the Vietnam era. That was not a casual decision. That was a time when enlisting in the Army meant you might risk your life. He lucked out; he got stationed in a theater that wasn't at war. But what does he do next? He volunteered to go to Vietnam. He volunteered as an enlisted man to go to Vietnam. And he went there—with his brother, incidentally, the two of them—to serve in the U.S. Army. He was involved directly in combat, was given the Purple Heart for his service, and he told me personally about days he will never forget as long as he lives. So does Chuck Hagel know what it takes to be a soldier? Does he know what it takes to lead the Department of Defense? He certainly does.

I served on the Senate Intelligence Committee with him. I know his feelings on the issues. And when I listen to how some of his positions have been distorted, I find it hard to believe.

Chuck Hagel was a conservative Republican Senator and an honest man of integrity. And some of the things that have been said about him, some of the charges that have been made in the course of the Armed Services Committee were just embarrassing, to think that colleagues in the Senate would say that about a man they knew and served with personally, or they should have known better than to say. That is why we are here today.

The sad reality is that I have listened to many Republican Senators who are not going to vote for Chuck Hagel come up here and talk about how important it is to fill this position. The North Koreans detonated nuclear devices this week and raised concerns all over that part of the world and beyond. We know what is going on in the Middle East, in Syria and other places. We still have 68,000-plus American soldiers who are literally risking their lives—while we meet in the comfort and security of the Senate Chamber—in Afghanistan. They are risking their lives, and we are saying: Well, we would sure like to appoint a Secretary of Defense, but we have to make a political point here today. We have to vote against him today and put it off for 10 days, and then we may reconsider it again. God forbid something awful occurs in the next 10 days. I hope it doesn't.

There are still good people at the Pentagon, and I am sure they will do a good job, but we should have that Secretary of Defense—one of the most critical appointments in the President's Cabinet—filled. This notion that we have to make a political stand here and stop Chuck Hagel today to make some political point really troubles me.

Some of the requests for information about Chuck Hagel go beyond any of the standards of disclosure we have ever seen before. This isn't fair. It isn't fair to Chuck Hagel. It isn't fair to the President. It certainly isn't fair to the men and women in uniform all across the United States and around the world who are risking their lives for this country.

Those who come to the floor and say that in 10 days, he will be fine, for goodness' sake, swallow your pride. Let's make sure we vote for him today. Let's fill this spot. Let's not have this sad historic filibuster on this appointment to the President's Cabinet.

I really hope my colleagues will reflect on what Chuck Hagel has meant in his life, his service to the country, his service to the State of Nebraska, and his service to this Nation as a Senator. He is a good man, and he will do a good job in the Department of Defense. I trust the President's judgment.

For anyone who thinks they are making a political point in order to kind of show the President that we can still filibuster, I remind them it was just a few weeks ago that we stood on the floor of the Senate and said we were going to be more thoughtful about the use of the filibuster in the future; we were going to be more careful that we don't politicize it. Unfortunately, what is happening today is a serious disappointment.

I yield the floor.

Mrs. BOXER. Mr. President, may I ask the Senator, through the Chair, a question?

Mr. LEVIN. Mr. President, I would be happy to yield time to the Senator from California. How much time does the Senator wish?

Mrs. BOXER. Whatever my friend wishes.

Mr. LEVIN. I will yield 2 minutes to the Senator.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am glad we are voting today on the President's choice for Secretary of Defense, our former colleague, Chuck Hagel. I stand here as a Senator who has had a number of questions as well about some of the things he said in the past, some of the votes he has cast, and some of his philosophy. And what I did, as soon as I learned he was the President's pick, was to ask those questions.

Remember the President is the Commander in Chief. This is a critical appointment. It has to be someone he has faith in, puts his trust in, and he picked someone. He picked a brave hero who served in Vietnam.

So I wrote all my questions down, and believe me, they covered some tough ground on women's rights, gay rights, Iran, and Israel. There were a number of questions. I asked if it would be all right if when the answers came we could put them online so people could see the answers. The answer that came back was absolutely yes. The answers to my questions were very clear and very strong.

Senator Hagel has evolved on certain issues. He admitted to a mistake on a couple. That is the hardest thing for any politician to admit. There are four words politicians hate to say, ''I made a mistake.'' He admitted to that on a couple of issues.

I just think the way he is being treated is so sad. It is so sad. When I watch some of the questioning from my colleagues—not all of them, a couple of them, and I am not referring to my dear friend, Senator INHOFE—it was reminiscent of a different time and place when someone would say: I have here in my pocket a speech that you made on such-and-such a date—and, of course, nothing was in the pocket. It was reminiscent of some bad times.

I am so glad we are voting today. I know it is going to be a close vote. I don't know what the outcome will be. I do believe eventually this good man will be the Secretary of Defense. I believe that in my heart. If anyone is still undecided on this vote, let's understand that never in history have we had a 60-vote requirement—to my knowledge—for a nominee for Secretary of Defense. If I am wrong, I hope to be corrected. There is a reason for it.

Lord knows I was one of the key voices of dissent on the Iraq war, and I was not happy about a lot of the people who were put into place by George W. Bush. Believe me, I didn't want to see them continue in those positions. I think they led us astray in Iraq, and it led to so many thousands of deaths. However, I never dreamed of requiring a 60-vote majority. In my view, this is not a good day for the Senate.

I know my friend, Senator INHOFE, is very sincere. I am on the Foreign Relations Committee; I am a senior member of that committee. We have listened to the State Department on Benghazi. We have had briefings and hearings and answers came in. We had secret briefings that were highly classified. We had open hearings—I would ask for 30 seconds.

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

Mrs. BOXER. I have to say, what more are you trying to get out of this? Benghazi was a crisis. It was a disaster. It was terrible. There should have been more security there, but don't blame the brave Americans for it. Blame the terrorists who did this.

As the facts became available, those facts came right out. Why are we trying to stop this good man because of something he had nothing to do with?

In closing, I hope if you are on the fence, you will vote today for Chuck Hagel, and a ''yes'' vote on cloture.

Mr. INHOFE. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Parliamentary inquiry before the clock starts: I understand we have 3 minutes left on our side. How many minutes are left on the majority side?

The PRESIDING OFFICER. The majority has 7 minutes 15 seconds.

Mr. INHOFE. I don't see anyone seeking recognition, so I will go ahead and take the last 3 minutes.

First of all, it is very interesting that all of those on the other side who are supporting Senator Hagel to be the next Secretary of Defense, not one of them has said anything at all about the issues. They all talk about the things with which we agree. He was a hero; we said it. Senator MCCAIN said it and Senator GRAHAM said it. We all agree he was a hero in the war, and he is deserving of this type of thing.

Why is it that no one has mentioned that Senator Hagel is one of only two Senators who voted against sanctions against Iran? Why is it they don't mention that he was one of only four—in fact, all of them in the Majority signed a letter for solidarity with Israel. Senator Hagel was one of four Senators who didn't sign that letter of solidarity for Israel. The same thing with declaring the Iranian Revolutionary Guard as a terrorist group. He was one of only four Senators who did that.

I would only say this is not a filibuster. Everybody knows it is not a filibuster. I hope the media is listening: This is not a filibuster. This is the same process that was required by the Democrats in the case of John Bolton, in the case of Steve Johnson, in the case of ROB PORTMAN, and in the case of Dirk Kempthorne. It is a prerogative of the Senate. It is not a filibuster. We merely want a 60-vote margin. We received it in all of those cases.

I commented earlier that when we had a Republican in the White House and a Democratic majority in the Senate they made that same requirement. I was here in the Senate for all four of them. I never objected to requiring a 60-vote threshold.

Then, of course, we had a 60-vote threshold for the nomination of Kathleen Sebelius, who is serving now in a Cabinet position. The same thing. This is a Cabinet position. We had the Secretary of Commerce, John Bryson. I objected to him. He passed the 60-vote margin. The only issue is the 60-vote margin, and that is what we are talking about. It is not a filibuster.

The last thing I will do is read—since our last speaker is my very good friend and chairman of the committee—what he said the other day. I wholeheartedly agreed with him when he said every Member should add his or her voice to the demand for the production of relevant documents which Senators need to decide on confirmation. I agree with that. What we object to is the process where we have Members who have made requests for information that is relevant to this appointment, and they have been unable to receive that information. So it is a process.

As the ranking minority on the Senate Armed Services Committee, I will stand up for the rights of every single minority member of that committee. Senator LEVIN would do the same thing and stand up for the rights of every majority member of that committee in this process.

I thank the Chair.

The PRESIDING OFFICER (Mr. COONS). The Senator from Michigan.

Mr. LEVIN. I yield myself the remainder of the time.

First of all, the questions which have been asked of us to provide materials of the nominee have fallen into three categories: The first one is to the White House about Benghazi, and those questions have been answered. There have been requests for Senator Hagel's speeches, and those speeches have been provided. Relative to financial disclosure, additional financial disclosure, disclosure which is required by the rules, that has been provided.

The statement that was made by one of our colleagues about Corsair Capital is a statement which, frankly, is out of bounds. It is inappropriate for anyone to be asked about that when he is an adviser to a perfectly legitimate equity fund and has perfectly legitimate members on the board. There is no evidence—and the person making the innuendo acknowledged that there is no evidence—that the funding came from Saudi Arabia, Iran, or any other inappropriate place.

So as for the information that has been provided, it is probably more information than probably any nominee—at least in recent memory—has had to provide. We have done everything we possibly can.

Now in terms of the qualifications for Senator Hagel, this comes from former Secretaries of State, National Security Advisers, National Secretaries of Defense, including Secretary of State Albright, National Security Adviser Berger, Secretary of Defense Brown, National Security Adviser Brezezinski, Secretary of Defense Cohen, Secretary of Defense Gates, National Security Adviser Jones, Secretary of Defense Laird, National Security Adviser McFarlane, Secretary of Defense Perry, Secretary of State and National Security Adviser Powell, Secretary of State Schultz, and National Security Adviser Scowcroft.

This is what they said, and this is the validation: We, obviously, know Senator Hagel. We trust Senator Hagel. We believe in his qualifications.

These people are Democrats and Republicans who are outside of this body, and here is what they say: From his

time as the Deputy Veterans' Administrator managing a quarter of a million employees, to during the Reagan Presidency, to turning around the financially troubled World USO, to shepherding the post-9/11 GI bill into law as a United States Senator, and most recently through his service on the Defense Policy Board at the Pentagon and as cochairman of the President's Intelligence Advisory Board, Chuck Hagel is uniquely qualified to meet the challenges facing the Department of Defense.

I have already put into the RECORD many of the statements that have been written by veterans organizations in support of Senator Hagel.

Senator INHOFE said when no one talks about his position on Iran, well, yes, we do. Here is what he says:

> 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.

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 relative to Israel, he has said he is a strong supporter of Israel. Even more importantly, the Deputy Minister of Israel said he is a good friend of Israel, and, indeed, in the words of Danny Ayalone, said he believes—and I am now talking about Senator Hagel—Hagel believes in the natural partnership between Israel and the United States and is proud of the volume of defense relations between Israel and the United States which are so important to both countries.

Now the only question that remains is what we are voting on. What we are voting on is to end the filibuster. My good friend from Oklahoma says it is not a filibuster, but the definition of ''filibuster,'' under our rules, is you are going to continue to talk unless there are 60 votes to end debate. That is what we are voting on. It is called cloture.

If we get cloture today, then there will be another vote on the nomination of Senator Hagel. The proof of that is that we have three Republican Senators who stood up today and said that while they are going to vote against cloture today, they are going to vote for cloture a week from this Tuesday. That is a procedural vote if I ever heard it. They are still going to vote against his nomination, but they have decided that they will vote for cloture a week from Tuesday. That is the difference between the vote to end debate and the vote on the nomination itself. What we are deciding here today is whether a filibuster will continue. That is not just me talking; that is the rules speaking. That is what the rules provide for, that we need 60 votes to end debate.

Has there ever been a requirement before by opponents of a nominee that there be 60 votes to end debate? Has this ever happened in history? Not for a nominee for the Defense Department, no; Secretary of Defense, no. For other Cabinet officers, there have been in the past requirements set by opponents that to stop talking we are going to have to get 60 votes. But that only means what the rules say it means, which is that under the rules of this body, conversation or debate does not end if the opponents insist on it until there are 60 votes. That is the definition of a filibuster and that is what I hope we could bring to an end today. If we don't bring it to an end today, then there will be another vote a week from Tuesday.

I hope we don't have to do that. This position is too important. The dangers in this world are too severe to leave this position in this ambiguous state between now and a week from Tuesday, or whenever the final vote on approval of this nomination is. The world is too dangerous to have this period of uncertainty. There is no need for it. We have provided the documents which have been required. The information relative to the financial situation of Senator Hagel has been provided. It is time for us now to bring the debate to an end, require 60 votes and then, hopefully, if we can get 60 votes today, then vote on the final approval of this nominee. But, again, if 60 votes aren't there today, the majority leader has made it clear he will then, of course, reconsider the cloture motion for a week from Tuesday. Either way, it is critically important that Senator Hagel's confirmation take place and that we fill this position of Secretary of Defense.

Mr. President, I don't know if there is any time left but, if so, I yield it back.

The PRESIDING OFFICER. All time has expired.

Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

> We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the 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.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. HATCH (when his name was called). Present.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

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

The yeas and nays resulted—yeas 58, nays 40, as follows:

[Rollcall Vote No. 21 Ex.]

YEAS—58

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

NAYS—40

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

ANSWERED ''PRESENT''—1

Hatch

NOT VOTING—1

Vitter

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked.

The PRESIDING OFFICER. The motion is entered.

VOTE EXPLANATION

Mr. VITTER. Mr. President, I could not participate in this Hagel nomination cloture vote because I had to return to Louisiana to attend a funeral. Had I been present, I would have voted no for two reasons.

First, I would like to state for the RECORD that I believe this process has been rushed and that very reasonable Member requests for information have been denied.

Secondly, I oppose the nomination on its substance in light of Senator Hagel's long history of troublesome votes and comments regarding the defense of Israel and related Middle East issues.

Mr. REID. Mr. President, this will be the last vote of the day. We will have a vote Monday night and we will vote again on this matter Tuesday morning—a week from Monday and Tuesday.

I regret that Republican Senators, except the valiant four, chose to filibuster the nomination of President Obama's nominee to be Secretary of

Defense. The Republicans have made an unfortunate choice to ratchet up the level of obstruction in Washington. Just when you thought things could not get worse, it gets worse.

We need to have this vote today. Why? You know, in times like this, it is nice to have a Secretary of Defense, not a lameduck. We have a war going on in Afghanistan. The war has been going on for 10 years. The President announced on Tuesday that half the troops are going to be coming home.

North Korea earlier this week tested a nuclear weapon. Just a couple months ago, they tested a missile to deliver a warhead. They have said publicly and very openly they want to make sure they can reach the United States.

We have a conflict going on in Syria. It is a serious conflict. The Middle East is still in turmoil. Iran is threatening everyone, including us. We have a few things going on. There is a NATO defense meeting next week, where NATO Defense Ministers, including someone from the United States, whom we hoped would have been the Secretary of Defense, would attend that meeting.

A couple of my Republican colleagues said: That does not matter. Just have somebody else attend.

What does that do to our standing in the world community?

We need a Secretary of Defense on the job. No one, no one knows, especially any Senator, what foreign challenge we will face in this country, perhaps within the next 10 days. It would be nice if we had a Secretary of Defense.

There is nothing that is going to change in the next 10 days about the qualifications of Chuck Hagel.

I served with Chuck Hagel. He is a conservative Republican representing the ultraliberal State of Nebraska. He served with distinction in the Senate as a Senator. He served on the Foreign Relations Committee, Armed Services Committee, and Intelligence Committee. He is a man of quality and of courage, not just being able to come and give a speech on the Senate floor.

During the Vietnam war, he volunteered to go into combat. That is what he chose to do because he thought it was the patriotic thing to do for his country, our country. His family felt that way. He and his brother went together. They didn't go to push pencils, they carried rifles; strapped to their sides, grenades.

He was wounded twice. He was an enlisted man. He didn't walk around ordering people to do things. People were ordering him what to do—except when it came to his brother. He saved his brother's life in combat in Vietnam.

They are filibustering him. That is what they are doing. I am going to call Chuck Hagel when I finish and say I am sorry, sorry this is happening. I am sorry for the President and I am sorry for the country and I am sorry for you. We are not going to give up on you.

We are going to vote, as I said, Tuesday, when we get back, in the morning.

I hope, I truly do hope nothing happens during the next 10 days we will not have a Secretary of Defense. We are not going to have one, and I hope nothing goes wrong and we will rue the day—more than just embarrassing the President, the Senate, and the country—in not confirming the President's nomination of this good man from Nebraska.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, to my knowledge we do have a Secretary of Defense, and his name is Leon Panetta. It is my understanding that Mr. Panetta is going to stay on the job, a job he has done very well as Secretary of Defense and as CIA director for the last several years. The majority leader knows full well the reason why cloture was denied—or closing off debate was denied, because there are reasonable requests being made on this side for additional information. I hope and trust information will be provided in the next few days. When we come back from the recess, we will have another vote and another opportunity for Senators to express themselves.

This is not any attempt to kill this nomination. This is not a filibuster. I realize it is the headline the majority leader would like the newspapers to write.

We actually had some very reasonable discussions going on earlier today among Senators on the Democratic side and the Republican side to try to work this out, given the fact that this nomination has just been so recently reported from the Armed Services Committee, and to accommodate the reasonable request for Senators to receive answers to their legitimate questions. We didn't need to have this vote today. We could have delayed it until after the recess. I am confident the vote would have turned out differently.

The White House and the majority leader were determined to have this vote in order to try to get a story in the newspaper, one that misrepresents the nature of the objection on this side which, as I said, was a vote not to cut off debate because it was premature. Reasonable requests for information have not been accommodated by the nominee.

There are solid public policy differences between Members of this other side of the aisle and the nominee.

This is not about politics. This is not about personalities. It is about questions such as whether Iran should be allowed to get a nuclear weapon. Should we have direct negotiations with terrorist organizations such as Hezbollah and Hamas?

What is the official posture of the U.S. Department of Defense and this administration relative to our best ally in the Middle East, Israel? What would be the plan for the nominee should he be confirmed when it comes to dealing with steep cuts to the military that are going to come out of the sequester, which was the President's idea and which is now going to go into effect on March 1. This is something which the President himself said was not going to happen. All of these are legitimate areas of difference and areas of inquiry that could be accommodated, could have been accommodated without necessity of this vote today.

This was the majority leader's choice, which was his prerogative, and the White House's choice. We could have done this differently. We could have worked this out, but that did not happen, unfortunately.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, this is not a filibuster. This is not a filibuster. I would like to see what a filibuster is. This is the first time in the history of our country that a Secretary of Defense has been filibustered, filibustered successfully and probably ever filibustered, and for all this, the statement from my friend from Texas on a rant to make sure he is OK on Israel. He wants to make sure he is OK on Iran on this.

We had hearings, not singularly but plural. The Secretary of State came, the Secretary of Defense.

This has gone to the absurd. We were told by a number of Senators they would like a letter from the President's White House talking about what he did following Benghazi. Remember, Benghazi was debated at length in the Presidential election. That is over, we thought. No, it is not over.

The President said, OK, and he adhered to what he wanted and wrote in detail about calls he made right after the terrible occurrence in Benghazi and sent it to the chairman of the committee. We received reports back some of the Senators were offended because the letter was sent to the chairman and not to them. This is all foolishness.

People may say whatever they want to say, but we still have a Secretary of Defense. Leon Panetta gave his final closing, ending; it was all over with his speech yesterday. I am friendly with Leon Panetta. I have known him for 31 years. No one in the country has served with more distinction than a Member of Congress, chairman of the Budget Committee, head of the Office of Management and Budget, the President's Chief of Staff, head of the CIA, Secretary of Defense. He wants to go tomorrow, and yesterday he told everybody he was going home.

Yes, we have a Secretary of Defense. It is about as lame as a duck can be. How do you think the people in NATO feel when, I don't know who will go, I guess Ash Carter or somebody will go, but we don't have a Secretary of Defense.

I can't imagine—as I said this morning, I will just repeat, I guess to be able to run for the Senate as a Republican in most places in the country, you need to have a resume that says: I helped filibuster one of the President's nominees. Maybe that helps. Maybe that keeps a tea party guy from running against you. But this should not be politics. This should be substance, and

there is nothing wrong with Chuck Hagel.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, with all due respect to the majority leader, this was an unnecessary vote today. The majority leader said: What is a filibuster? I can remember one that wasn't called a filibuster. I can remember when President Bush the first nominated a very noncontroversial University of Tennessee president who had been Governor to be the Secretary of Education of the United States about 20 years ago.

There was a Democratic Senate at the time, and the Senator from Ohio decided he wanted more time to study the qualifications of the nominee from Tennessee. I was that nominee.

I thought that was an extraordinary period of time. It was 87 days between the time President Bush announced my nomination and the time the Senate unanimously confirmed me. That was a Cabinet position. I went around to see Senator Warren Rudman to see what I should do. He said: You don't have any cards. You don't do anything. The Senate has the right to consider, with its constitutional prerogative of advice and consent, the nominees of the President. That is what the Senate is there for.

I said: Warren, how did you get to be a Senator? He said: Well, I will tell you a story. President Ford nominated me in 1976 to be on—I believe it was the Federal Communications Commission. The Senator from New Hampshire, a Democratic Senator and a Democratic Senate, put a hold on Warren Rudman until Warren Rudman withdrew his nomination.

The end of the story was that Warren Rudman then ran against that Senator, beat him, and that is how Warren Rudman became a Senator.

We know what a filibuster is. A filibuster is when one side or the other—which it has a perfect right to do under our system of government—decides to try to kill a nomination by denying 60 votes or to stop legislation by 60 votes. The Democrats have done it on a regular basis when they were in the minority and the distinguished majority leader was one of the most effective persons in the Senate to do so. I presided many times over the Senate when he objected.

I remember when we were trying to get 60 votes to have a permanent change in the estate law, and we would get up to 57, 58 or 59 and the distinguished majority leader would object.

What are we doing today? We are doing today exactly what was said when the vote was called. The question was do 60 of us believe it is time to end debate on the nomination of the President to be Secretary of Defense, the leader of the largest military organization in the world, the largest employer in the United States. The Senate Armed Services Committee has reported that recommendation to the Senate 2 days ago—not 10 days ago, not 15 days ago, not 30 days ago, 2 days ago.

Most of us aren't on the Armed Services Committee. Are we not entitled, are we not entitled to have more than 2 days to consider one of the most important nominations the President has to make without having the distinguished majority leader accuse us of a filibuster? What we do in this body is debate. We debate issues.

In addition to that, there are a number of people on the Republican side who have asked for information for which they haven't received answers yet.

In every one of those cases, those are not requests I am interested in. They will not produce answers I need to know. They may be outside the range of questions I think ought to be answered.

After only 2 days of a nomination being on the floor, if Republican Senators have questions to ask and information to seek, they ought to be allowed to do that. That is what this is about.

What we have said—and the Democratic leadership knows this—we have talked in good faith through the morning. We have suggested to have this debate when we come back. Instead of 2 days after the bill was reported to the committee or to the Senate floor, it would be 2 days plus 10—a couple weeks. It would give us a chance to read the hearings, consider the evidence, ask our questions.

There were three Senators who came down to the floor today, including the Senator from Arizona and the Senator from South Carolina, who said then we will be ready to vote for cloture. In other words, we will be ready to vote to end debate to do what the Senate should do. Eventually, after a full consideration, we would have an up-or-down vote on a President's nominee for the Cabinet. At least that is my belief, that eventually you should have a an up-or-down vote on the President's nominee for the Cabinet.

It is an unfortunate vote, and it is unfortunate to characterize this as a filibuster. This is a vote by Republicans to say we want more than 2 days after this nomination comes to the floor to carefully consider it because we have questions. Many have questions, and then most of us believe that after a sufficient time—and, for me, a sufficient time will probably be those 10 days—after those 10 days, it will be time to end debate. It will be time to have a vote and then it will be time to move on to something else.

I wish to make sure this is properly characterized. This was a motion to close off debate after 2 days of bringing to the full Senate the President's nomination to lead the largest military organization in the world at a time when Senators had reasonable questions for which they want answers. A vote to extend that until 10 days from now or some other appropriate time after that not only is reasonable, it is in the traditions of the Senate. Such reasonableness has been exercised by Democrats, as well as Republicans throughout the history of the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COWAN). The assistant majority leader.

Mr. DURBIN. Mr. President, Senator ALEXANDER is my friend. Sometimes that word is thrown around the floor of the Senate not very sincerely, but I mean it and he knows it. And I respect him very much. But I would say to the Senator, there is no other way to describe what we are going through than a filibuster.

A filibuster is, of course, an effort by at least one Member of the Senate to continue the debate and stop the vote on a matter, whether it is an amendment or a nomination. A cloture motion—in other words, to close off the debate—is an effort to produce 60 votes to overcome that Senator and to move to a vote, a final vote, on an amendment or a nomination. So by every Senate standard, by every definition, what we are facing with Senator Chuck Hagel as a nominee for the Secretary of Defense is a filibuster. It is. And that is why the majority leader filed a motion for cloture.

It is interesting to note that 59 Senators—a substantial majority of the Senate—were prepared to vote for Chuck Hagel to be Secretary of Defense, including four from the Republican side of the aisle. But we fell short of the needed 60 votes, the 60 votes under cloture, needed to end a filibuster. So I have to say to my friend from Tennessee, by every definition in the Senate, by every standard, your side has successfully filibustered the nomination of Chuck Hagel in the U.S. Senate.

It has happened before on Cabinet nominees—twice, I am told, in our history, and once while I was here involving Dirk Kempthorne, whose nomination was controversial and another cloture vote was called. I asked myself, how did I vote? After a while, you sometimes forget. And I was told, well, it turned out the cloture vote for Dirk Kempthorne was 85 to 7. So clearly, he had 60 votes, and I voted for the cloture vote in this circumstance. He was then affirmed by a voice vote thereafter. So it has happened before, but it happens rarely—twice in our history—when we have a Cabinet nominee who is filibustered.

I will concede to the Senator there are many times we have questions that need to be answered before we can make a sound or final decision, but what is peculiar about this vote is that the questions are being asked about a fellow colleague, someone the Republicans served with for years. This is not a name that was just dropped out of the blue. I would assume my Republican colleagues knew Chuck Hagel. You served with him, you were on committees with him, you sat hour after hour, day after day, and maybe month after month in meetings together. So

he is a known quantity more so on the Republican side of the aisle than on our side. I served with him on the Intelligence Committee, and I thought he was a person of sound judgment. There were times when I thought he showed real courage. I never doubted for a minute his commitment to some of the basic issues.

The Senator from Texas, who is also a friend, said: Well, we are not sure where he stands on issues such as Iran. I think he has said unequivocally over the last several weeks his position is the same as the President's, that we need to stop Iran from developing a nuclear weapon. The same has been said relative to our relationship with Israel. If people still have questions about that today, they are ignoring his answers or they do not believe him. And in that case, they can vote yes or no. I don't know how many more times he needs to say that to satisfy his critics. Perhaps, for some of them, he will never satisfy them.

But it is troubling to me, and I would agree with Senator REID—and Leon Panetta is a close personal friend. We go back to our House days. I recall he had a unanimous vote when he was nominated for Secretary of Defense—an indication of the respect we have for him. But his days are coming to a close and he said so. What the President has said is, I need to move up somebody into this critical position for the national security of the United States, and Chuck Hagel is the person I propose.

We have had ample time. I would be surprised if there are any—perhaps many—Senators who didn't have a chance to personally sit down with Senator Hagel. He came to my office, and I know he made himself available to virtually every Senator before this process started. So Chuck Hagel has done what he was asked to do, answer the questions and appear before the committee. And for a person who is a former colleague, it is hard to understand or explain why there are so many people on the Republican side of the aisle puzzled by this fellow from Nebraska, someone whom they served with for so many years.

Let me also say I want to join with the majority leader in saying, God forbid anything happens in the next 10 days. I hope it doesn't, for our sake and for the sake of the Senate and the people of this country. We do need a Secretary of Defense. I would like to think if the tables were turned the other side would not be pillorying us for leaving the Secretary of Defense office vacant in these dangerous times. I am afraid many on your side would be asking, why didn't you get this done when you could have? This was a Democratic Senator; why do you need to keep asking questions over and over?

But we have reached this point and there is nothing we can do about it. Senators have left and we are going to be off next week for the Presidents holiday. I just hope, as soon as we return, as quickly as we return, we can defeat this filibuster on Chuck Hagel—this rare filibuster in Senate history—and we give him his chance to continue to serve this Nation as ably as he did in the U.S. Senate and as a soldier in combat in Vietnam.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. I want to assure the assistant majority leader that we still have a Secretary of Defense. His name is Leon Panetta. And I am referring to an e-mail his press secretary George Little sent out on Thursday:

> The Secretary plans to stay in office until Senator Hagel is confirmed and sworn in.

So if anybody is under any misapprehension, I believe the Pentagon press secretary has made that clear. We have a Secretary of Defense. He has not resigned, and he will continue to serve until such time as his successor is sworn in.

I would say again to my friend, the Senator from Illinois, the assistant majority leader, we all know what a filibuster is. A filibuster is designed to kill a nomination or to defeat legislation, as the Senator from Tennessee said. I would also say this is equivalent to what happened back in 2005.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks a letter signed by Chris Dodd and JOSEPH BIDEN.

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

(See exhibit 1.)

Mr. CORNYN. And I will quote from that letter. This is a letter signed by Chris Dodd, our former colleague who served on the Foreign Relations Committee, and JOE BIDEN, when he was a ranking member of the Foreign Relations Committee back in 2005.

> Dear Democratic Colleague: We write to urge you to oppose the cloture on the Bolton nomination tonight. We want to make clear that this is not a filibuster. It is a vote to protect the Senate's constitutional power to advise and consent to nominations.

I will skip down, because the letter will be in the RECORD, to the last paragraph, which says:

> The refusal of the Executive Branch to provide information relevant to the nomination is a threat to the Senate's constitutional power to advise and consent. The only way to protect that power is to continue to demand that the information be provided to the Senate. The only means of forcing the Administration to cooperate is to prevent a final vote on the nomination today.

And the letter, as I said, was signed by Chris Dodd and JOE BIDEN.

My point is, this is exactly what the Senator from Tennessee said it was—a vote not to end debate but to allow these inquiries to be answered. And the shoe will likely be on another foot some other time with some other nominee, so we ought to, I think at a minimum, respect and protect the right of the Senate and of an individual Senator to make reasonable inquiries of a nominee as part of the power of advise and consent.

This is not a filibuster. If it is, then this was in 2005, contrary to the assertions of JOE BIDEN and Chris Dodd. But I agree with them in this instance, this is merely an effort not to close off debate but to allow reasonable inquiries to get information that will advise the Senators in their vote when it comes time to vote on this matter after the next break.

EXHIBIT 1

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, May 26, 2005.

DEAR DEMOCRATIC COLLEAGUE: We write to urge you to oppose cloture on the Bolton nomination tonight. We want to make clear that this is not a filibuster. It is a vote to protect the Senate's constitutional power to advise and consent to nominations.

For more than a month, we have been requesting two types of information from the Executive Branch. First, materials related to the preparation of congressional testimony on Syria and weapons of mass destruction that Mr. Bolton planned to give in July 2003 and ultimately gave that September. We think this will show Mr. Bolton's continued effort to exaggerate intelligence information. It may also show that he misled the Foreign Relations Committee when he told us that he was not personally involved in the preparation of the testimony. Second, information related to National Security Agency intercepts and the identity of U.S. persons on those intercepts. During the past four years, Mr. Bolton requested the identity of U.S. persons on ten occasions. There may be nothing improper in this; or there may be something highly improper. But we won't know unless we see the very same information shown to Mr. Bolton. So far that has not occurred. The Chairman and Vice Chairman of the Select Committee on Intelligence were shown the intercepts, but not the identities of the U.S. persons.

In refusing to provide the information about the Syria testimony, the State Department has asserted that it does not believe that the request is ''specifically tied to the issues being deliberated by the Committee.'' In other words, the Executive Branch is deciding what it thinks is relevant to the Senate's review. That's unacceptable. In the case of the NSA intercepts, no one in the Executive Branch has even tried to explain why the chairman and ranking member of the Intelligence and Foreign Relations committees are not allowed to see information that was made available to Mr. Bolton and even to his staff. That, too, is unacceptable.

The refusal of the Executive Branch to provide information relevant to the nomination is a threat to the Senate's constitutional power to advise and consent. The only way to protect that power is to continue to demand that the information be provided to the Senate. The only means of forcing the Administration to cooperate is to prevent a final vote on the nomination today. We urge to you vote no on cloture.

Sincerely,

CHRISTOPHER J. DODD.
JOSEPH R. BIDEN, Jr.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SEQUESTER LEADERSHIP

Mr. SESSIONS. Mr. President, we are facing a very serious problem with the sequester that will impact our Defense Department and other government agencies. It is a very serious matter. It has been out there for well over a year. We have known this is coming, and it is time—long past time—for the Democratic Senate and the President of the United States to provide some leadership on the issue.

I was pleased with Senator MCCONNELL this morning when he raised this matter, suggesting we are in a pattern here of how business is being done in the Senate. It goes something like this, Senator MCCONNELL said: Phase 1, Republicans identify a challenge and propose a solution; phase 2, the liberals sit on their hands until the last minute; phase 3, they then offer some gimmicky tax hike designed to fail and then blame everybody when it does.

This is essentially, I am afraid, where we are. We are now at the time where they are about to sweep in with some gimmicky solution that won't be successful. I don't know where they are in that. We have seen a 1-page outline that suggests there is a plan out there, but we haven't seen legislative language, I don't believe, unless it was produced in the last few hours. So we are 2 weeks away from a sequester that will include cuts that I believe will be too damaging to the U.S. military and can be avoided and should be avoided.

The sequester, remember, was part of an agreement that was reached in August a year ago—August 2011—between the President of the United States, the Democratic leadership in the Senate, and the leadership in the House of Representatives. It was designed to raise the debt ceiling because we had borrowed all the money that could legally be borrowed and the administration wanted to spend more and borrow more money. We were borrowing well over 35 cents out of every dollar we spent at that time—and still are—and the President wanted to raise the debt ceiling. The people holding the credit card—the U.S. Congress—said: Wait a minute. You have run up too much debt. You have to lay out a plan that, at least over 10 years, would equal the amount you want to raise the debt ceiling. The Administration could spend that money now—and it was spent in 18 months, because we have already hit the debt ceiling again—and we will raise the debt ceiling $2.1 trillion.

So an agreement was reached to reduce spending over the next 10 years by $2.1 trillion. That was the agreement. The President signed that, the Democratic leader in the Senate agreed to that, the Speaker of the House, the Republican, agreed to that, and that became the law.

These are numbers we live with every day. I am the ranking Republican on the Budget Committee, and it is a constant item in our face out there. We were then spending $3.7 trillion a year. So if you extend that for 10 years, we would spend $37 trillion over 10 years. But the budget was expected to grow. It was expected to grow so that we spent $47 trillion over 10 years. At the end of that time we would have increased spending by almost $10 trillion over 10 years. This deal would have said that we wouldn't spend $47 trillion but $45 trillion, therefore reducing the increase by a modest amount.

These were the first significant cuts we have had in the Congress in a long time. It is the first time we have actually made some alteration in the growth of spending. And really, it is not a cut in spending; it is reduction to the growth of spending. But the President not only agreed to the sequester, he actually proposed the sequester as part of the deal.

The sequester came about under the theory this would be a stopgap emergency measure if the committee of 12 didn't reach some long-term fiscal plan to alter the debt course of America, and the committee didn't reach that agreement.

The agreement fell apart and the sequester happened. The sequester was put in the bill at the last minute, according to Bob Woodward in his book, at the request of the President and the White House. It was put in there, and nobody knew what it meant. That is the reason primarily that I voted against it. I didn't like this situation that looked to me as though it would be a meat-axe cut that would fall disproportionately on the Defense Department. At any rate, good people disagreed, the bill passed, and it became law. So that is how the sequester came to be, and it is set up in a way that disrupts the Defense Department.

If you cut the Defense Department as much as is presently scheduled to be done now, it would hurt under any circumstances. But if it is done the way the sequester says, everybody agrees it will be far more damaging than it needs to be because it gives the Defense Department very little control over how to manage their money in a way that has the least adverse circumstances, and that is why we should not let the sequester go forward.

The sequester needs to be reevaluated for a lot of reasons. One-sixth of the federal budget is the Defense Department. One-sixth of the amount of money we spend is by the Defense Department. One-half of all the cuts in the sequester falls on the Defense Department. It is disproportionate.

Some people are under the impression that it is the war costs that are being cut. This is not what we are talking about. The war costs are funded in a separate account. All of these cuts fall on the base defense budget of the United States of America.

It means too rapid and severe a reduction in our military and civilian personnel, and it endangers the smart management of the war, while entire portions of our government—almost one-half of our government—have no cuts at all. Amazingly, there is no reduction in the growth of the spending of one-half of our government; and defense spending increases are less than half of what you see in many of the other major spending programs in our government.

The base defense budget has not been surging out of control. It has been increasing at about the rate of inflation in the last several years. But defense has already reduced its budget as part of the first part of the Budget Control Act agreement last August. That was $487 billion. So this sequester would be an additional $500 billion, should it go through. It would be a cumulative reduction of almost $1 trillion over 10 years. That is a big reduction. It alters the ability of the military to function in the way they have been functioning, and it threatens the ability for them to carry out the missions they have been assigned to carry out today.

The Chairman of the Joint Chiefs, General Dempsey, said this week:

> If sequestration occurs, it will severely limit our ability to implement our defense strategy. It will put the nation at a greater risk of coercion, and it will break faith with the men and women in uniform.

That is a serious statement and we should respect it. I know right now they are threatening all kinds of draconian cuts, and probably when the dust settles it won't be quite as draconian as they tell us. But the fundamental truth is, this is disproportionate and dangerous to the Defense Department, and it is not necessary.

Remember how we got here. We saw this coming. The defense authorization bill was not brought up before the election maybe for the first time in 50 years. Why was it not brought up in July, August, September, or October? Why was it not?

One of the reasons I think was that everybody knew the sequester was out there. It needed to be fixed, and this would have been the opportunity to fix it when that bill moved through the Senate. And so Senator REID wouldn't bring up the defense bill. He refused to bring it to the floor.

Senator MCCAIN came to the floor and said, shame, shame, shame, as ranking Republican on the committee, pointing out this failure was the first time I believe in 50 years that the defense bill had not moved. No other appropriations bill had moved, either; not a single one. But not passing the defense authorization bill was historic—again, I think in big part because they didn't want to talk about the sequester.

In the debate, I believe last October, with Governor Romney, the sequester came up. What did President Obama say? It will not happen. The sequester will not happen. And here we are, with no plan to fix it from the White House, no plan to fix it from the Democratic majority—which apparently wants to lead this country, wants to be in the majority, wants to justify their leadership position. Senator REID has not brought forth—unless it is today, until

this late, late minute—a plan to fix the sequester, an alternative. We have seen the one-page outline, but that is it.

I would note, I think I indicated, the House has already twice passed legislation months ago that would fix the sequester and not allow this event to occur in the way that it is. They have done their duty.

So what is the Senate going to do? What are we going to have from the Senate? Another do nothing, no budget, no fix to the economic threats of America? Now no fix to the sequester? The only thing we have to do now is raise taxes?

The truth is, the way to fix this and the way to do this is to have all the departments and agencies of the government be evaluated, not just a small portion of them, and have all of them tighten their belts, and we could easily avoid the draconian cuts that are lurking out there right now.

Over half the government spending was not touched in the 2011 Budget Control Act deal. It just wasn't, including some of the fastest growing items such as food stamps, which have gone from $20 billion in 2001 to $80 billion last year. It has gone up four times in 10 years and not a dime was reduced from it. Medicaid is at 6- to 7-percent-a-year increases. These programs alone add $300 billion to government spending each year. They aren't having any review at all.

I am disappointed we don't have a legislative plan on the floor that we could actually evaluate to see what it means, and then begin to debate it and discuss it. It should long since have been brought up in this Senate. We should already be aware of it.

But there is a game played around here, as Senator MCCONNELL said. There is a game around here to wait until the last minute. And the President, using the power of the Presidency and his skill as an orator, feels he can once again dominate the media and be able to extract the kind of legislation he wants in the end, and somehow gain political advantage, I guess.

I don't think it is going to work this time. I am worried about it. I am afraid we are not going to have an agreement. I am afraid cuts are going to take place in a way that shouldn't occur, and that they could be done smarter and more effectively with less damage than we have.

So we are told that in this Democratic plan, in this outline that is floating around, after we passed just a few weeks ago a $600 billion tax increase, that now we want to have another tax increase. I have to say this with clarity: Any plan that attempts to replace the cuts in the Budget Control Act with tax increases will not happen. They cannot happen. It will be a fundamental breach of the commitment we made to the American people in August of 2011. We told them, We have an agreement. We will raise the debt ceiling $2.1 trillion. A lot of people did not want that to happen. A lot of people are fed up with borrowing in Washington. A lot of people said, Don't raise the debt ceiling a dime.

We said, OK, we are going to raise the debt ceiling, but we are going to promise you, American people, that we will contain the growth of spending by $2.1 trillion, so the increase in spending over 10 years will be about $8 trillion instead of $10 trillion. Surely, that is not going to break America. Surely, that is not going to destroy this Republic. It could be exceedingly damaging if we do as the sequester says, though, and target the Defense Department far more severely than any other area of government.

But, fundamentally, reducing the growth in spending from $10 trillion in expected increases to $8 trillion is not going to damage America. And it can be done. In fact, it must be done.

What we have to understand is that the President of the United States and Senator REID, the Democratic leader in the Senate, agreed in August of 2011 that we would raise the debt ceiling, we would cut spending, and we would not increase taxes. We would not increase taxes. It was a simple, small, but significant, noticeable reduction in the growth and spending, and that was the agreement. Before the ink was dry on it, we had people wanting to weasel out of it, to change it.

What would the American people think of us if less than 2 years after this agreement, this promise to them, we capitulated, we couldn't follow through, and we couldn't maintain those growth reductions we promised the American people we would do?

The plan I am hearing that is being floated now is a direct contradiction of the promise we made to the American people. I don't believe it will pass. I don't believe it will pass the House and I don't believe it will pass the Senate.

And remember, this is current baseline law now.

The Budget Director of the Congressional Budget Office testified before the Budget Committee this week, and he showed us what the projected deficits will be over the next 10 years. The good news was that deficits would be reduced some—less than half of what they are today—by 2015. And a big part of that was the sequester, because it is in law. The law says: These reductions will occur. He scored them as we passed it. And now we are saying, We want to give that back and we don't want to follow through on that.

The only way you can not follow through on the reductions that were in the Budget Control Act would be to increase spending—to increase spending above what we are currently projected to have the government grow over the next 10 years. We would have to increase spending.

So make no mistake about it, the plan that is being proposed is to tax and spend—to spend more and tax more. That is not where this country should be going. I reject that as the right approach. Particularly, it is contrary to the steps we took in August.

One reason the agreement was reached on the fiscal cliff in early January of this year was that we had spending cuts last August and they got some tax increases in January, but not more. And those tax increases should have been for the purpose of reducing debt, not funding new spending.

So to sum up the matter, in August 2011 Congress and the President agreed and passed legislation to reduce by a small amount Federal spending from $47 trillion to $45 trillion over 10 years. The spending of the United States would increase approximately $8 trillion instead of $10 trillion. That would not damage the American Government. We certainly should be able to function as a nation with that kind of substantial increase in spending, and it is happening every day in cities, counties, and States throughout America. They are dealing with far worse reductions than that.

There was no tax increase agreed to at all—not one penny of tax increases. Those reductions in spending are in law. They are in the new baseline on which we are now operating. To alter that and give back that spending without finding reductions in spending elsewhere would be to increase spending above that agreed to in the Budget Control Act, and that is what the Democratic outline we have seen would do. It increases spending and it increases taxes. They say: Don't worry about the increased spending. We have taken care of it. We have raised taxes. So that is the deal. They raised taxes to pay for the increase. That is in clear violation of the terms of the agreement and the moral agreement we had with the American people. It is in violation of what was told to the American people a little over 18 months ago, and to that extent it is not acceptable.

I urge my colleagues not to proceed with this approach.

Let's find ways to spread out the spending cuts so that more government agencies tighten their belts—and not so disproportionately on the Defense Department—and we can resolve this matter going forward.

I am worried because we have had no response from our Democratic partners, no response from our President of the United States, who is the Commander in Chief of American forces. To my knowledge they have not laid out a detailed plan yet. We are going to reach that deadline, and it looks as though it is going to take place. I hope it can be avoided. It should be avoided, and I am willing to work to avoid that.

I call on my colleagues to not continue to delay. Let's move forward to an effective agreement that preserves the legislative intent of the Budget Control Act and the promises that we made to the American people.

I thank the Chair, yield the floor, and note the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Connecticut.

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

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

THE DREAM ACT

Mr. BLUMENTHAL. Mr. President, today and throughout the coming weeks, I hope this body will move closer to comprehensive immigration reform. Actually, accountable immigration reform would be a more appropriate term to call it—accountable to the people of the United States who overwhelmingly want this dysfunctional, broken system to be mended.

We are a nation of immigrants, and the people of our Nation know it. They know it not only intellectually and abstractly; they know it in their gut because they see on the walls of their homes the proud photographs of their parents, their grandparents—people who have come to this country as a beacon of economic opportunity and freedom, some of them struggling through the most horrific kinds of trials and tribulations to reach this great land, the greatest Nation in the history of the world.

I have told my colleagues in the past—and I will state again—one of the most inspiring things I do—and I had done it as attorney general for a long time but now as a Senator—is to visit our courthouses where immigration and naturalization ceremonies take place. Those ceremonies are profoundly inspiring because they come—new citizens, people about to become citizens—with their families. It is a day of joy and pride unmatched and unexcelled in their lives. They come with friends, and they come to celebrate with their friends and families, with tears in their eyes and their hearts and their throats. There is no time when I have seen one of these ceremonies that I have not been deeply moved and uplifted.

If you ever have a down day, if you are ever discouraged about this Nation, see one of these ceremonies. You will know what it means to be a citizen of the United States of America and how important it is and how important we should regard it.

So I approach immigration reform with a profound appreciation of its importance to people who seek liberty and economic opportunity and justice in this great land but also how we are enriched as a nation of immigrants by the diversity, the talent, the dedication they bring to our factories where they work, to our laboratories where they invent, to our military where they serve and sacrifice and give their lives.

So I hope we will embark on accountable immigration reform that provides a path to earned citizenship for the 11 million people or more now in this country undocumented. Many times they pay taxes, they live here, and they regard the United States as their home. They have no criminal background. They have done nothing wrong. We need to find a way to bring them out of the shadows and provide earned citizenship, with background checks to show they have no criminal records, that they will learn to speak English, if they do not now do so, go through all the other steps that may be set, and then go to the back of the line behind people who have legally sought to come here.

That reform should also include much stronger security at the borders, a crackdown on employers who hire undocumented immigrants—people in this country who are here illegally but who can be exploited by those employers—and, of course, a streamlined immigration process. The elements of this reform are becoming clearer and attracting a growing consensus. If nothing else, we should make sure we provide an expedited route for people who now come with H–1B visas.

Some of the details of these proposals need to be resolved so we give those people who come to this country with extraordinary skills or who are educated here and are now forced to leave the country, to the detriment of our tech corporations—and many are in my home State of Connecticut. And maybe, first and foremost, we need to make sure we give the DREAMers what this country so richly deserves—one would think, I might say, what they deserve, but truly the country deserves what they have to contribute and give back to this country.

For some time I have come to the floor of the Senate to talk about individual DREAMers. I wish to talk about a young person, Cinthia Perez, whose photograph is here in the Chamber and who is one of those DREAMers—many of whom are brought to this country as infants or very young children. They know no other country. They often know no other language but the one spoken here. Their lives are rooted in this country. Their friends are here. They are going through our schools. They are serving in our military. Yet they can be deported at any time.

Right now, the President has commendably offered the Deferred Action for Childhood Arrivals—DACA—system for them, but it is only for a limited period of time. It does not provide the certainty and security they need to do what Cinthia Perez wants to do with her life. That is why the nearly 2 million immigrants nationwide who would benefit from the DREAM Act—between 11,000 and 20,000 in Connecticut—deserve the benefit of a more secure route, an expedited route to citizenship. That has to be part of accountable immigration reform.

Cinthia Perez was born in Mexico. She was brought to America at the age of 5. She has not left America since. Her family settled in New Haven, CT. She went to the New Haven public schools from elementary school through high school.

It was in high school that Cinthia came to understand how her undocumented status would actually affect her future, because during her senior year of high school, Cinthia attended a college preparation class. From the start of that class—supposedly to prepare her for college—Cinthia could not fully take part in the course because she thought she would not be eligible to go to college because of her undocumented status.

Still, she continued in that class as a way to stay motivated about her future and to experience the college application process, as many Americans do. In fact, she eventually applied to four universities—some State and some private. She was accepted by how many? All four.

Her excitement and her family's soon faded as she realized the choice she faced. She would not be able to attend any of these schools because she could not afford it, and her dream school looked even further out of reach because her parents could not afford to pay full tuition and Cinthia could not share the financial burden because she was afraid to seek work. She is ineligible to work in this country, and she felt hopeless because all she wanted to do was attend college, work her way through, so she could create a better future for herself and make a difference for the country.

Around that time, Connecticut passed a State law—and I advocated it—to allow undocumented students who have graduated from high school in Connecticut to pay instate tuition rates that are available to other Connecticut residents. With that financial burden slightly lessened, Cinthia was able to enroll at Southern Connecticut State University.

She is now proud to be in her sophomore year at SCSU, and she hopes to use her education to pursue a career in community development or environmental management. Basically, she wants to help improve education and support for children in need—children such as herself who simply want an education so they can give back to this country, children such as herself who are motivated and inspired to contribute to America, and children such as herself who are undocumented and, therefore, hampered and impeded in their aspirations.

I have no doubt Cinthia will continue to contribute to Connecticut. She will, unfortunately, face the dangers of deportation from her home and may be sent back to a country she has not seen for many years—in fact, since she was 5 years old.

I hope every DREAMer is given deferred action status under the President's program. I hope Cinthia's application will be favorably received. I hope she will be able to pursue her education and work and give back to this Nation and that she will be eligible at some point for financial aid.

But the full measure of relief from deportation will not come to her or any

of the other DREAMers without the DREAM Act. Therefore, I urge that the comprehensive immigration reform under consideration by a bipartisan group headed by Senators SCHUMER and MCCAIN and the solution eventually adopted by this body to fix that broken system of immigration law will include the DREAM Act.

I wish to thank and give credit to Senator DURBIN, who has championed this measure for a long time, giving a model to many of us at the State level, where I was attorney general for 20 years and championing our equivalent of the DREAM Act there, providing aid, as we did with Cinthia, so she could fulfill her aspirations to seek education.

But at the end of the day, just and effective comprehensive immigration reform must resolve the status of those 11 million people, including Cinthia's relatives who may be here, including the DREAMers' parents who may be here. It has to be comprehensive so as to establish an earned pathway to citizenship for the undocumented immigrants already giving back, already here, already contributing members of our society, and, most especially, the children who were brought here, through no fault of their own, when they were 5 years old or 6 years old or 5 months old, and we reaffirm that America is a land of justice and opportunity.

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

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that on Monday, February 25, 2013, at 5:00 p.m., the Senate proceed to executive session to consider the following nomination: Calendar No. 7; that there be 30 minutes of 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; that 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 the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

MORNING BUSINESS

Mr. REID. 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.

RECOGNIZING THE COCHRAN FAMILY

Mr. LEAHY. Mr. President, in Vermont, you will find any number of successful family-run businesses. Today, I want to recognize the Cochran Family and their Cochran Ski Area. This family, which has spent 50 years on a hillside in the town of Richmond, VT, has seen 10 of its own compete in the Olympic Games and has brought thousands of local youth together to share in Vermont's rich tradition of winter sports.

The Cochran Ski Area is truly a remarkable place in Vermont, where the rewards of family togetherness, community support, and shared knowledge have been reaped to the fullest for half a century. In the 1960s, the Cochran slope was a skiing family's dreamland, but Mickey Cochran, alongside his wife Ginny and family, chose to open their home and their hearts to the community. Since then this slope has become a source of skill not only for the Cochran Olympians, but for every Vermonter who, with their guidance, has been helped to master the art of skiing. The Cochrans intensified their skiing talent and dedication through the application of math and physics, complementing a classroom education with a thrilling hands-on experience unlike any other. This Vermont family and their legacy are a model of community building and achievement. Their charity has enriched Vermont and the Cochran Ski Area has been cherished in return as a haven for families to enjoy winter traditions. Today, a new generation of Cochrans preserves their relationship with the land Mickey and Ginny Cochran sought to make their home years ago, by founding Slopeside Syrup, a maple syrup business. Each spring Cochran's taps more than 20,000 maple trees around the ski slope and opens its doors of the Slopeside Syrup sugarhouse to visitors and neighbors alike.

I am proud to share the Cochran family's story with the Senate. I ask unanimous consent that a recent article from The New York Times about this incredible family be printed in the RECORD.

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

[From the New York Times, Jan. 23, 2013]

SHORT HILLSIDE'S LONG LEGACY

(By Bill Pennington)

RICHMOND, VT.—It was 1960 in northern Vermont and Mickey Cochran had a simple plan with an uncommon stipulation. A former schoolteacher, Cochran would buy a house in the country for his growing family, but only if the new home had a pitched slope behind it where he could install a ski lift.

Along with his wife, Ginny, whom he met while skiing, Cochran found the right house and parcel of land for $10,000, and soon there was a rope tow just outside the back door. Educated as a mechanical engineer, Cochran affixed floodlights to adjacent trees and the roof of the two-story home, turning the modest rural hillside into a round-the-clock winter playground.

Like a Vermont version of the movie ''Field of Dreams,'' if you build and illuminate a place to ski in snow country, people will come from far and wide.

Throughout the 1960s, thousands of local schoolchildren and their parents learned to ski at the Cochran hill, with Mickey and Ginny providing free hands-on instruction. They did not charge to use the 400-foot rope tow either. Everyone was welcome, even in the kitchen of the Cochran home, which served as a warming hut.

''It was a magical place,'' said Bob Cochran, one of Mickey and Ginny's four children. ''Like a big party at your house every night.''

The ski hill, moderately expanded in subsequent decades, continues to this day as a nonprofit organization and revered civic resource, a tribute to Mickey Cochran's humble 1960 dream.

But that is not the reason Cochran's Ski Area, with its one tiny roadside sign, is known throughout the racing world. It is not why the one-room Cochran lodge, built in 1984, is replete with pictures of international skiing stars who have made the trek to this out-of-the-way little ski area next to the Winooski River.

Mickey and Ginny Cochran's children—Marilyn, Barbara Ann, Bob and Lindy—all made the United States ski team and each raced in the Olympics. At the 1972 Games in Sapporo, Japan, Barbara Ann won a gold medal in slalom.

The Skiing Cochrans, as they became known in the 1970s, were an American sensation, feted at gala dinners and featured in national magazines, like a sporting version of the Osmonds.

But there's more: six of Mickey and Ginny Cochran's grandchildren have made the United States ski team in the last decade, including Ryan Cochran-Siegle, Barbara Ann's 20-year-old son, who won two events at the junior world championships last season. His cousin Robby Kelley, Lindy's son, is the reigning national giant slalom champion, extending the lineage of America's first family of ski racing into a sixth decade.

In 2005, four second-generation Cochrans were on the United States ski team, matching the four Cochrans on the team 43 years ago. And the ski area has helped produce more than a dozen United States team members who are not related to the Cochrans, even if they are all embraced as Cochran racers.

''People have asked me if there's something in the water,'' Bob, 61, said with a laugh last month, sitting at a picnic table inside the unassuming Cochran lodge. ''People think we have some secret. But there was no special criteria for coming here except one. My father said you had to have fun.

''And my mother made every kid who showed up here feel like a part of the family.''

NO DISCUSSION OF OLYMPICS

Each of the original skiing Cochrans insisted that making the Olympics was never discussed by their father, who died in 1998 at age 74, or by their mother, who was 76 when she died in 2005.

''Even making the national team was never envisioned,'' said Lindy, now 59. ''That was some mystical place and the farthest thing from my father's mind. He did, however, believe that you needed a lot of repetition to get good at something.''

So what better way than to grab the rope tow just outside your bedroom window?

The usual Cochran winter day would have the children doing their homework after

school, then awaiting their father, who had left teaching to take an engineering job at a General Electric plant in nearby Burlington.

''He would get home around 6 p.m. and we'd be waiting to get out there,'' said Bob, who became a physician after his amateur and professional ski racing career ended. ''My mom would give my dad something to eat, and then he'd go fire up the old gas-powered engine that ran the rope tow.''

Gates would be set on the hill, and if there were not enough gates, saplings cut from the adjacent woods would be used instead.

''It would hurt hitting those saplings,'' said Marilyn, 62. ''But you couldn't get us off that hill. We'd be out there five nights a week, and the only way to get us to go to bed was to flip off the lights.''

When Marilyn and Barbara Ann, who was 11 months younger, began winning regional and national-level races, their celebrity spread in the pastoral remote villages of northern New England, but they remained something of a curiosity at the extravagant Alps resorts that hosted the top international ski races. That was true even after they each won a medal at the 1970 world championships.

''I recall the Europeans saying: 'Who are these Cochrans? From where?' '' Marilyn said. ''But you know, they started thinking of us as kids to be reckoned with.''

Their father was their coach and, they said, an innovator. Relying on his engineering background, he introduced scientific methods to racing tactics, turning a mountain descent into a conversation about vectors and ski path velocity. He taught his children to chart the number of gates in a racecourse and to memorize it using visualization techniques. He was also a master sports psychologist, an underappreciated part of coaching at the time.

''He was a teacher at heart, and he knew how to keep you focused on your performance and not the outcome,'' Bob said. ''He was years ahead of his time.''

If there is a shared trait from generation to generation of Cochran Olympians, it is the powerful benefit of basic homework, or time on the snow in ski racing parlance. The emphasis has always been on the value of dedicated, enthusiastic preparation, even in modest circumstances. The Cochran race training course is far from steep and only several hundred feet long. But Cochran racers for multiple decades have completed lap after lap, smiling as they go.

''There was never pressure on us,'' said Ryan Cochran-Siegle, who is now racing at the highest levels of the World Cup circuit, a path his cousins blazed before him. ''I never felt any expectations. I wanted to do well, but winning was never the central goal. We were urged to just get better and better.''

Marilyn, who became a World Cup giant slalom champion, recalled that her father always deflected questions about success, even as it became common to the household.

''Acknowledging medals and things like that seemed arrogant to him,'' she said recently, sitting with her sisters and brother. ''Although I know he was proud of us.''

Marilyn then explained that her parents could not afford to attend the 1972 Sapporo Olympics, where three of their children competed, but they stayed up late to watch the races from Japan. The living room scene, just feet from the backyard rope tow, was later recreated for her.

''My father cried twice in his life—when his mother died and when this one won the gold medal,'' Marilyn said, tapping the shoulder of Barbara Ann.

''I didn't know that,'' Barbara Ann said, turning with a look of surprise. ''Now I'm going to cry.''

Marilyn said, ''Me, too.''

MORE ROOM TO TEACH

The Cochran's Ski Area of today has moved about 150 yards from the original home, which has remained in the family. An adjacent 140-acre parcel of land, bought years ago for $4,000, allows more room to teach beginners, which comes in handy with more than 700 students enrolled in after-school programs.

Hundreds of local youth and Vermont high school racers also train and compete on the main trail next to a busy T-bar.

''It's just an extension of when the local parent-teacher organization came to my mom and asked if she would teach the kids on our hill,'' said Barbara Ann, who heads the current instruction program. ''Mom always said skiing was the best way to keep parents and their kids together in the backyard.''

On a bluff overlooking a dirt and cinder parking lot, the Cochran lodge is festooned with dozens of numbered racing bibs from championship races. The oldest are from New England in the mid-1960s and the newest were proudly spirited home from top international competitions last winter.

The skis Barbara Ann used to win her gold medal hang from the ceiling, and photos celebrating the careers of nearly every Cochran are tacked to the walls, which takes up a lot of room given the breadth of the accomplishments. From Bob's 1973 win in the famed Hahnenkamm combined in Austria to Lindy's top American finish for a woman in the 1976 Olympic slalom and giant slalom, to N.C.A.A. championships by the grandchildren, the Mickey and Ginny Cochran racing pedigree is long and full. And all of it from a hill that is a miniature of a major ski resort.

Simplicity and unpretentiousness have remained hallmarks of the Cochran way. So has affordability. A junior weekend lift ticket is $14. Children pay about $40 for a season of after-school lessons $90 with rentals.

''And we give scholarships if someone can't afford that,'' Lindy said. ''If you really want to learn to ski, you won't be turned away.''

The ski area may have registered as a nonprofit organization only after Mickey's death, but as Ginny told her children at the time, ''It was always a nonprofit.''

VIABILITY AND AVAILABILITY

The current ski area, with its gaggle of instructors, coaches and lift operators, is overseen by a board that has had to raise money for improvements like top-to-bottom snowmaking. The bills are paid, the lodge picnic tables overflow in the winter with excited, red-cheeked children, and warm food is doled out of a tiny kitchen. But donations are continually sought to keep Cochran's Ski Area viable and available to the next generation.

On a stormy Friday four days before Christmas, rain pelted the tin roof of the Cochran lodge and gusts knocked out the electrical power. Man-made snow was on the slopes, but the downpour threatened the anticipated opening of the ski area the next day.

The four children of Mickey and Ginny Cochran, who live not far from Richmond, happily gathered inside the lodge nonetheless, reminiscing and finishing each other's sentences as if they were at the dining room table in 1960.

They discussed the Olympics and world championships like run-of-the-mill high school events. When shown black-and-white pictures of their Olympic media appearances, the Cochrans hardly seemed impressed; they were too busy teasing one another about their 1970s hairdos.

One by one, recollections from decades past were summoned with ease and spontaneity, and almost every story began with a Cochran turning and pointing at the ski trails beyond the lodge window and saying:

''We were on the hill. . . .''

The weather that day may have been cold and blustery. The Cochran memories are forever warm and genuine.

After a few hours, the siblings departed wondering when the ski area—a Vermont cultural landmark—might open for another winter.

''If it stops raining, we've still got a chance tomorrow,'' Lindy said.

The next day, the rain had ceased but the snow beneath the T-bar lift was too irregular for Cochran's to open as scheduled.

About 25 youngsters from the weekend race program showed up anyway. So did some coaches and the three Cochran sisters. Pulling into the muddy parking lot, they got out of their cars to gaze uphill at the swath of good snow that remained on the central trail.

A procession soon began hiking up the hill carrying skis. Gates were set in the snow. Racers skied down.

Smiling, they walked back up the hill. Over and over.

It snowed soon after. Three days later, Cochran's Ski Area officially opened for another winter.

RECOGNIZING THE CITY OF JENKINS, KENTUCKY

Mr. MCCONNELL. Mr. President, I stand before you today to recognize and salute the city of Jenkins in Letcher County, KY, as they celebrate 100 years of rich State history.

Jenkins's roots reach back before its official incorporation. Four smaller communities combined to form the city of Jenkins when Consolidation Coal Company purchased 100,000 acres of coal lands in eastern Kentucky. Consolidation Coal's director, George C. Jenkins, became the city's namesake in 1912 when it was officially founded. The communities that joined together, Dunham, Burdine, Jenkins, and McRoberts, helped build the new city, which grew quickly. On January 9, 1912, the Commonwealth of Kentucky recognized Jenkins as a city of the sixth class, and by April 20 of the same year, its government was established.

The people of Jenkins had an important role to play in the State—mining the ''Cavalier'' coal that earned the reputation as the best coal in Kentucky. The success and importance of their work further facilitated the expansion of the city, and within a few years a bank, grocery store, sawmill, brick plant, hospital, bakery, drug store, post office, jail, hotel, recreation center, and a few churches and schools all opened to serve the population of the area.

Today, citizens of Jenkins enjoy the incredible Appalachian heritage as much as the beautiful mountains and scenery that surround them. The picturesque surroundings of the southeastern Kentucky mountains, and the Pine Mountain area, are on display in Breaks Interstate Park, known as ''The Grand Canyon of the South,'' and in places like the Raven Rock Golf Course. Set in this environment is ''Jenkins Homecoming Days'' and the

Zegeer Museum, which celebrates the history and culture of the town. These highlights speak to the hard work and dedication of the citizens of Jenkins in the past century, especially their pioneering work in the coal mining and railroad industries, which the Zegeer Museum details wonderfully.

At this time, I would like to ask my colleagues in the U.S. Senate to join me in honoring the city of Jenkins as we look back in appreciation on their storied past, and recognize the diligent work of the residents to keep up the traditions and build a bright future.

I also ask unanimous consent that an article from the Mountain Eagle noting Jenkins's rich history be printed in the RECORD.

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

[From the Mountain Eagle, June 13, 2012]

100 YEARS OF MINING HISTORY DISPLAYED AT JENKINS MUSEUM

(By Marcie Crim)

With the City of Jenkins celebrating its centennial this year, there is much to learn about the town's history, and the David A. Zegeer Coal-Railroad Museum is a good place to begin.

In the fall of 1911, Consolidation Coal Company purchased 100,000 acres of coal lands in Pike, Letcher, and Floyd counties from the Northern Coal and Coke Company. A site was selected for a town to be named in honor of George C. Jenkins, one of the leading citizens of Baltimore and a director of Consolidation Coal. By the time Jenkins was incorporated in 1912—containing the communities of Dunham, Burdine, Jenkins, and McRoberts—construction of the town was booming.

Consolidation Coal built Elkhorn Lake to supply water to run the turbines in a power plant. The company constructed several businesses to serve the new residents of Jenkins—a bank, grocery store, sawmill, brick plant and a hospital that was built in 1915. Also built were a bakery, drug store, post office, jail, hotel, recreation center, churches and schools.

Jenkins was a town built to serve one purpose—to mine the ''Cavalier'' coal that was to become known as the best coal in Kentucky—and its history is on display at the Zegeer Museum located on Main Street in the old train depot.

The museum is named in honor of a former employee of Consolidation Coal and its successor in Jenkins, Beth-Elkhorn Coal Corp. Zegeer joined Consol in Jenkins in the late 1940s. When the company sold its Letcher County operations to Bethlehem Steel in 1956, Zegeer became division superintendent. He retired as manager of Beth-Elkhorn in 1977.

In 1983, Zegeer was confirmed as Assistant Secretary of Labor for the U.S. Department of Mine Safety and Health Administration (MSHA) in 1983, until retiring in 1987. According to Lois Greer, the current curator of the museum, Zegeer was ''a company man, but he really cared about the people in this community.''

Zegeer also became interested in the history of Jenkins, and in conjunction with another resident of Jenkins—Marshall Prunty, president of Roberts and Schaeffer Co.—compiled a videotape of the history of Jenkins based on 145 photographs taken during the years of 1911 through the early 1930s and various publications and interviews with some of the oldest living residents. The documentary, entitled ''Birth of a Mining Town, Jenkins, Ky.,'' is available for purchase at the museum.

Many pieces of Jenkins history can be found at the museum, from photos of the town's construction to various examples of mining equipment—everything from hard hats to breathing devices, dinner buckets, head lamps and more. Also on display is the sword of ''Bad'' John Wright, also known as ''Devil John,'' an infamous former resident of Letcher County. Many of the exhibits in the museum are on loan from current and former residents of Jenkins.

Lois Greer is a friendly woman who has called Jenkins home for many years. She loves to talk about the history of the town and tell stories of the people and buildings that once called Jenkins home. She's more than happy to walk visitors through the various rooms at the museum, pointing out photographs that show coal camp houses, community centers that no longer exist, and grand buildings that were later taken by fire. She said attendance has been down at the museum lately, but she expects it will pick back up come August when the celebration begins in earnest.

As Jenkins prepares to celebrate its 100th birthday, the museum is the perfect place to dive in and begin exploring the history of coal mining in Letcher County. You can leave with DVDs to watch at home, folk art made from lumps of shiny black coal, and postcards showing photos of the town's construction and subsequent boom years. You'll also walk out with enough knowledge to make you want to start Googling the history of Jenkins to find out more.

Jenkins is a proud town with a singular story to tell—a story of building a town from scratch, digging it out of the earth to be settled solely for the purpose of mining coal.

To contact the museum, phone 606–832–4676.

TRIBUTE TO TONY WHITAKER

Mr. MCCONNELL. Mr. President, it is my honor to stand before you today to recognize an esteemed Kentuckian, Mr. Tony Whitaker, on the occasion of his recent retirement from the position of CEO of First Federal Bancorp this past December. I speak for the communities that Mr. Whitaker has served and worked in during his career when I say that his desire to help others, work diligently and contribute to the lives of those around him are certainly deserving of our respect and honor.

Tony has worked as a banker in Richmond, Louisville, and most recently in Hazard, KY, where he held the position of chief executive officer of First Federal Bancorp. According to Mr. Whitaker, his best years of the four decades spent in banking were spent at First Federal, something that the people of Hazard would no doubt confirm. His move to Louisville is motivated by a desire to be near family, but his assurance that he will miss calling Hazard ''home'' is represented by his fond memory of the welcoming community he found upon his arrival in the 1990s.

Tony has been an indispensable presence both in Hazard and at First Federal, and his strong leadership has prepared the bank to thrive, allowing those he has invested in to continue his legacy. He will continue to stay involved by serving as the chairman of Kentucky First Federal Bancorp. He genuinely wants to positively impact others, offering to be just a phone call away to anyone who needs his help.

At this time, I would like to ask my fellow Senators to join me in honoring Mr. Tony Whitaker. This well-known and well-respected man is a model citizen, and represents the best of the Commonwealth of Kentucky. We are grateful for his input and impact on his community, and I ask unanimous consent that a newspaper article highlighting his achievements be printed in the RECORD.

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

[From the Hazard Herald, December 20, 2012]

WHITAKER STEPPING DOWN AS FIRST FEDERAL CEO

(By Cris Ritchie)

HAZARD.—In less than two weeks, Tony Whitaker will step down as CEO of First Federal Bancorp, the parent company of First Federal Savings & Loan of Hazard, and during a reception on Thursday he expressed his admiration and appreciation to the city of Hazard, where he has made his home for the past 15 years.

Whitaker, who also served several years as president of the local chamber of commerce, will remain chairman of the company's board of directors. Don Jennings, the current CEO of the company's Frankfort location, will take on Whitaker's role as chief executive officer, while Lou Ella Farler will become CEO of the Hazard First Federal bank, a job for which she has been transitioning for the past few months.

First Federal in Hazard hosted a reception for Whitaker in the bank's lobby on Thursday, during which he noted that the best of his four decades of experience in the banking business were spent in Perry County.

''My best years have been with this bank here in Hazard, and living in this town the last 15 years or so,'' Whitaker said.

Whitaker plans to move to Louisville to be close to his daughter and grandchildren, but will remain active with the company as board chairman. The transition once he steps down in Hazard will be seamless, he added, and for the customer there shouldn't be any difference as the bank will continue to offer the same service and products. And he expects the bank to continue to thrive with Farler serving as its CEO.

''Through the year I've transitioned, and Lou Ella pretty much got hands on and made most of the decisions,'' he said.

He added that were his family not living in Louisville he'd likely remain in Hazard, and he expressed his appreciation to the people here for welcoming him into the community when he arrived in the 1990s.

''I appreciate the good town I've had the opportunity to live in, the boards that I've had and the people I've been able to work with,'' he said, ''and most of all our customers.''

Whitaker will step down as CEO on December 31.

GUN VIOLENCE

Mr. DURBIN. Mr. President, I rise to speak about the problem of gun violence in America. Every day we lose over 30 men, women and children in violent shooting deaths. More than 11,000 Americans are murdered with guns each year. That is more deaths

each year than all the American lives lost in the 9/11 attacks . . . and the Iraq war and the Afghanistan war combined. Every day provides some grim reminder of the toll of gun violence in our nation. And today marks yet another sad anniversary.

Five years ago today, on February 14, 2008, a gunman entered a lecture hall on the campus of Northern Illinois University in DeKalb. The gunman opened fire on the students gathered in the hall, taking the lives of five students and wounding 17 others. The five Illinoisans we lost that day were: Gayle Dubowski, 20 years old, from Carol Stream, who sang in her church choir and enjoyed working as a camp counselor; Catalina Garcia, of Cicero, age 20, who had a glowing smile and who hoped to be a teacher someday; Juliana Gehant, of Mendota, age 32, a veteran of the United States Army and Army Reserve who also dreamed of becoming a teacher; Ryanne Mace, of Carpentersville, only 19 years old, who aspired to work as a counselor so she could help others; and Daniel Parmenter, 20 years old, from Westchester, a rugby player and a gentle giant who died trying to shield his girlfriend from the shooter.

This day was devastating for the families of the victims, for the NIU community, and for our nation. We were heartbroken by the senseless murders of these young Americans who had hopes and dreams and bright futures. The Northern Illinois University community came together in response to the tragedy. They held each other close, and continued to move ''forward, together forward'' in the words of the Huskie fight song. But no family and no community should have to suffer like this. And those who were scarred by the shooting but survived will never forget that day and never fully heal from it.

There are things that we can do to move forward together on this issue of gun violence. Just the other day I received an email from Patrick Korellis, of Gurnee, IL, who was in the NIU lecture hall on that day 5 years ago. He was shot in the head but survived. Patrick wrote me because he believes Congress needs to act to prevent and reduce gun violence. He wrote in support of the proposals that the President has put forward and that we will soon consider in the Senate Judiciary Committee. These proposals will not stop every shooting in America. But they will stop many of them. And lives will be saved if we can move forward and put them into effect.

We know what we need to do. Earlier this week I chaired a hearing in the Subcommittee on the Constitution, Civil Rights and Human Rights to discuss ways we can protect our communities from gun violence while respecting the Second Amendment. We discussed a number of common sense proposals. First, we need to have a system of universal background checks for all gun sales. This idea is a no-brainer. Universal background checks will ensure that those who are prohibited by law from buying a gun, like felons, fugitives, and the mentally ill, cannot get one from a private seller at a gun show or over the Internet. Universal background checks are not controversial. In fact, the idea is supported by 74 percent of the members of the NRA, according to a poll conducted last year by Republican pollster Frank Luntz.

We should also stop the flood of new military-style assault weapons onto our streets. When you talk to hunters, they tell you that these kinds of weapons are not needed for hunting. And these weapons are not designed for self-defense. These are weapons of aggression, designed to spray a large number of bullets in a short time with minimal reloading. And they were used to commit mass slaughter in places like Newtown and Aurora. Our children and our first responders should not have to face these weapons of aggression. Surely we can agree on reasonable limits for military-style assault weapons.

We should also limit the capacity of ammunition magazines—to a level that allows for reasonable self-defense but that reduces the scope of carnage that a mass shooter can cause. This would have saved lives in Tucson and in other mass shootings.

We should crack down on the straw purchasers who buy guns and then give them to criminals and other prohibited purchasers. Straw purchasing fuels the criminal gun market, and it costs lives. But right now federal law only allows straw purchasers to be charged with a paperwork violation for lying on the gun sale form. At the hearing I chaired earlier this week, we learned from U.S. Attorney Timothy Heaphy of the Western District of Virginia that these ''paperwork prosecutions'' are difficult to prove and usually carry only minor penalties. That is not good enough. We need to create a strong deterrent to these unlawful straw purchases so we can stop this supply chain of guns to criminals.

At the hearing I chaired, we also heard powerful testimony from Sandra Wortham of the South Side of Chicago. Sandra's brother, Officer Thomas Wortham the Fourth, was shot and killed by gang members on May 19, 2010, in front of his parents' home. Thomas was a Chicago Police Officer, a community leader and a combat veteran who had served two tours in Iraq. Some say that the answer to gun violence in America is simply to arm more good guys with guns so they can shoot back. But both Thomas Wortham and his father, a retired Chicago police officer, were armed that night, and they shot back at the men who pulled a gun on Thomas. Even so, those men killed Thomas Wortham with a straw-purchased handgun.

These were men who were not allowed to legally buy a handgun, but they got one all too easily on the streets—a gun that was straw purchased in Mississippi and trafficked up to Chicago. As Sandra Wortham said so eloquently in her testimony, ''the fact that my brother and father were armed that night did not prevent my brother from being killed. We need to do more to keep guns out of the wrong hands in the first place. I don't think that makes us anti-gun, I think it makes us pro-decent, law abiding people.''

I agree with Sandra. We can take steps, consistent with our Constitution and the Second Amendment, to limit access to dangerous weapons and keep them out of the hands of those prohibited from using them.

I believe the Wortham family deserves a vote here in the United States Senate. They deserve a vote on common sense reforms that would keep guns out of the wrong hands. We owe that to them, and I look forward to that vote.

Whether it strikes in a college lecture hall in DeKalb or on the sidewalks of the South Side of Chicago, gun violence is a tragedy. Today we mourn the loss of those taken from us at NIU 5 years ago. And we mourn Thomas Wortham and the tens of thousands of other Americans we have lost in violent shootings since that day. But the time is coming soon when we will be able to vote on measures to save families from the suffering that the Worthams and so many others have experienced. And I hope the Senate will make those families proud.

THE TIME IS NOW

Mr. LEVIN. Mr. President, as President Obama reminded us in his State of the Union Address this week, 2 months have passed since the heartbreaking school shooting in Newtown, CT. Since then, we have mourned the loss of the 20 wonderful children and 6 extraordinary adults who were murdered that day. Their lives were taken by a mentally deranged individual who easily obtained a semi-automatic military-style assault rifle with a high capacity ammunition magazine.

It has been estimated that there are currently 18 million assault weapons in circulation around the United States. If no action is taken, this number will continue to grow. Across our Nation, any dangerous individual can walk into a gun show and walk out with the same type of weapon that the perpetrator in Newtown used to murder so many innocent people. These weapons, along with high-capacity ammunition magazines, can easily escalate confrontation into murder, petty crime into tragedy, and a killing of one or two people into a massive slaughter.

The weight of evidence shows that since Congress allowed the Federal assault weapons ban to expire in 2004, the use of military style assault weapons in crime has surged around our Nation. For example, a 2010 study conducted by the Police Executive Research Forum found that since the ban lapsed, 37 percent of police agencies have reported increases in criminals' use of assault

weapons. A separate Washington Post analysis revealed that the ban was associated with a 60 percent decline in the number of guns with high-capacity magazines recovered at Virginia crime scenes between 1998 and 2004. But since the ban expired in 2004, the number of guns recovered with high-capacity magazines has more than doubled. A Department of Justice study of several cities found that high-capacity magazines are used in 14 to 26 percent of gun crimes and in 31 to 41 percent of fatal police shootings in the cities analyzed.

It is long past time to take concrete action to support our law enforcement communities and to prevent more of these massacres. That is why I am a cosponsor of the Assault Weapons Ban of 2013. By preventing the future possession, manufacture, sale and importation of assault type weapons and high-capacity ammunition magazines, this bill would stop the flood of these weapons of war into our communities. It would support law enforcement officers across our Nation, who should not be forced to confront lawbreakers armed with military weapons. And it would protect the rights of hunters by specifically naming thousands of firearms with legitimate sporting, sentimental or other value that would remain legal to possess.

Mr. President, we must face reality. We live in a nation trapped in an epidemic of gun violence. Where a day at the mall or a trip to the movies can become a nightmare. Where parents send their children to school and have to worry about whether they will come home.

Is this the Nation we want, or the Nation we want to leave to our children? We must not wait for the next madman to easily and legally purchase a military-style assault weapon and a high capacity magazine. I urge my colleagues to protect the American people by enacting measures to stem the tide of gun tragedies. It is long past time for this kind of violence to end.

TANF

Mr. HATCH. Mr. President, I ask unanimous consent to have printed in the RECORD the GAO opinion letter dated September 4, 2012, and the TANF Information Memorandum dated July 12, 2012.

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

U.S. GOVERNMENT
ACCOUNTABILITY OFFICE,
Washington, DC, September 4, 2012.

Hon. ORRIN HATCH,
Ranking Member, Committee on Finance, U.S. Senate.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, House of Representatives.

By letter of July 31, 2012, you asked whether an Information Memorandum issued by the Department of Health and Human Services (HHS) on July 12, 2012 concerning the Temporary Assistance for Needy Families (TANF) program constitutes a rule for the purposes of the Congressional Review Act (CRA). The CRA is intended to keep Congress informed of the rulemaking activities of federal agencies and provides that before a rule can take effect, the agency must submit the rule to each House of Congress and the Comptroller General. For the reasons discussed below, we conclude that the July 12, 2012 Information Memorandum is a rule under the CRA. Therefore, it must be submitted to Congress and the Comptroller General before taking effect.

BACKGROUND

The Temporary Assistance for Needy Families block grant, administered by the U.S. Department of Health and Human Services, provides federal funding to states for both traditional welfare cash assistance as well as a variety of other benefits and services to meet the needs of low-income families and children. While states have some flexibility in implementing and administering their state TANF programs, there are numerous federal requirements and guidelines that states must meet. For example, under section 402 of the Social Security Act, in order to be eligible to receive TANF funds, a state must submit to HHS a written plan outlining, among other things, how it will implement various aspects of its TANF program. More specifically, under section 402(a)(1)(A)(iii) of the Social Security Act, the written plan must outline how the state will ensure that TANF recipients engage in work activities. Under section 407 of the Social Security Act, states must also ensure that a specified percentage of their TANF recipients engage in work activities as defined by federal law.

In its July 12 Information Memorandum, HHS notified states of HHS' willingness to exercise its waiver authority under section 1115 of the Social Security Act. Under section 1115, HHS has the authority to waive compliance with the requirements of section 402 in the case of experimental, pilot, or demonstration projects which the Secretary determines are likely to assist in promoting the objectives of TANF. In its Information Memorandum, HHS asserted that it has the authority to waive the requirement in section 402(a)(1)(A)(iii) and authorize states to ''test approaches and methods other than those set forth in section 407,'' including definitions of work activities and the calculation of participation rates. HHS informed states that it would use this waiver authority to allow states to test various strategies, policies, and procedures designed to improve employment outcomes for needy families. The Information Memorandum sets forth requirements that must be met for a waiver request to be considered by HHS, including an evaluation plan, a set of performance measures that states will track to monitor ongoing performance and outcomes, and a budget including the costs of program evaluation. In addition, the Information Memorandum provides that states must seek public input on the proposal prior to approval by HHS.

ANALYSIS

The definition of ''rule'' in the CRA incorporates by reference the definition of ''rule'' in the Administrative Procedure Act (APA), with some exceptions. Therefore, our analysis of whether the July 12 Information Memorandum is a rule under the CRA involves determining whether it is rule under the APA and whether it falls within any of the exceptions contained in the CRA. The APA defines a rule as follows:

''[T]he whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency and includes the approval or prescription for the future of rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor or of valuations, costs, or accounting, or practices bearing on any of the foregoing[.]''

This definition of a rule has been said to include ''nearly every statement an agency may make.''

The CRA identifies 3 exceptions from its definition of a rule: (1) any rule of particular applicability; (2) any rule relating to agency management or personnel; or (3) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3).

The definition of a rule under the CRA is very broad. See B–287557, May 14, 2001 (Congress intended that the CRA should be broadly interpreted both as to type and scope of rules covered). The CRA borrows the definition of a rule from 5 U.S.C. §551, as opposed to the more narrow definition of legislative rules requiring notice and comment contained in 5 U.S.C. §553. As a result, agency pronouncements may be rules within the definition of 5 U.S.C. §551, and the CRA, even if they are not subject to notice and comment rulemaking requirements under section 553. See B–316048, April 17, 2008 (the breadth of the term ''rule'' reaches agency pronouncements beyond those that require notice and comment rulemaking) and B–287557, cited above. In addition to the plain language of the CRA, the legislative history confirms that it is intended to include within its purview almost all rules that an agency issues and not only those rules that must be promulgated according to the notice and comment requirements in section 553 of the APA. In his floor statement during final consideration of the bill, Representative McIntosh, a principal sponsor of the legislation, emphasized this point:

''Although agency interpretive rules, general statements of policy, guideline documents, and agency policy and procedure manuals may not be subject to the notice and comment provisions of section 553(c) of title 5, United States Code, these types of documents are covered under the congressional review provisions of the new chapter 8 of title 5.

Under section 801(a), covered rules, with very few exceptions, may not go into effect until the relevant agency submits a copy of the rule and an accompanying report to both Houses of Congress. Interpretive rules, general statements of policy, and analogous agency policy guidelines are covered without qualification because they meet the definition of a 'rule' borrowed from section 551 of title 5, and are not excluded from the definition of a rule.''

On its face, the July 12 Information Memorandum falls within the definition of a rule under the APA definition incorporated into the CRA. First, consistent with our prior decisions, we look to the scope of the agency's action to determine whether it is a general statement of policy or an interpretation of law of general applicability. That determination does not require a finding that it has general applicability to the population as a whole; instead, all that is required is that it has general applicability within its intended range. See B–287557, cited above (a record of decision affecting the issues of water flow in two rivers was a general statement of policy with general applicability within its intended range). Applying these principles, we have held that a letter released by the Centers for Medicare and Medicaid Services to state health officials concerning the State Children's Health Insurance Program

(SCHIP) was of general applicability because it extended to all states that sought to enroll children with family incomes exceeding 250 percent of the federal poverty level in their SCHIP programs, as well as all states that had already enrolled such children. Similarly, the July 12 Information Memorandum is of general, rather than particular, applicability because it extends to all states administering Temporary Assistance for Needy Families (TANF) programs that seek a waiver for a demonstration project.

Next we must determine whether the action is prospective in nature, that is, whether it is concerned with policy considerations for the future and not with the evaluation of past conduct. In B–316048, we held that the SCHIP letter was intended to clarify and explain the manner in which CMS applies statutory and regulatory requirements to states that wanted to extend coverage under the SCHIP programs. Similarly, the July 12 Information Memorandum is concerned with authorizing demonstration projects in the future, rather than the evaluation of past or present demonstration projects. Specifically, the Information Memorandum informs states that HHS will use its statutory authority to consider waiver requests, and sets out requirements that waiver requests must meet. Accordingly, it is designed to implement, interpret, or prescribe law or policy.

In addition, the Information Memorandum does not fall within any of the three exclusions for a rule under the CRA. As discussed above, the Information Memorandum applies to all states that administer TANF programs, and therefore is of general applicability, rather than particular applicability. The Information Memorandum applies to the states, and does not relate to agency management or personnel. Finally, the Information Memorandum sets out the criteria by which states may apply for waivers from certain requirements of the TANF program. These criteria affect the obligations of the states, which are non-agency parties.

GAO has consistently emphasized the broad scope of the definition of ''rule'' in the CRA in determining the applicability of the CRA to an agency document. Other documents deemed to be rules include letters, records of decision, booklets, interim guidance, and memoranda. See, for example, B–316048, April 17, 2008 (a letter released by the Centers for Medicare & Medicaid Services of HHS concerning a State Children's Health Insurance Program measure, to ensure that coverage under a state plan does not substitute for coverage under group health plans, described by the agency as a general statement of policy, was a rule) and B–287557, May 14, 2001 (a ''record of decision'' issued by the Fish and Wildlife Service of the Department of Interior in connection with a federal irrigation project was a rule).

Finally, the cases where we have found that an agency pronouncement was not a rule involved facts that are clearly distinguishable from the July 12 Information Memorandum.

We requested the views of the General Counsel of HHS on whether the July 12 Information Memorandum is a rule for purposes of the CRA by letter dated August 3, 2012. HHS responded on August 31, 2012, stating that the Information Memorandum was issued as a non-binding guidance document, and that HHS contends that guidance documents do not need to be submitted pursuant to the CRA. Furthermore, HHS notes that it informally notified Congress by providing notice to the Majority and Minority staff members of the House Ways and Means Committee and Senate Finance Committee on the day the Information Memorandum was issued.

We cannot agree with HHS's conclusion that guidance documents are not rules for the purposes of the CRA and HHS cites no support for this position. The definition of ''rule'' is expansive and specifically includes documents that implement or interpret law or policy. This is exactly what the HHS Information Memorandum does. It interprets section 402(a) and section 1115 to permit waivers for a demonstration program HHS is initiating. We have held that agency guidance, including guidance characterized as non-binding, constitutes a rule under the CRA. See B–281575, cited above. In addition, the legislative history of the CRA specifically includes guidance documents as an example of an agency pronouncement subject to the CRA. A joint statement for the record by Senators Nickles, Reid, and Stevens, submitted to the Congressional Record upon enactment of the CRA, details four categories of rules covered by the definition in section 551. These categories include formal rulemaking under sections 556 and 557, notice-and-comment rulemaking under section 553, statements of general policy and interpretations of general applicability under section 552, and ''a body of materials that fall within the APA definition of a 'rule' . . . but that meet none of procedural specifications of the first three classes. These include guidance documents and the like.'' Finally, while HHS may have informally notified the cited Congressional committees of the issuance of the Information Memorandum, informal notification does not meet the reporting requirements of the CRA.

CONCLUSION

We find that the July 12 Information Memorandum issued by HHS is a statement of general applicability and future effect, designed to implement, interpret, or prescribe law or policy with regard to TANF. Furthermore, it does not come within any of the exceptions to the definition of rule contained in the CRA. Accordingly, the Information Memorandum is a rule under the Congressional Review Act.

We note that this opinion is limited to the issue of whether the Information Memorandum is a rule under the CRA. We are not expressing an opinion on the applicability of any other legal requirements, including, but not limited to, notice and comment rulemaking requirements under the APA, or whether the Information Memorandum would be a valid exercise or interpretation of statutes or regulations.

Accordingly, given our conclusions above, and in accordance with the provisions of 5 U.S.C. 801(a)(1), the Information Memorandum is subject to the requirement that it be submitted to both Houses of Congress and the Comptroller General before it can take effect.

If you have any questions concerning this opinion, please contact Edda Emmanuelli Perez, Managing Associate General Counsel.

LYNN H. GIBSON,
General Counsel.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES INFORMATION MEMORANDUM

U.S. Department of Health and Human Services, Administration for Children and Families, Office of Family Assistance, Washington, DC.

Transmittal No. TANF–ACF–IM–2012–03, July 12, 2012

To: States administering the Temporary Assistance for Needy Families (TANF) Program and other interested parties

Subject: Guidance concerning waiver and expenditure authority under Section 1115

Reference: Section 1115 of the Social Security Act. [42 U.S.C. 1315]; Section 402 of the Social Security Act. [42 U.S.C. 602]

Background: Section 1115 of the Social Security Act provides authority for the Secretary of the Department of Health and Human Services (HHS) to consider and approve experimental, pilot, or demonstration projects which, in the Secretary's judgment, are likely to assist in promoting the objectives of Title IV-A. Section 1115 allows for waiver of compliance with section 402 of the Social Security Act to the extent and for the period necessary to enable a state to carry out an approved project. The statute also provides authority for costs of such projects which would not otherwise be an allowable use of funds under Part A of Title IV to be regarded as an allowable use of funds, to the extent and for the period approved.

As specified in statute, the purpose of Part A is to increase the flexibility of states in operating a program designed to: (1) provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives; (2) end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage; (3) prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and (4) encourage the formation and maintenance of two-parent families.

Purpose: HHS is encouraging states to consider new, more effective ways to meet the goals of TANF, particularly helping parents successfully prepare for, find, and retain employment. Therefore, HHS is issuing this information memorandum to notify states of the Secretary's willingness to exercise her waiver authority under section 1115 of the Social Security Act to allow states to test alternative and innovative strategies, policies, and procedures that are designed to improve employment outcomes for needy families.

States led the way on welfare reform in the 1990s—testing new approaches and learning what worked and what did not. The Secretary is interested in using her authority to approve waiver demonstrations to challenge states to engage in a new round of innovation that seeks to find more effective mechanisms for helping families succeed in employment. In providing for these demonstrations, HHS will hold states accountable by requiring both a federally-approved evaluation and interim performance targets that ensure an immediate focus on measurable outcomes. States must develop evaluation plans that are sufficient to evaluate the effect of the proposed approach in furthering a TANF purpose as well as interim targets the state commits to achieve. States that fail to meet interim outcome targets will be required to develop an improvement plan and can face termination of the waiver project.

The demonstration authority provided by section 1115 and sound evaluation of approved projects will provide valuable knowledge that will help lead to improvements in achieving the purposes of the TANF program.

Information: *Scope of Authority*. Section 1115 authorizes waivers concerning section 402. Accordingly, other provisions of the TANF statute are not waivable. For example, the purposes of TANF are not waivable, because they are contained in section 401. The prohibitions on assistance are not waivable, because they are contained in section 408.

While the TANF work participation requirements are contained in section 407, section 402(a)(1)(A)(iii) requires that the state plan ''[e]nsure that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 407.'' Thus, HHS has authority to waive compliance with this 402 requirement and authorize a state to test approaches and

methods other than those set forth in section 407, including definitions of work activities and engagement, specified limitations, verification procedures, and the calculation of participation rates. As described below, however, HHS will only consider approving waivers relating to the work participation requirements that make changes intended to lead to more effective means of meeting the work goals of TANF.

Moreover, HHS is committed to ensuring that any demonstration projects approved under this authority will be focused on improving employment outcomes and contributing to the evidence base for effective programs; therefore, terms and conditions will require a federally-approved evaluation plan designed to build our knowledge base. TANF funds may be used to fund an approved evaluation and state funds spent on an approved evaluation may be considered state maintenance-of-effort (MOE) expenditures. In addition, terms and conditions will require either interim targets for each performance measure or a strategy for establishing baseline performance on a set of performance measures and a framework for how interim goals will be set after the baseline measures are established. The terms and conditions will establish consequences for failing to meet interim performance targets including, but not limited to, the implementation of an improvement plan and, if the failure to meet performance targets continues, termination of the waivers and demonstration project.

HHS Priorities. In exercising her broad discretion for waivers, the Secretary is interested in approaches that seek to improve employment outcomes. Accordingly:

Waivers will be granted only for provisions related to section 402.

The purposes of TANF, the prohibitions contained in section 408 (including the time limits on assistance contained in that section), or any other provision of TANF other than those specified in section 402 will not be waived.

The Secretary will not approve a waiver for an initiative that appears substantially likely to reduce access to assistance or employment for needy families.

The Secretary will not use her authority to allow use of TANF funds to provide assistance to individuals or families subject to the TANF prohibitions on assistance.

The Secretary will not waive section 402(a)(5) relating to requirements to provide equitable access to Indians.

Waiver demonstration projects may be conducted in limited geographic areas or statewide. The Administration for Children and Families (ACF) is interested in more efficient or effective means to promote employment entry, retention, advancement, or access to jobs that offer opportunities for earnings and advancement that will allow participants to avoid dependence on government benefits. The following are examples of projects that states may want to consider—these are illustrative only:

Projects that improve coordination with other components of the workforce investment system, including programs operated under the Workforce Investment Act, or to test an innovative approach to use performance-based contracts and management in order to improve employment outcomes.

Projects that demonstrate attainment of superior employment outcomes if a state is held accountable for negotiated employment outcomes in lieu of participation rate requirements.

Projects under which a state would count individuals in TANF-subsidized jobs but no longer receiving TANF assistance toward participation rates for a specified period of time in conjunction with an evaluation of the effectiveness of a subsidized jobs strategy.

Projects that improve collaboration with the workforce and/or post-secondary education systems to test multi-year career pathways models for TANF recipients that combine learning and work.

Projects that demonstrate strategies for more effectively serving individuals with disabilities, along with an alternative approach to measuring participation and outcomes for individuals with disabilities.

Projects that test the impact of a comprehensive universal engagement system in lieu of certain participation rate requirements.

Projects that test systematically extending the period in which vocational educational training or job search/readiness programs count toward participation rates, either generally or for particular subgroups, such as an extended training period for those pursuing a credential. The purpose of such a waiver would be to determine through evaluation whether a program that allows for longer periods in certain activities improves employment outcomes.

Note that this is not a comprehensive list, and HHS will consider other projects consistent with the statute and the guidance provided in this IM. HHS is especially interested in testing approaches that build on existing evidence on successful strategies for improving employment outcomes.

Waiver requests must include an evaluation plan. In order to provide the strongest evidence about the effectiveness of the demonstration, the preferred evaluation approach is a random assignment methodology, unless the Secretary determines that an alternative approach is more appropriate in light of the demonstration proposed. All evaluation plans and funds to support them must reflect an adequate level of effort and sound methods to produce credible findings. ACF anticipates actively engaging with states to ensure that evaluation plans are appropriate in light of the nature of the demonstration and that the evaluation findings can reasonably be expected to provide information that will enhance understanding of whether the initiative was successful in furthering HHS priorities. ACF staff members are available to work collaboratively with states to develop further or refine the evaluation plan.

Waiver requests must include a set of performance measures that states will track to monitor ongoing performance and outcomes throughout the length of the demonstration project, along with the evaluation. Waiver applications must specify interim targets for each performance measure, including a framework for how often the measures will be reported, or a strategy for establishing baseline performance on a set of performance measures and a framework for how interim goals will be set after the baseline measures are established. Performance measures must be designed to track improvement across the entire set of families targeted as well as appropriate subgroups. In developing the final terms and conditions for an approved waiver, ACF will work with the state to further refine the appropriate performance measures and interim targets as needed. All approved waivers will include a provision that requires timely reporting to HHS on the agreed upon performance measures and progress toward meeting established interim targets. States that fail to meet interim targets will be required to develop improvement plans. Repeated failure to meet performance benchmarks may lead to the termination of the waiver demonstration pilot.

The request must specify the proposed length of time for the demonstration project. The final terms and conditions will specify the approved length of the project. Absent special circumstances, the length of an approved project will not exceed five years.

A state will need to develop and submit a budget that includes the costs of program evaluation. TANF and state MOE funds can be used for the costs of evaluation, including third party contributions counting toward meeting a state's MOE requirement.

HHS recognizes the importance of public input into the process of developing and implementing a waiver demonstration project. Therefore, the state must provide the public with a meaningful opportunity to provide input into the decision-making process prior to the time a proposal is approved by HHS. Further guidance concerning this requirement will be forthcoming.

Waivers are subject to HHS and Office of Management and Budget (OMB) approval and terms and conditions may include additional requirements, such as site visits, before implementation.

Terms and conditions will require periodic reporting on how the implementation and operation of the demonstration is progressing, including reporting on the performance measures, in addition to evaluation reports. To support learning and knowledge development, ACF staff may conduct on-site visits to observe demonstration operations and meet with relevant managers and staff.

Inquiries: Inquiries and applications for projects involving waiver requests should be directed to the appropriate Regional TANF Program Manager.

EARL S. JOHNSON,
Director, Office of Family Assistance.

JULY 12, 2012.

DEAR STATE HUMAN SERVICE OFFICIAL: Today, the Administration for Children and Families' Office of Family Assistance issued an Information Memorandum that informs states that the Department of Health and Human Services will use its statutory authority to consider waiver requests that strengthen the Temporary Assistance for Needy Families (TANF) program. This Information Memorandum reflects the Department's commitment to provide states, tribes, and territories with more flexibility to innovate in the TANF program with the goal of helping more families find jobs and move toward self-sufficiency.

On February 28, 2011, President Obama issued a Presidential Memorandum that directed federal agencies ''to work closely with state, local, and tribal governments to identify administrative, regulatory, and legislative barriers in Federally funded programs that currently prevent states, localities, and tribes, from efficiently using tax dollars to achieve the best results for their constituents.''

The Administration for Children and Families took this charge seriously and held a series of consultation meetings with states, tribes, and territories on a variety of topics including TANF. During those consultations, many jurisdictions expressed a strong interest in greater flexibility in TANF and indicated that greater flexibility could be used by states to improve program effectiveness. We also heard concerns that some TANF rules stifle innovation and focus attention on paperwork rather than helping parents find jobs. States offered a range of suggestions for ways in which expanded flexibility could lead to more effective employment outcomes for families. Two states—Utah and Nevada—submitted written comments that specifically identified waivers as one mechanism for testing new approaches to promoting employment and self-sufficiency, and a number of others states—including California, Connecticut, and Minnesota—have asked about the potential for waivers.

As described in more detail in the Information Memorandum, the Social Security Act provides the Secretary of the Department of

Health and Human Services with the authority to grant states waivers of certain TANF provisions for the purpose of testing new approaches to meeting the goals of the TANF statute. The Secretary is interested in using her authority to allow states to test alternative and innovative strategies, policies, and procedures that are designed to improve employment outcomes for needy families. The statute does not permit tribes to receive waivers under Section 1115, however we are committed to using the underlying flexibility in federal law to help tribes innovate in their programs.

TANF Waiver demonstration projects under Section 1115 must be accompanied by a high quality evaluation plan, which is critical to ensuring that the pilots result in rigorous evidence about what works and what doesn't in order to inform future decisions made by policymakers at the federal, state, tribal, territorial, and local levels. In addition, states that apply for a waiver must identify interim performance targets that will be used to hold states accountable for improving outcomes for families. We will work with states interested in developing waiver demonstration projects to design these performance measures and targets.

The Information Memorandum outlines the types of waivers that will and will not be considered. The Secretary is only interested in approving waivers if the state can explain in a compelling fashion why the proposed approach may be a more efficient or effective means to promote employment entry, retention, advancement, or access to jobs that offer opportunities for earnings and advancement that will allow participants to avoid dependence on government benefits.

States have shown their ability to innovate in ways that help parents find jobs. In 2009 and 2010, 42 states used the TANF Emergency Fund authorized under the American Recovery and Reinvestment Act to create 260,000 subsidized jobs for jobless parents and disadvantaged youth. Over a short period of time, states exhibited enormous creativity as they developed new subsidized employment initiatives that responded to an urgent need for jobs in communities across the country.

It is critical that we work together to develop effective employment strategies that prepare workers for the jobs of the 21st century. We stand ready to work with states interested in developing innovative demonstration projects that test new approaches to helping parents succeed in the labor market.

Sincerely,

GEORGE SHELDON,
Acting Assistant Secretary.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

RULES OF PROCEDURE

Mrs. BOXER. Mr. President, the Committee on Environment and Public Works has adopted rules governing its procedures for the 113th Congress. Pursuant to Rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that a copy of the Committee rules be printed in the RECORD.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Jurisdiction

Rule XXV, Standing Rules of the Senate

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * * * * * *

(h)(1) Committee on Environment and Public Works, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Air pollution.
2. Construction and maintenance of highways.
3. Environmental aspects of Outer Continental Shelf lands.
4. Environmental effects of toxic substances, other than pesticides.
5. Environmental policy.
6. Environmental research and development.
7. Fisheries and wildlife.
8. Flood control and improvements of rivers and harbors, including environmental aspects of deepwater ports.
9. Noise pollution.
10. Nonmilitary environmental regulation and control of nuclear energy.
11. Ocean dumping.
12. Public buildings and improved grounds of the United States generally, including Federal buildings in the District of Columbia.
13. Public works, bridges, and dams.
14. Regional economic development.
15. Solid waste disposal and recycling.
16. Water pollution.
17. Water resources.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to environmental protection and resource utilization and conservation, and report thereon from time to time.

RULES OF PROCEDURE

RULE 1. COMMITTEE MEETINGS IN GENERAL

(a) REGULAR MEETING DAYS: For purposes of complying with paragraph 3 of Senate Rule XXVI, the regular meeting day of the committee is the first and third Thursday of each month at 10:00 a.m. If there is no business before the committee, the regular meeting shall be omitted.

(b) ADDITIONAL MEETINGS: The chair may call additional meetings, after consulting with the ranking minority member. Subcommittee chairs may call meetings, with the concurrence of the chair, after consulting with the ranking minority members of the subcommittee and the committee.

(c) PRESIDING OFFICER:

(1) The chair shall preside at all meetings of the committee. If the chair is not present, the ranking majority member shall preside.

(2) Subcommittee chairs shall preside at all meetings of their subcommittees. If the subcommittee chair is not present, the ranking majority member of the subcommittee shall preside.

(3) Notwithstanding the rule prescribed by paragraphs (1) and (2), any member of the committee may preside at a hearing.

(d) OPEN MEETINGS: Meetings of the committee and subcommittees, including hearings and business meetings, are open to the public. A portion of a meeting may be closed to the public if the committee determines by roll call vote of a majority of the members present that the matters to be discussed or the testimony to be taken—

(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) relate solely to matters of committee staff personnel or internal staff management or procedure; or

(3) constitute any other grounds for closure under paragraph 5(b) of Senate Rule XXVI.

(e) BROADCASTING:

(1) Public meetings of the committee or a subcommittee may be televised, broadcast, or recorded by a member of the Senate press gallery or an employee of the Senate.

(2) Any member of the Senate Press Gallery or employee of the Senate wishing to televise, broadcast, or record a committee meeting must notify the staff director or the staff director's designee by 5:00 p.m. the day before the meeting.

(3) During public meetings, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of committee members or staff on the dais, or with the orderly process of the meeting.

RULE 2. QUORUMS

(a) BUSINESS MEETINGS: At committee business meetings, and for the purpose of approving the issuance of a subpoena or approving a committee resolution, one third of the members of the committee, at least two of whom are members of the minority party, constitute a quorum, except as provided in subsection (d).

(b) SUBCOMMITTEE MEETINGS: At subcommittee business meetings, a majority of the subcommittee members, at least one of whom is a member of the minority party, constitutes a quorum for conducting business.

(c) CONTINUING QUORUM: Once a quorum as prescribed in subsections (a) and (b) has been established, the committee or subcommittee may continue to conduct business.

(d) REPORTING: No measure or matter may be reported to the Senate by the committee unless a majority of committee members cast votes in person.

(e) HEARINGS: One member constitutes a quorum for conducting a hearing.

RULE 3. HEARINGS

(a) ANNOUNCEMENTS: Before the committee or a subcommittee holds a hearing, the chair of the committee or subcommittee shall make a public announcement and provide notice to members of the date, place, time, and subject matter of the hearing. The announcement and notice shall be issued at least one week in advance of the hearing, unless the chair of the committee or subcommittee, with the concurrence of the ranking minority member of the committee or subcommittee, determines that there is good cause to provide a shorter period, in which event the announcement and notice shall be issued at least twenty-four hours in advance of the hearing.

(b) STATEMENTS OF WITNESSES:

(1) A witness who is scheduled to testify at a hearing of the committee or a subcommittee shall file 100 copies of the written testimony at least 48 hours before the hearing. If a witness fails to comply with this requirement, the presiding officer may preclude the witness' testimony. This rule may be waived for field hearings, except for witnesses from the Federal Government.

(2) Any witness planning to use at a hearing any exhibit such as a chart, graph, diagram, photo, map, slide, or model must submit one identical copy of the exhibit (or representation of the exhibit in the case of a model) and 100 copies reduced to letter or

legal paper size at least 48 hours before the hearing. Any exhibit described above that is not provided to the committee at least 48 hours prior to the hearing cannot be used for purpose of presenting testimony to the committee and will not be included in the hearing record.

(3) The presiding officer at a hearing may have a witness confine the oral presentation to a summary of the written testimony.

(4) Notwithstanding a request that a document be embargoed, any document that is to be discussed at a hearing, including, but not limited to, those produced by the General Accounting Office, Congressional Budget Office, Congressional Research Service, a Federal agency, an Inspector General, or a nongovernmental entity, shall be provided to all members of the committee at least 72 hours before the hearing.

RULE 4. BUSINESS MEETINGS: NOTICE AND FILING REQUIREMENTS

(a) NOTICE: The chair of the committee or the subcommittee shall provide notice, the agenda of business to be discussed, and the text of agenda items to members of the committee or subcommittee at least 72 hours before a business meeting. If the 72 hours falls over a weekend, all materials will be provided by close of business on Friday.

(b) AMENDMENTS: First-degree amendments must be filed with the chair of the committee or the subcommittee at least 24 hours before a business meeting. After the filing deadline, the chair shall promptly distribute all filed amendments to the members of the committee or subcommittee.

(c) MODIFICATIONS: The chair of the committee or the subcommittee may modify the notice and filing requirements to meet special circumstances, with the concurrence of the ranking member of the committee or subcommittee.

RULE 5. BUSINESS MEETINGS: VOTING

(a) PROXY VOTING:

(1) Proxy voting is allowed on all measures, amendments, resolutions, or other matters before the committee or a subcommittee.

(2) A member who is unable to attend a business meeting may submit a proxy vote on any matter, in writing, orally, or through personal instructions.

(3) A proxy given in writing is valid until revoked. A proxy given orally or by personal instructions is valid only on the day given.

(b) SUBSEQUENT VOTING: Members who were not present at a business meeting and were unable to cast their votes by proxy may record their votes later, so long as they do so that same business day and their vote does not change the outcome.

(c) PUBLIC ANNOUNCEMENT:

(1) Whenever the committee conducts a rollcall vote, the chair shall announce the results of the vote, including a tabulation of the votes cast in favor and the votes cast against the proposition by each member of the committee.

(2) Whenever the committee reports any measure or matter by rollcall vote, the report shall include a tabulation of the votes cast in favor of and the votes cast in opposition to the measure or matter by each member of the committee.

RULE 6. SUBCOMMITTEES

(a) REGULARLY ESTABLISHED SUBCOMMITTEES: The committee has six subcommittees: Transportation and Infrastructure; Clean Air and Nuclear Safety; Superfund, Toxics and Environmental Health; Water and Wildlife; Green Jobs and the New Economy; and Oversight.

(b) MEMBERSHIP: The committee chair, after consulting with the ranking minority member, shall select members of the subcommittees.

RULE 7. STATUTORY RESPONSIBILITIES AND OTHER MATTERS

(a) ENVIRONMENTAL IMPACT STATEMENTS: No project or legislation proposed by any executive branch agency may be approved or otherwise acted upon unless the committee has received a final environmental impact statement relative to it, in accordance with section 102(2)(C) of the National Environmental Policy Act, and the written comments of the Administrator of the Environmental Protection Agency, in accordance with section 309 of the Clean Air Act. This rule is not intended to broaden, narrow, or otherwise modify the class of projects or legislative proposals for which environmental impact statements are required under section 102(2)(C).

(b) PROJECT APPROVALS:

(1) Whenever the committee authorizes a project under Public Law 89–298, the Rivers and Harbors Act of 1965; Public Law 83–566, the Watershed Protection and Flood Prevention Act; or Public Law 86–249, the Public Buildings Act of 1959, as amended; the chairman shall submit for printing in the CONGRESSIONAL RECORD, and the committee shall publish periodically as a committee print, a report that describes the project and the reasons for its approval, together with any dissenting or individual views.

(2) Proponents of a committee resolution shall submit appropriate evidence in favor of the resolution.

(c) BUILDING PROSPECTUSES:

(1) When the General Services Administration submits a prospectus, pursuant to section 7(a) of the Public Buildings Act of 1959, as amended, for construction (including construction of buildings for lease by the government), alteration and repair, or acquisition, the committee shall act with respect to the prospectus during the same session in which the prospectus is submitted.

A prospectus rejected by majority vote of the committee or not reported to the Senate during the session in which it was submitted shall be returned to the General Services Administration and must then be resubmitted in order to be considered by the committee during the next session of the Congress.

(2) A report of a building project survey submitted by the General Services Administration to the committee under section 11(b) of the Public Buildings Act of 1959, as amended, may not be considered by the committee as being a prospectus subject to approval by committee resolution in accordance with section 7(a) of that Act. A project described in the report may be considered for committee action only if it is submitted as a prospectus in accordance with section 7(a) and is subject to the provisions of paragraph (1) of this rule.

(d) NAMING PUBLIC FACILITIES: The committee may not name a building, structure or facility for any living person, except former Presidents or former Vice Presidents of the United States, former Members of Congress over 70 years of age, former Justices of the United States Supreme Court over 70 years of age, or Federal judges who are fully retired and over 75 years of age or have taken senior status and are over 75 years of age.

RULE 8. AMENDING THE RULES

The rules may be added to, modified, amended, or suspended by vote of a majority of committee members at a business meeting if a quorum is present.

COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY RULES OF PROCEDURE

Ms. STABENOW. Mr. President, the Committee on Agriculture, Nutrition and Forestry has adopted rules governing its procedures for the 113th Congress. Pursuant to Rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator COCHRAN, I ask unanimous consent that a copy of the Committee rules be printed in the RECORD.

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

RULES OF THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY, 113TH CONGRESS

RULE I—MEETINGS

1.1 Regular Meetings.—Regular meetings shall be held on the first and third Wednesday of each month when Congress is in session.

1.2 Additional Meetings.—The Chairman, in consultation with the ranking minority member, may call such additional meetings as he deems necessary.

1.3 Notification.—In the case of any meeting of the committee, other than a regularly scheduled meeting, the clerk of the committee shall notify every member of the committee of the time and place of the meeting and shall give reasonable notice which, except in extraordinary circumstances, shall be at least 24 hours in advance of any meeting held in Washington, DC, and at least 48 hours in the case of any meeting held outside Washington, DC.

1.4 Called Meeting.—If three members of the committee have made a request in writing to the Chairman to call a meeting of the committee, and the Chairman fails to call such a meeting within 7 calendar days thereafter, including the day on which the written notice is submitted, a majority of the members may call a meeting by filing a written notice with the clerk of the committee who shall promptly notify each member of the committee in writing of the date and time of the meeting.

1.5 Adjournment of Meetings.—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 15 minutes of the time scheduled for such meeting.

RULE 2—MEETINGS AND HEARINGS IN GENERAL

2.1 Open Sessions.—Business meetings and hearings held by the committee or any subcommittee shall be open to the public except as otherwise provided for in Senate Rule XXVI, paragraph 5.

2.2 Transcripts.—A transcript shall be kept of each business meeting and hearing of the committee or any subcommittee unless a majority of the committee or the subcommittee agrees that some other form of permanent record is preferable.

2.3 Reports.—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.

2.4 Attendance.—(a) Meetings. Official attendance of all markups and executive sessions of the committee shall be kept by the committee clerk. Official attendance of all subcommittee markups and executive sessions shall be kept by the subcommittee clerk.

(b) Hearings. Official attendance of all hearings shall be kept, provided that, Senators are notified by the committee Chairman and ranking minority member, in the case of committee hearings, and by the subcommittee Chairman and ranking minority

member, in the case of subcommittee hearings, 48 hours in advance of the hearing that attendance will be taken. Otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

RULE 3—HEARING PROCEDURES

3.1 Notice.—Public notice shall be given of the date, place, and subject matter of any hearing to be held by the committee or any subcommittee at least 1 week in advance of such hearing unless the Chairman of the full committee or the subcommittee determines that the hearing is noncontroversial or that special circumstances require expedited procedures and a majority of the committee or the subcommittee involved concurs. In no case shall a hearing be conducted with less than 24 hours notice.

3.2 Witness Statements.—Each witness who is to appear before the committee or any subcommittee shall file with the committee or subcommittee, at least 24 hours in advance of the hearing, a written statement of his or her testimony and as many copies as the Chairman of the committee or subcommittee prescribes.

3.3 Minority Witnesses.—In any hearing conducted by the committee, or any subcommittee thereof, the minority members of the committee or subcommittee shall be entitled, upon request to the Chairman by the ranking minority member of the committee or subcommittee to call witnesses of their selection during at least 1 day of such hearing pertaining to the matter or matters heard by the committee or subcommittee.

3.4 Swearing in of Witnesses.—Witnesses in committee or subcommittee hearings may be required to give testimony under oath whenever the Chairman or ranking minority member of the committee or subcommittee deems such to be necessary.

3.5 Limitation.—Each member shall be limited to 5 minutes in the questioning of any witness until such time as all members who so desire have had an opportunity to question a witness. Questions from members shall rotate from majority to minority members in order of seniority or in order of arrival at the hearing.

RULE 4—NOMINATIONS

4.1 Assignment.—All nominations shall be considered by the full committee.

4.2 Standards.—In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated.

4.3 Information.—Each nominee shall submit in response to questions prepared by the committee the following information:

(1) A detailed biographical resume which contains information relating to education, employment, and achievements;

(2) Financial information, including a financial statement which lists assets and liabilities of the nominee; and

(3) Copies of other relevant documents requested by the committee. Information received pursuant to this subsection shall be available for public inspection except as specifically designated confidential by the committee.

4.4 Hearings.—The committee shall conduct a public hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office. No hearing shall be held until at least 48 hours after the nominee has responded to a prehearing questionnaire submitted by the committee.

4.5 Action on Confirmation.—A business meeting to consider a nomination shall not occur on the same day that the hearing on the nominee is held. The Chairman, with the agreement of the ranking minority member, may waive this requirement.

RULE 5—QUORUMS

5.1 Testimony—For the purpose of receiving evidence, the swearing of witnesses, and the taking of sworn or unsworn testimony at any duly scheduled hearing, a quorum of the committee and the subcommittee thereof shall consist of one member.

5.2 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.

5.3 Reporting.—A majority of the membership of the committee shall constitute a quorum for reporting bills, nominations, matters, or recommendations to the Senate. No measure or recommendation shall be ordered reported from the committee unless a majority of the committee members are physically present. The vote of the committee to report a measure or matter shall require the concurrence of a majority of those members who are physically present at the time the vote is taken.

RULE 6—VOTING

6.1 Rollcalls.—A roll call vote of the members shall be taken upon the request of any member.

6.2 Proxies.—Voting by proxy as authorized by the Senate rules for specific bills or subjects shall be allowed whenever a quorum of the committee is actually present.

6.3 Polling.—The committee may poll any matters of committee business, other than a vote on reporting to the Senate any measures, matters or recommendations or a vote on closing a meeting or hearing to the public, 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.

If any member requests, any matter to be polled shall be held for meeting rather than being polled. The chief clerk of the committee shall keep a record of all polls.

RULE 7—SUBCOMMITTEES

7.1 Assignments.—To assure the equitable assignment of members to subcommittees, no member of the committee will 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 assignment to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

7.2 Attendance.—Any member of the committee may sit with any subcommittee during a hearing or meeting but shall not have the authority to vote on any matter before the subcommittee unless he or she is a member of such subcommittee.

7.3 Ex Officio Members.—The Chairman and ranking minority member shall serve as nonvoting ex officio members of the subcommittees on which they do not serve as voting members. The Chairman and ranking minority member may not be counted toward a quorum.

7.4 Scheduling.—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 business meeting may be held at the same time.

7.5 Discharge.—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. The full committee may at any time, by majority vote of those members present, discharge a subcommittee from further consideration of a specific piece of legislation.

7.6 Application of Committee Rules to Subcommittees.—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 8—INVESTIGATIONS, SUBPOENAS AND DEPOSITIONS

8.1 Investigations.—Any investigation undertaken by the committee or a subcommittee in which depositions are taken or subpoenas issued, must be authorized by a majority of the members of the committee voting for approval to conduct such investigation at a business meeting of the committee convened in accordance with Rule 1.

8.2 Subpoenas.—The Chairman, with the approval of the ranking minority member of the committee, is delegated the authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing of the committee or a subcommittee or in connection with the conduct of an investigation authorized in accordance with paragraph 8.1. The Chairman may subpoena attendance or production without the approval of the ranking minority member when the Chairman has not received notification from the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph the subpoena may be authorized by vote of the members of the committee. When the committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other member of the committee designated by the Chairman.

8.3 Notice for Taking Depositions.—Notices for the taking of depositions, in an investigation authorized by the committee, shall be authorized and be issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the Senator, staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a committee subpoena.

8.4 Procedure for Taking Depositions.—Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. The Chairman will rule, by telephone or otherwise, on any objection by a witness. The transcript of a deposition shall be filed with the committee clerk.

RULE 9—AMENDING THE RULES

These rules shall become effective upon publication in the Congressional Record. These rules may be modified, amended, or repealed by the committee, provided that all members are present or provide proxies or if a notice in writing of the proposed changes has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. The changes shall become effective immediately upon publication of the changed rule or rules in the Congressional Record, or immediately upon approval of the changes if so resolved by the committee as long as any witnesses who may be affected by the change in rules are provided with them.

COMMITTEE ON VETERANS' AFFAIRS

RULES OF PROCEDURE

Mr. SANDERS. Mr. President, the Committee on Veterans' Affairs has adopted rules governing its procedures for the 113th Congress. Pursuant to Rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

COMMITTEE ON VETERANS' AFFAIRS RULES OF PROCEDURE

I. MEETINGS

(A) Unless otherwise ordered, the Committee shall meet on the first Wednesday of each month. The Chairman may, upon proper notice, call such additional meetings as deemed necessary.

(B) Except as provided in subparagraphs (b) and (d) of paragraph 5 of rule XXVI of the Standing Rules of the Senate, meetings of the Committee shall be open to the public. The Committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceedings of each meeting whether or not such meeting or any part thereof is closed to the public.

(C) The Chairman of the Committee, or the Ranking Majority Member present in the absence of the Chairman, or such other Member as the Chairman may designate, shall preside over all meetings.

(D) Except as provided in rule XXVI of the Standing Rules of the Senate, no meeting of the Committee shall be scheduled except by majority vote of the Committee or by authorization of the Chairman of the Committee.

(E) The Committee shall notify the office designated by the Committee on Rules and Administration of the time, place, and purpose of each meeting. In the event such meeting is canceled, the Committee shall immediately notify such designated office.

(F) Written or electronic notice of a Committee meeting, accompanied by an agenda enumerating the items of business to be considered, shall be sent to all Committee Members at least 72 hours (not counting Saturdays, Sundays, and federal holidays) in advance of each meeting. In the event that the giving of such 72-hour notice is prevented by unforeseen requirements or Committee business, the Committee staff shall communicate notice by the quickest appropriate means to Members or appropriate staff assistants of Members and an agenda shall be furnished prior to the meeting.

(G) Subject to the second sentence of this paragraph, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless a written or electronic copy of such amendment has been delivered to each Member of the Committee at least 24 hours before the meeting at which the amendment is to be proposed. This paragraph may be waived by a majority vote of the Members and shall apply only when 72-hour written notice has been provided in accordance with paragraph (F).

II. QUORUMS

(A) Subject to the provisions of paragraph (B), eight Members of the Committee shall constitute a quorum for the reporting or approving of any measure or matter or recommendation. Five Members of the Committee shall constitute a quorum for purposes of transacting any other business.

(B) In order to transact any business at a Committee meeting, at least one Member of the minority shall be present. If, at any meeting, business cannot be transacted because of the absence of such a Member, the matter shall lay over for a calendar day. If the presence of a minority Member is not then obtained, business may be transacted by the appropriate quorum.

(C) One Member shall constitute a quorum for the purpose of receiving testimony.

III. VOTING

(A) Votes may be cast by proxy. A proxy shall be written and may be conditioned by personal instructions. A proxy shall be valid only for the day given.

(B) There shall be a complete record kept of all Committee actions. Such record shall contain the vote cast by each Member of the Committee on any question on which a roll call vote is requested.

IV. HEARINGS AND HEARING PROCEDURES

(A) Except as specifically otherwise provided, the rules governing meetings shall govern hearings.

(B) At least one week in advance of the date of any hearing, the Committee shall undertake, consistent with the provisions of paragraph 4 of rule XXVI of the Standing Rules of the Senate, to make public announcements of the date, place, time, and subject matter of such hearing.

(C)(1) Each witness who is scheduled to testify at a hearing of the Committee shall submit 40 copies of such witness' testimony to the Committee not later than 48 hours before the witness' scheduled appearance at the hearing.

(2) Any witness who fails to meet the deadline specified in paragraph (1) shall not be permitted to present testimony but may be seated to take questions from Committee members, unless the Chairman and Ranking Minority Member determine there is good cause for the witness' failure to meet the deadline or it is in the Committee's interest to permit such witness to testify.

(D) The presiding Member at any hearing is authorized to limit the time allotted to each witness appearing before the Committee.

(E) The Chairman, with the concurrence of the Ranking Minority Member of the Committee, is authorized to subpoena the attendance of witnesses and the production of memoranda, documents, records, and any other materials. If the Chairman or a Committee staff member designated by the Chairman has not received from the Ranking Minority Member or a Committee staff member designated by the Ranking Minority Member notice of the Ranking Minority Member's non-concurrence in the subpoena within 48 hours (excluding Saturdays, Sundays, and federal holidays) of being notified of the Chairman's intention to subpoena attendance or production, the Chairman is authorized following the end of the 48-hour period involved to subpoena the same without the Ranking Minority Member's concurrence. Regardless of whether a subpoena has been concurred in by the Ranking Minority Member, such subpoena may be authorized by vote of the Members of the Committee. When the Committee or Chairman authorizes a subpoena, the subpoena may be issued upon the signature of the Chairman or of any other Member of the Committee designated by the Chairman.

(F) Except as specified in Committee Rule VII (requiring oaths, under certain circumstances, at hearings to confirm Presidential nominations), witnesses at hearings will be required to give testimony under oath whenever the presiding Member deems such to be advisable.

V. MEDIA COVERAGE

Any Committee meeting or hearing which is open to the public may be covered by television, radio, and print media. Photographers, reporters, and crew members using mechanical recording, filming, or broadcasting devices shall position and use their equipment so as not to interfere with the seating, vision, or hearing of the Committee Members or staff or with the orderly conduct of the meeting or hearing. The presiding Member of the meeting or hearing may for good cause terminate, in whole or in part, the use of such mechanical devices or take such other action as the circumstances and the orderly conduct of the meeting or hearing may warrant.

VI. GENERAL

All applicable requirements of the Standing Rules of the Senate shall govern the Committee.

VII. PRESIDENTIAL NOMINATIONS

(A) Each Presidential nominee whose nomination is subject to Senate confirmation and referred to this Committee shall submit a statement of his or her background and financial interests, including the financial interests of his or her spouse and of children living in the nominee's 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:

1) Information concerning employment, education, and background of the nominee which generally relates to the position to which the individual is nominated and which is to be made public; and

2) Information concerning the 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.

(B) At any hearing to confirm a Presidential nomination, the testimony of the nominee and, at the request of any Member, any other witness shall be under oath.

(C) Committee action on a nomination, including hearings or a meeting 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.

VIII. NAMING OF DEPARTMENT OF VETERANS AFFAIRS FACILITIES

It is the policy of the Committee that no Department of Veterans Affairs facility shall be named after any individual unless:

(A) Such individual is deceased and was:

(1) A veteran who (i) was instrumental in the construction or the operation of the facility to be named, or (ii) was a recipient of the Medal of Honor or, as determined by the Chairman and Ranking Minority Member, otherwise performed military service of an extraordinarily distinguished character;

(2) A Member of the United States House of Representatives or Senate who had a direct association with such facility;

(3) An Administrator of Veterans' Affairs, a Secretary of Veterans Affairs, a Secretary of Defense or of a service branch, or a military or other Federal civilian official of comparable or higher rank; or

(4) An individual who, as determined by the Chairman and Ranking Minority Member, performed outstanding service for veterans.

(B) Each Member of the Congressional delegation representing the State in which the

designated facility is located must indicate in writing such Member's support of the proposal to name such facility after such individual.

(C) The pertinent State department or chapter of each Congressionally chartered veterans' organization having a national membership of at least 500,000 must indicate in writing its support of such proposal.

IX. AMENDMENTS TO THE RULES

The rules of the Committee may be changed, modified, amended, or suspended at any time provided, however, that no 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. The rules governing quorums for reporting legislative matters shall govern rules changes, modification, amendments, or suspension.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Ms. LANDRIEU. Mr. President, I rise today in support of S.47, the Violence Against Women Reauthorization Act. This legislation provides much needed funding and support for law enforcement in our fight against domestic violence, sexual assault, dating violence, and stalking.

This bill has enjoyed wide bipartisan support over the years. Crimes against women and children will not be tolerated. Tuesday, the Senate once again approved VAWA with a 78–22 overwhelmingly bipartisan vote. I was proud to cosponsor the Violence Against Women Act and I urge my colleagues in the House to stand with America's women and children and quickly pass this critical legislation.

We have an obligation to do our part and protect women and children on the streets and in their homes. And this legislation provides the resources needed to further this very important effort. Reauthorizing this funding is particularly important for my home State of Louisiana, which unfortunately ranks among the top five States in incidences of domestic violence homicides in the Nation.

Last year, Louisiana received $4.9 million in Violence Against Women Act grants. These dollars helped fund critical programs through organizations like Wellspring Alliance for Family, which provides domestic violence and sexual assault services in Monroe, LA, and the Crescent House program in New Orleans. And these funds don't just supplement established programs. In fact, the vast majority wouldn't be possible in the first place without VAWA grants because many service providers count on more than 90 percent of their funding from the Federal Government.

Last year, Louisiana's 18 shelters provided more than 90,000 shelter nights, answered more than 38,000 crisis calls and despite serving 17,000 clients, the shelters had to turn away almost 2,000 people for lack of resources. In one national survey, 60 percent of the shelters in Louisiana reported that they lacked funding and 25 percent reported that they lacked shelter beds or housing for victims of domestic violence and their children.

These statistics are troubling. And I think they are an important part of why VAWA is so critical to women and children in communities across Louisiana and throughout our country. But numbers don't tell the whole story. You have to talk to the people on the ground, to the people who have dedicated their lives and careers to helping women and children in need, to truly appreciate the impact of this legislation.

For example, Beth Meeks, executive director of the Louisiana Coalition Against Domestic Violence, visited a program in New Orleans. While visiting that program, Beth spoke with a young mother with her baby, only to discover that the baby was 6 days old. The young mother had been at the program for a few weeks and had been terribly abused when she was nearly 9 months pregnant. She and her baby survived but her child was born in shelter care. What would have been the outcome if a shelter had not been available?

The program that Beth visited, like every domestic violence program in Louisiana, was heavily supported by Violence Against Women Act dollars. Additionally, law enforcement officers, advocates, and prosecutors are all supported by funds available under the act. Louisiana's current budget challenges have serious implications for these vital services. In December 2012, Louisiana cut $1 million from the budget for these programs, jeopardizing their very existence.

Louisiana is not alone. Programs all over the Nation have experienced reductions in grants and losses in donations during the recent economic downturn. That is why we must reauthorize the Violence Against Women Act. We have made significant progress in the last 20 years. We must continue to provide support to State and local government and the nonprofit entities that provide critical services.

I congratulate the people who are committed to providing important services to those who need them most. We owe a great deal of gratitude to leaders like Beth Meeks of the Louisiana Coalition Against Domestic Violence, leaders like Mary Claire Landry of the Family Justice Center in New Orleans, and like Valerie Bowman of the Family Justice Center in Monroe, and leaders in the law enforcement community like Tommy Clark, chair of the Louisiana Chiefs of Police Association Domestic Violence Committee.

I am proud that the Senate has taken action on this important piece of legislation and I urge my colleagues in the House of Representatives to do the same.

BAHRAIN TWO YEARS LATER

Mr. WYDEN. Mr. President, 2 years ago today thousands of Bahrainis took to the streets to call for political reform and an end to ongoing human rights abuses in their country. The government responded to these peaceful demonstrations not by addressing grievances or offering to work with the aggrieved, but by unleashing its state security forces upon them. The security forces fired on the protesters with tear gas and live ammunition; although many protesters were rounded up, arrested, and tortured, their spirit would not be broken.

I am deeply disappointed that the government of Bahrain continues to stall, to stonewall, and to stymie any progress on addressing the root causes of the protesters' grievances. I shared the initial hopes of many Bahrainis, who viewed the establishment of the Bahrain Independent Commission of Inquiry, BICI, as a positive step on behalf of the government. I was encouraged when the final BICI report detailed the government's systemic use of intimidation, violence, abuse, and detention that documenting these abuses would lead to real reform. As outlined in the BICI report, over the weeks and months of its initial crackdown, more than 30 protesters were killed, nearly 1,800 were tortured, and 4,500 were fired from their jobs. Religious sites were destroyed and doctors who treated injured protesters were arrested, tortured, and imprisoned.

The Bahraini government has spent considerable time and resources to convince the world that progress has been made, but I am sorry to say that the facts do not bear this out. Banning peaceful protests is not progress. Using tear gas as a weapon is not progress. Shooting teenagers is not progress. There is, quite frankly, little to be optimistic about if one examines the regime's track record over the last 2 years. According to the Project on Middle East Democracy, POMED, the government of Bahrain has only fully implemented three of 26 recommendations in the BICI report. Even worse, POMED found no meaningful progress whatsoever toward six of the BICI recommendations. The Bahrain Center for Human Rights similarly finds that the government of Bahrain has taken only superficial steps ''while continuing to commit the same human rights violations.''

Although the Bahraini government offered to engage in a national dialogue, my staff and I have read reports that the government may only be planning to moderate a discussion between political parties, rather than act as a full and productive participant in the dialogue. I sincerely hope that is not the case, and I call on the government of Bahrain to live up to its rhetoric, engage in genuine and sustained dialogue, and work to see that real progress is made. As a first step to restoring some of the trust it has lost, the Bahraini government should immediately implement all 26 BICI report recommendations and immediately release all political prisoners in Bahrain.

After 2 years, surely the government of Bahrain is tired of fighting its own

people—people who wish nothing more than to have a greater voice in their political process. The government may be surprised that this fight has lasted 2 years, but I am not. My staff and I have met with some of them and know them to be passionate, devoted to their cause, and willing to face continued persecution for what they believe.

Sometimes folks ask me why I care so much about such a small island country or why America should concern itself with Bahrain's internal politics. I explain to them that Bahrain may be small, but that it is a key ally in a troubled and volatile region. I also explain that the regime's current strategy of violence and repression is bound for failure, and that Bahrain must reform to remain stable. If America has learned anything in the last few decades it is that continuing to support governments that use violence, torture and repression to stifle dissent is short sighted. Washington must instead use what influence it has to push such countries toward more representative forms of government, not just because it is the right thing to do for the citizens of those countries, but because it is the right thing to do for this country. That is why this issue remains so important to me and why I hope that next year, on this date, I can come to the Senate floor and talk about the many new reforms in place instead of the Bahraini government's continued repression of its people.

MADISON COUNTY, IDAHO

Mr. RISCH. Mr. President, my colleague Senator MIKE CRAPO joins me today in recognizing Madison County's 100-year anniversary.

Established on February 18, 1913, by the Idaho legislature and named after our Nation's fourth President, James Madison, Madison County has distinguished itself in its contributions to the success of our State.

Five people with connections to Madison County went on to become Governors in the States of Idaho, Michigan, Kansas, and Massachusetts. Two people from the county served in Congress, representing Idaho and Utah. And one man went on to serve as Idaho's Lieutenant Governor, my good friend, Mark Ricks, who served with me during my time as Governor.

The people of this county distinguished themselves for helping their neighbors and strangers when the Teton Dam collapsed on June 5, 1976. The ensuing flood spread throughout the valley, uprooting farms and homes. Due to the resiliency of the residents and people helping one another, they quickly overcame the disaster and carried on with their lives.

Madison County has a rich agricultural history, with the first irrigation system in the State built in this county. It is home to 21 different century farms; places that have been continuously farmed by the same family for 100 or more years. The rich, fertile soil and abundant water has made the county the eighth largest potato growing area in the Nation, along with an abundance of grain, livestock, and other commodities.

In the county seat of Rexburg, you will find Idaho's second largest university, Brigham Young University-Idaho, formerly known as Ricks College. Citizens of the county, and throughout the region, for that matter, are very proud of this university and the tremendous growth it has experienced. They are also proud of the 95 percent graduation rate in their local high schools and at the university.

Rexburg and BYU-Idaho is also home to the Idaho International Dance Festival. For 27 years, the festival has brought hundreds of dancers and musicians from around the world to share their native music, songs, dance, and dress. Madison County residents strongly support the festival and are proud of the rich history of this event.

Madison County also has an abundance of natural features, including the Caribou-Targhee National Forest, the Cartier Slough and Deer Park wildlife management areas, and the twin Menan Buttes.

Senator CRAPO and I are proud to recognize this landmark anniversary. We congratulate Madison County residents for this centennial and we wish them all and their communities many more years of success.

ADDITIONAL STATEMENTS

TRIBUTE TO DOROTHY KNOWLES

• Mr. BLUNT. Mr. President, for 40 years, there has been no greater advocate for Southwest Missouri seniors than Dorothy Knowles. As executive director of the Southwest Missouri Office on Aging, Dorothy's leadership and motivation have inspired a talented and spirited staff to help seniors understand issues and offer a variety of resources. When Medicare part D arrived, it was Dorothy who voluntarily began the effort to educate seniors on the options and advantages in the new program. Thanks to her actions, the Southwest Missouri Office on Aging became and continues to be the premiere source of information on that program and others for seniors.

When Dorothy Knowles began work as a secretary and bookkeeper at the Southwest Missouri Office on Aging, it was brand new. A single mother in need of a job, Dorothy saw the new agency as an opportunity. She rose through the ranks and learned the agency's needs and programs as director of social services and as associate director. Her boss during those years was her mentor, Winston Bledsoe. Winston started with a $25,000 grant to open the first 9 senior centers in the region, creating a daily meeting place for 40,000 seniors. When Winston retired in 1999, his deputy Dorothy took charge, armed with 25 years of experience in providing senior services, advocacy, and a keen understanding of how to stretch a dollar.

Dorothy has never missed an opportunity to expand services and outreach and provide seniors with opportunities to improve the quality of life for older Americans. During 2012, there were 38 senior centers serving more than 370,000 meals to seniors and 700,000 home-delivered meals in 17 counties. Today there are services to support caregivers, respite relief, transportation, housekeeping, legal outreach, and even services to help seniors file income taxes.

In 2005, Medicare added prescription drug coverage, creating an on-line ordering process and regulations seniors had never experienced. Dorothy immediately saw the need to educate seniors so they could take advantage of this service to acquire vital medicines. Self taught and without additional funding, she led the staff at the Southwest Missouri Office on Aging to become the best resource for Medicare part D information anywhere. Working with my congressional office, Dorothy led her new experts on Part D into seminars and signup clinics in every county of Southwest Missouri. Every year since then, they have remained the premiere source of part D expertise.

I have worked with Dorothy Knowles and know the commitment, dedication, and joy she takes in serving our senior population. I doubt her retirement will be the end of her enthusiastic advocacy for Southwest Missouri seniors. She will still weigh in on elder abuse laws and senior wellness funding and will still instill that unrelenting zeal she has to champion senior causes in her 150 member staff and colleagues. I wish her, and the agency she helped craft into a bastion of senior advocacy, the best in the decades ahead. Southwest Missouri is a better place for seniors to live thanks to Dorothy Knowles and her four decades of service at the Southwest Missouri Office on Aging.•

REMEMBERING BILL EADINGTON

• Mr. HELLER. Mr. President, today I wish to honor the life of a world renowned gaming authority and professor at the University of Nevada, Reno, UNR, Bill Eadington, whose passing on February 11, 2013, has brought great sadness to the Silver State. After 18 months, Mr. Eadington lost a courageous battle with cancer. My thoughts and prayers are with his family and friends during this difficult time.

Bill Eadington joined the faculty at UNR as an economist in 1969. He is the author of several books on the social and economic impacts of gambling and was a world-renowned authority on gaming issues. Mr. Eadington founded the Institute for the Study of Gambling and Commercial Gaming at UNR and served as its director since 1989. Outside of the classroom, he has served as a resource for governments and private sector organizations worldwide on

gaming laws, casino operations, regulation, and public policy.

In 2011, Bill Eadington was given the honor of being inducted into the American Gaming Association Hall of Fame and was honored with a Special Achievement Award for Gaming Education. Mr. Eadington was a board member on the National Council on Problem Gambling for 30 years, and in 2012 the board presented him with the Goldman Lifetime Award for Advocacy.

Gaming is a uniquely important industry in Nevada, and Mr. Eadington's academic contributions and expertise in this field have been invaluable to the State of Nevada and to UNR. Coupled with the tourism industry, it is our economic backbone, supporting hundreds of thousands of jobs. I have been proud to support policies to keep Nevada's gaming industry and economy growing and prosperous and thank Mr. Eadington for all his work on an issue vitally important to our State. Today, I ask my colleagues to join me in celebrating the life of this honorable Nevadan.●

REMEMBERING FABIAN CHÁVEZ, JR.

● Mr. UDALL of New Mexico. Mr. President, on Sunday, January 20, my State lost a great leader and a great friend. It is my privilege to pay tribute today to Fabian Chávez, Jr. He was blessed with a long life, 88 years old when he passed away. More important though was the impact of his years, the impact of his remarkable life. Fabian Chávez, Jr., made a difference in the lives of so many people in New Mexico.

Fabian was a formidable, and very colorful, figure in the history of New Mexico politics. His story was one of triumph and of defeat, and of an unwavering determination to serve. He will be long remembered as an advocate for justice, for the disadvantaged, and for ethical government. He was also instrumental in passing legislation to establish the University of New Mexico School of Medicine, which has done so much for improving health care in our State.

Fabian Chávez, Jr., was born on August 31, 1924. His father was a carpenter, and moved the family from Wagon Mound to Santa Fe, where Fabian was born and would live most of his 88 years. Early on, the New Mexico Capitol would dominate his life. And he would dominate it in return.

His father worked as the building superintendent at the old capitol building. As a young boy, trying to earn pocket money during the Great Depression, Fabian could be found there shining shoes. He later told his biographer that while other kids were playing marbles, he was watching legislators at work, following their every move. He observed, ''I had it all memorized years before I was even elected to my first term in the house.''

Fabian was an independent spirit. Even as a youngster, he charted his own course, sometimes perhaps to his parents' dismay. The story is told of his hitchhiking to California at age 12. He joined the Army at age 16, determined to see battle during World War II. He fought at Normandy and the Battle of the Bulge.

At the age of 25, Fabian met Coral Jeanne, the love of his life. Fabian and Coral Jeanne were married in 1954. Of his beloved wife, Fabian once said, ''I started dancing with Coral Jeanne in 1949, and we've been dancing ever since.'' She would be his unfailing support through the victories and defeats to come, until she died in his arms over a half century later.

Most of us, in public life or out, are shaped by our wins and our losses. This was certainly true in Fabian's long career. He first ran for elective office in 1948, at the age of 24, for a seat in the New Mexico House. He came in second in the primary. He was undeterred, as he would show time and again. He was elected 2 years later. He ran unsuccessfully for the New Mexico Senate in 1952, but was elected in 1956. And within a few years, at age 37, he became the youngest Senate majority leader in the history of our State. In 1968, Fabian was the Democratic candidate for Governor, and lost by less than 3,000 votes. He later served as Assistant Secretary of Commerce under President Jimmy Carter.

The title of David Roybal's biography of Fabian Chávez, Jr., ''Taking on Giants,'' is telling. Fabian was a reformer, and a tenacious one. He fought to change the old justice of the peace system in New Mexico, fought to establish a Judicial Standards Commission, fought powerful insurance and liquor industries, fought early on, and courageously, for civil rights. Whatever the opposition, he stayed the course. Elections would come and go. Some he would win. Some he would lose. But he stayed true to his commitment to the people of New Mexico.

My dad once said that there are two stories of our lives. One is the person you wanted to be. The other is the person you are. While none of us gets that exactly right, I would suspect that Fabian came pretty close. He held true to his principles. He fought for what he believed was right. He leaves behind a legacy of accomplishment and integrity, a legacy that his family, and our State, can take great pride in.

Jill and I extend our sincere condolences to Christine and to all the Chávez family. Fabian Chávez, Jr., was a true son of New Mexico, and he did all of us proud.●

TRIBUTE TO ELIZABETH AND ROY PERATROVICH

● Ms. MURKOWSKI. Mr. President, there are few names in Alaska's history that exemplify progress and timeless impact more than Elizabeth Peratrovich. She is remembered as one of the greatest civil rights activists and female leaders Alaska has ever seen. Elizabeth and her husband Roy are to the Native peoples of Alaska what Dr. Martin Luther King, Jr., and Rosa Parks are to African Americans. Everybody knows about Dr. Martin Luther King, Jr. and Rosa Parks, but hardly anyone outside the State of Alaska knows about Roy and Elizabeth Peratrovich. Today, I wish to again share the Peratrovich legacy with the Senate because February 16, 2013, the State of Alaska will observe Elizabeth Peratrovich Day for the 24th time. Activities to celebrate the legacy of Elizabeth and Roy Peratrovich are taking place in schools and cultural centers throughout Alaska this week. The Alaska State Museum in Juneau is already honoring this remarkable woman in an exhibit entitled ''Alaskan. Native. Woman. Activist,'' which will run until March 16, 2013.

In addition to the annual observance of Elizabeth Peratrovich Day, the State of Alaska has acknowledged Elizabeth's contribution to history by designating one of the public galleries in the Alaska House of Representatives as the Elizabeth Peratrovich Gallery.

Elizabeth, a member of the Lukaaxádi clan, in the Raven moiety of the Tlingit tribe, was born in Petersburg in 1911. After attending college she married Roy Peratrovich, a Tlingit from Klawock, Alaska, and the couple had three beautiful children. In 1941 the young family moved to Juneau, excited by the new opportunities the move would present. When the family found the perfect house, they were not allowed to buy it because they were Native. They could not enter the stores or restaurants they wanted. Outside some of these establishments, there were signs that read ''No Natives Allowed.'' History has also recorded a sign that read ''No Dogs or Indians allowed.''

On December 30, 1941, following the invasion of Pearl Harbor, Elizabeth and Roy wrote to Alaska's Territorial Governor:

> In the present emergency our Native boys are being called upon to defend our beloved country. There are no distinctions being made there. Yet when we patronized business establishments we are told in most cases that Natives are not allowed.
>
> The proprietor of one business, an inn, does not seem to realize that our Native boys are just as willing to lay down their lives to protect the freedom he enjoys. Instead he shows his appreciation by having a ''No Natives Allowed'' sign on his door.

In that letter Elizabeth and Roy also noted:

> We were shocked when the Jews were discriminated against in Germany. Stories were told of public places having signs ''No Jews Allowed.'' All freedom loving people were horrified at what was being practiced in our own country.

In 1943, the Alaska Legislature, at the behest of Roy and Elizabeth, considered an antidiscrimination law. It was defeated, but Roy and Elizabeth were not. Two years later, in 1945, the antidiscrimination measure was brought back before the Alaska Territorial Legislature. It passed the lower

house, but was met with stiff opposition in the Territorial Senate.

One by one, Senators took to the floor to debate the closely contested legislation. One Senator argued that ''the races should be kept further apart.'' This Senator went on to rhetorically question, ''Who are these people, barely out of savagery, who want to associate with us whites with 5,000 years of recorded civilization behind us?''

Elizabeth Peratrovich was observing the debate from the gallery. As a citizen, she asked to be heard and in accordance with the custom of the day, was recognized to express her views.

In a quiet, dignified and steady voice this ''fighter with velvet gloves'' responded, ''I would not have expected that I, who am barely out of savagery, would have to remind gentlemen with 5,000 years of recorded history behind them of our Bill of Rights.''

She was then asked by a Senator if she thought the proposed bill would eliminate discrimination. Elizabeth queried in rebuttal, ''Do your laws against larceny and even murder prevent these crimes? No law will eliminate crimes but at least you as legislators can assert to the world that you recognize the evil of the present situation and speak your intent to help us overcome discrimination.''

When she finished her speech the room burst into thunderous applause. The territorial Senate passed the bill by a vote of 11 to 5. On February 16, 1945, before Alaska gained statehood, and before Dr. Martin Luther King, Jr. stood on the steps of the Lincoln Memorial and spoke of his dream for equality, Alaskans passed an anti-discrimination bill that provided for full and equal enjoyment of public accommodations for all Alaskans.

That night, Roy and Elizabeth celebrated. The two went dancing at the Baranof Hotel, one of Juneau's finest. They danced among people they didn't know, in a place where, the day before, they were unwelcome.

There is an important lesson to be learned from the battles of Elizabeth and Roy Peratrovich. Even in defeat, they knew that change would come from their participation in our political system. They were not discouraged by their defeat in 1943. They came back fighting stronger than ever and enjoyed the victory 2 years later.

Elizabeth would not live to see the United States adopt the same law she brought to Alaska in 1945. She passed away in 1958, at the age of 47, 6 years before civil rights legislation would pass nationally.

Roy Peratrovich saw that event. He passed away in 1989 at age 81. He died 9 days before the first Elizabeth Peratrovich Day was observed in the State of Alaska. But the Peratrovich legacy and family live on. This past summer I had the opportunity to welcome Nathan Peratrovich, great-grandnephew of Roy and Elizabeth, to Washington DC. I was awestruck at the magnitude of his visit. Here was a young man who never knew the discrimination his ancestors knew. He was never told he could not enter a store because of his race. He was never denied access to a school because of who his parents were. As we looked down on the Senate floor from the Senate gallery, I encouraged Nathan by stating that one day he could represent Alaska in the United States Senate. Nathan grew up with all the rights and liberties every young boy should have. All of this was possible because of his family. Seeing his face and knowing what a significant impact his family had on his current wellbeing struck me with a sense of appreciation. It is with that appreciation I honor Elizabeth and Roy Peratrovich today.●

VERMONT ESSAY FINALISTS

● Mr. SANDERS. Mr. President, I submit to the record these 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 13 finalists were selected from over 300 entries.

RILEY FORBES, MT. ABRAHAM UNION HIGH SCHOOL (FINALIST)

The most important issue for the government to solve today is human rights.

Everybody deserves equal opportunities in life. The State and Federal Government should help to make sure that everyone is free from torture, has the right to adequate food, clothing and housing, and has the right to health care. The most significant issue for the government to solve today is human rights.

Human rights are the basic rights that everyone who is human has. Human rights are important for everyone in the world to have. An important right is the right to have basic items, adequate clothing, food and housing. The United Nations has a right that gives everyone the basic items that they need, (clothing, food and housing). Whereas the United States does not have a right giving everyone basic supplies that is needed to live. ''A man in India without access to clean water dies of a treatable disease'' (Pinheiro). Everyone deserves adequate clothing, food, water and housing, but the problem is that these things are limited. There are homeless shelters and water, but there may not be enough for everyone. The Government should try to help provide people with the basic needs that are needed to survive.

The government should act to protect all people from torture. The United Nations and the United States believe that people should have the right to be safe from torture. A guard watches as a man is assaulted by an inmate in a jail Texas (Pinheiro). This man gets assaulted and the guard does nothing. The guard is watching; he should help to protect the people and not let them suffer even though they are in jail. The Government should pay attention and try to help people feel free and safe from torture.

In order for everyone to get a long life, people need to have their basic needs. The United Nations and the United States do not have any kind of right that says that everyone should have healthcare or be able to have health care. Obamacare will allow more people health insurance that they can afford (Marston). People who couldn't afford health care before now have a health care that is more affordable. The Government is helping to provide people the access to an affordable health insurance.

The Government should help to support the people and their rights.

Bibliography: Pinhiero, P.S. Choices Program On-line Scholar Brown University, Real Lives Computer Game. Marston, C. Class Notes. MAUHS: Bristol, VT. November 2012

DAMON FULCHER, SOUTH ROYALTON HIGH SCHOOL (FINALIST)

The state of the Union is the most difficult to decipher in years. We, as a nation, are stuck in a time where the war in Afghanistan is dwindling, and we're trying to climb out of an abysmal fiscal pit. In a nation that has made its name for moving forward, controversies over human rights like the right to marry and the right to have an abortion are still as prevalent as ever. However, all is not lost, and this great nation will continue to forge on, despite these setbacks.

The land of the free still does not grant rights to every group of people. Gay marriage is one of the most hotly debated subjects in our country right now. Even though our Constitution states that all men are created equal, we as a nation do not always abide by this principle. Half of the American population is brushing a group of people under the rug, just because they have a different sexual orientation than themselves. The most recent example of this is North Carolina amending its state constitution to say that same-sex couples do not have the right to marry. This act takes the issue to a whole new level past legality. However, not all is bad. Several more states have begun adding to the pool where same-sex couples have the right to marry. The United States' highest court is taking on a case concerning a California proposition to ban gay marriage. This case will decide the fate of the issue in the years to come. Unfortunately, the most serious issue our country faces is not even marriage equality.

The most pressing issue currently is the economy. The great debate is whose taxes should be cut and whose taxes should be raised. The nation is greatly divided along partisan lines in this respect. These opinions are exemplified by our current President Barack Obama and our Speaker of the House John Boehner. One believes that taxes should be raised on the wealthy and cut on the middle class and the other, vice versa. This is the nation's problem. We simply need to get over which party we are a part of and work toward a common goal. There is guaranteed success if all of Congress works together to move forward.

The current state of the Union is complex, containing many positives and negatives. With the idea in mind that working together is necessary for the betterment of this nation, the President and Congress will move forward and fix the dilemmas that this country faces.

BENJAMIN GILBERT, MILTON HIGH SCHOOL (FINALIST)

This country faces one of the most important stages of change and development it has ever seen. The decisions we make as a nation in the next few years will shape not only the future of our own lives, but the lives of every citizen of this world. We won't be able to do this unless we come together. We are humans. It is in our nature to disagree. We are a democracy. It is a democracy's nature to disagree. Disagreement is a sign of a thriving democracy. It is also in our nature to solve problems, to be civil, to be fair, and to provide for a better tomorrow.

In the coming years, we need more doctors and researchers, to finally find a cure for cancer. We need more books to inspire. We

need more businesspeople to meet to the new age markets. We need teachers, and lawyers. We need successful young people to inherit this country. However, this will not be possible with the rising costs of higher education. The cost of sending a child to college is the highest it has ever been. If we as a country decide not to act, we cannot hope to make a better tomorrow for ourselves or for our children. In a state of economic turmoil, cuts have to be made. The military has been allowed to spend almost without limit. The funds that will keep Americans safe and soldiers well equipped should not be touched, but the endless spending must stop. Anything that is not absolutely vital and necessary for the safety, protection, and justice of the American people ought to be reevaluated.

Since its foundation, America has been the birthplace for equality. From George Washington fighting against the oppression of a monarchy, to Martin Luther King working towards a more civil existence, to Alice Paul screaming for the right to vote. Each step has helped open the door to equality. Each day we are tested, and each day we must answer history's call to change. Gay men and women have been quieted for centuries. But their time is here. No federal ban on love will stop the dawn of equality that is breaking upon this nation. This is not about Republicans or Democrats, religions, or politics, but about American people who love and cherish one another.

We have a broken system. Today, it is far too difficult to receive mental healthcare. It is easier to get your hands on an assault weapon than visit a doctor. We have seen in the past decade that this inequality leads to a tragic and horrific reality. Assault weapons are made for the military, and should be reserved exclusively for that purpose. Most importantly, those in need of mental healthcare should have access to it. We must forget about the politics and money, and focus on the lives of Americans who are in danger every day.

I have high hopes for the future of this country. We are all different. We are often very divided. However, we are strongest when we stand together.

LIAM HAYES, VERGENNES UNION HIGH (FINALIST)

Today our country is facing many problems that require the attention of not only the leaders in Washington, but the American people as well. As a teenager I believe the two most important issues are unemployment and our education system. I know that these issues are affecting our country, mainly in its overall growth.

First, I feel that our unemployment rate is quite unacceptable. However, in the past year it has been lowering slowly by the month. Although it may seem like a substantial amount, the area of the nation I live in continues to struggle to find jobs for students graduating college and for people retraining to new careers. I believe to continue this progress over the coming years America needs to look at the national picture of what jobs are there, what new jobs could serve a need for products and industry and what skills these new industries will require Americans to have.

Lastly, I think that when it comes to education in this great nation, the statistics and rankings don't lie. In math, science, and writing, the US is in the lower half when compared to other nations. If you look at statistics, compared to others, we are a more developed country. I am sure there are many things that we can do as a country to climb higher in the tables. I truly think that if there wasn't a long summer break, and there were one or two week breaks frequently throughout the course of the year to take place of the large summer break. I think this would help because the long summer break leaves ridiculous amounts of time to forget everything you have learned in the school year. I also think that Americans have requirements for a second spoken language and to promote challenging classes throughout our schooling experience. If education is truly the key to our future, it needs to give us not only the basics, but the skills to problem solve, create and be the architects of America's new future.

CHRISTIE KERSHAW, SOUTH BURLINGTON HIGH SCHOOL (FINALIST)

I believe our nation has shown much improvement over the past year. Job growth rates have been increasing and businesses have been getting back on their feet after an economic low point. Even with these developments, there are many more aspects that need to be addressed and improved. I believe that as a country, the biggest issues we should be focusing on are improving the state of our environment and making college more affordable for students.

In my opinion, our government isn't taking the issue of global climate change as seriously as it should be. We are no longer able to turn our backs on this difficult issue because we are already starting to see signs of its negative impacts on us. With major droughts this summer in the Midwest and powerful storms like Super storm Sandy, it's clear to see that our climate is becoming more unpredictable and deadly, and the root cause of this is from climate change. There haven't been enough major moves put into effect by our government to combat this issue and I believe that both political parties should work closer together to come to an agreement on how do this. There should be tighter regulations on the amount of greenhouse gases factories can emit, higher miles per gallon standards for new cars, and more money put into the development of renewable energy sources.

In order to make advancements in the field of green energy to slow down climate change, there must be scientists who are able to do the work. But we may soon be seeing a decrease in the number of these people because increasing costs for post-secondary education make it difficult for those who want to pursue a career in the sciences, or any other field, to do so. In order to ensure that our country will have enough highly educated citizens to help bring our nation closer to solving our energy crisis, we need to make college more affordable for everyone. Universities must lower their tuition costs and have more scholarships and grants for a wide range of students. If our government made loans easier to get with lower interest rates, this would also help remedy this problem. This particular issue is especially important to me because, as I start my college career in less than a year, I will be spending a lot of time worrying about how I will be able to pay for my education. Many other students feel the same way as me and some may have to postpone their plans for higher education. A decrease in college-educated citizens is not what our country needs right now.

These two issues of climate change and post-secondary education affordability are to me the most important on the list of many our country is facing. If both political parties work together, they will be able to resolve these issues in the near future.

SONIA LOWEN, CHAMPLAIN VALLEY UNION HIGH SCHOOL (FINALIST)

The United States of America is the most powerful nation in the entire world but it's currently facing severe issues. The financial crash of 2008 resulted in the most disastrous economy since the 1930's Great Recession. Climate change is creating extreme weather disasters and destroying nature. Not to mention that there is more income inequality in present day than ever before. These are only a select few because the list of issues goes on. The good news is that solutions are accessible but the bad news is that as long as corporate lobbyists continue to corrupt legislators, they will never be reached. The United States Congress needs to stop allowing corporate corruption.

The American economy is beginning to show signs of recovery but it still has a long way to go. Millions are out of a job and the government has a $16 trillion debt hovering over their heads. The end of this recession is not going to come fast, but there are provisions that will begin to facilitate it, such as raising taxes not only on the rich but on the corporations as well. This will cause more of their money to go towards helping the government rather than manipulating it.

America is not the only place being affected by climate change but that does not, in any way, constitute sitting back and hoping someone else will fix it. The United States makes up 2% of the world's population yet they use 25% of the world's resources. The environment's safety is dependent on Congress to create new laws that will further regulate manufacturers to reduce harmful emissions. America's economy and climate would prosper greatly if they invested time and money into green energy. Unfortunately, automobile and other corporate lobbyists refuse to let that happen because they can make more money manufacturing oil-powered products.

Corporate lobbying has corrupted what the Constitution deems as the most powerful branch of government. Much of the legislation that is passed is beneficial to industries, whereas much of the legislation that would be beneficial to the general population is rejected. The corporations have gained this unhealthy amount of power by guaranteeing members of Congress a future job in the private sector in exchange for legislation that will favor whichever industry and/or corporation they represent. It is a gross injustice of congressional power.

The United States of America is at a fork in the road: they can either choose to take a step in the right direction and work for the interests of the people, or they can take a leap in the wrong direction and work in the interests of corporations. The country's future prosperity will be a result of that decision. It is crucial that the government abolishes corporate lobbying and strives to serve the people this nation was built for. This will not be easy, but it is critical in the process of rebuilding America.

ALEXANDRA MCFARLAND, WOODSTOCK UNION HIGH SCHOOL (FINALIST)

As we have seen throughout our country over the past few years, climate change is greatly affecting weather patterns. In 2011 Vermont was hit by Hurricane Irene which devastated much of the state and resulted in destroyed roads and homeless families. In 2012 Hurricane Sandy came ashore in New Jersey and New York changing even more of our fellow Americans' lives with massive destruction. Last year snowfall here in the Green Mountains was nearly half of the annual average. This year we have already seen two major snowstorms and snow levels are already approaching and surpassing the total snowfall of last year. We have to be concerned with these extreme weather changes. Weird weather may now be normal weather and scientists predict such patterns only worsening in the future unless we take action.

Climate change is a great problem that the United States, although on the surface has

attempted to tackle, needs to face head on. We need to once again be world leaders. Our first step is to launch a nationwide campaign, as there remains a huge portion of the population who still believe climate change is simply a myth, to help folks understand the complex science. Second, our nation needs to support scientific research and publicize new discoveries that could help to better our understanding of the climate change crisis as well as create and implement new green technologies to combat it. We need to establish a national plan to reduce our energy use.

The 350 Initiative, started by environmental activist Bill McKibben, is a great goal for our nation to strive toward. Through awareness and education programs that will lead us to conserve as well as the development of new and innovative green technologies, we will reduce atmospheric carbon levels to a more sustainable level of 350 parts per million by the year 2050. Scientists have shown that 350 is a safe upper limit for the amount of carbon in the atmosphere. The 350 plan puts a solid number that we can strive to achieve on a concept that so often feels much too great to tackle.

As one of the largest economies and one of the largest consumers of fossil fuels, we should be a leader in changing the way people around the globe think about our climate. It's not simply here for us to use at will. It's here for us to take care of and preserve for generations to come. These are feats that our country has the resources, the will power and the ingenuity to tackle.

We will not sit back and watch as extreme weather washes over our great nation. As we have in the past, we will face our worst problems and we will overcome them.

RACHEL MOORE, SOUTH ROYALTON MIDDLE/HIGH SCHOOL (FINALIST)

My family is like most families in Vermont: middle-class citizens. Both my parents work to pay taxes and to put meals on the table for my two brothers and me. Sometimes barely getting by is all we can do. Life is not what it used to be. When it is time for taxes to be paid for, it is always the hardest, but we skim by. Taxes are killers to lower and middle class citizens. I think the government should address this problem in full detail. It is time to be fair and to put the money back into the economy. In my opinion, when the President gives his State of the Union speech, he should promise to raise taxes for the rich and lower them for the poor.

Lower-class citizens pay taxes like everyone else. The difference between them and higher classes is their income. Lower-class citizens do not receive a lot of income. Therefore they have a harder time supporting their families. There is a reason why so many people are losing their homes. And most of those people are lower-class citizens. When the President makes his State of the Union address, he, in my opinion, should promise to raise taxes on the rich and lower them for the poor. It is not fair that lower-class people work twice as hard to keep their home, and to pay for food, when higher-class citizens do not have to work as hard and they do not need to worry. Lower-class citizens are not the only ones who suffer from taxes.

Middle-class citizens also suffer from taxes. They have to work harder to support their families than the higher-class. Being a part of the middle-class group, I have experienced the effects taxes have on our lives. Sometimes skimming by is all my family is capable of doing. I have sat at the table watching my mom write out and pay all her bills. I frequently wish that I were rich, so I could support all my family members and to get them to a better state. But wishing has not done much for me, so I gave up. But now I have turned my head to the President and his colleagues. Maybe my plea can be heard by them, to lower taxes on the poor and raise it on the rich. I want to live an American dream, not just dream it. The more you raise taxes on the lower-class, which is the majority of Americans, the less money will go back into the economy. Tax the people who can spare an extra dollar, not the people who depend on that dollar for a meal.

In my opinion, taxes should be raised on the rich and lowered for the poor. Lower and middle classes have a hard time supporting their families because of taxes. What about that American dream people talk so much about? How will future generations be able to live that dream if they cannot even buy a house? It is time to do something, so, in my opinion, when the President makes his State of the Union address he should promise to lower taxes on the poor and raise them to the rich.

DERRYK O'GRADY, MILTON HIGH SCHOOL (FINALIST)

My fellow Americans, we need to remember the tragic events that occurred in Newtown, Connecticut, change in gun control laws must happen. Unfortunate events like this can separate weak countries and divide them, but we are different. A tragic incident like this makes us more aware and stronger. As we move forward, we will use this as a learning experience to make this country safer by decreasing the ability to own a gun.

In addition to gun control, the following are other major topics of concern. First, we are in major national debt. Second, unemployment rates are reaching an unbearable high. Third we need to use more green energy and save more of the world's oil. Lastly, the cost of the education is incredibly high and still increasing. We must find solutions to these issues and I believe I can do it.

We need to better our international relationships. We need to stop involving ourselves in wars. Wars are a heavy burden, and over the past twelve years, we spent $3.7 trillion and by the end, possibly $4.4 trillion. This money does not need to be spent. We need to take care of our own business, impose higher taxes on the wealthy, and save money from wars.

More jobs need to be created for our country. The national unemployment rate is around 7.7%, and in 2010, we reached 9.8%. A steady decline has to continue to happen. The more people in this country working, the more revenue we can bring. This will help chip away at the debt because the more people working making money, the more money they can spend. This series of working, making money, and putting it back into the economy is what we need to create a surplus.

America's oil dependency is on a slight decrease since president Obama took office. We have limited the use of other countries oil by depending more on ourselves and this saves money. We need to find more ways of using renewable energy such as wind power, solar power, and hydro power: fossil fuel is not everlasting, while renewable energy is.

We tell high school students that they need to go to college to reach success, but then we throw them in debt. The prices for college are astronomically high and continue to increase. The average price for an in-state student is $22,000 a year. How many students can afford to spend $88,000? The answer is easy: not many. We need to find a standard price range for colleges to work with.

As we grow as a nation, I promise we will find answers. Our nation can overcome any challenge. Nothing brings this country down. We will keep fighting these battles until we have reached our goals. Thank you, and may God bless you all.

SALEBAN OLOW, WINOOSKI HIGH SCHOOL (FINALIST)

Dear President Obama, Senator Sanders, and Fellow Americans, From the birth of America, to America today, the driving force and the heart of America has always been the American success story. The United States of America is a country of opportunity and accomplishment. We believe in our country and our government. We believe that we will eventually succeed, overcoming any obstacles that we face. Our government and the entrepreneurs creating jobs made our country the best among the world, but new issues have appeared from the unemployment rate to the cost of college tuition to gun control. These are what we need to address.

Perhaps the biggest problem we face as a nation is the current rate of unemployment. According to the ''Department of Numbers,'' during the November of 2012, the unemployment rate is down to 7.7 percent of people in the United States. This means that over 12 million Americans are jobless, including my mom. Many American families are losing their jobs because companies obtain their jobs. Companies and wealthy people are getting richer and those from the middle class and poverty levels are falling toward and below the poverty line. This is particularly true given the fact that the dollar is not worth what it was in the past. As a result, inflation is boosting up the price of all goods and services. As unemployment has been rising, the cost of education is increasing. Today, American colleges have imposed an extraordinary increase in tuition. Additionally, there are also issues such as gay rights, Social Security, illegal immigration and the War on Terror.

In spite of these factors, many students in the United States look for higher education after high school. They want to go to college and have a good career. If the government's influence results in increasing college costs, then students like ''ME'' will not be able to afford college. The average family cannot fully support their child's tuition costs. Our parents' incomes are spent paying for college debt. While many college graduates remain jobless, they still must face debts of more than 90K dollars. For our newly hatching generation, I believe that college tuition should be cheaper for everyone no matter what economic level the family is.

Regarding another critical issue, each year thousands of Americans lose their lives through gun related problems. Guns are designed to kill people easily and many lives are lost each year because the United States doesn't have strict gun control laws. The deadly massacre shooting at a Connecticut elementary school was heartbreaking. The outcome of this tragedy resulted in the deaths of 20 children and 6 adults, a painful scenario. Beautiful little kids between the ages of 4 and 9 years were slaughtered. It is my strong opinion that the government should pass a gun law that would reduce gun problems. President Obama and fellow lawmakers, I feel you need to be creative and figure out a better way to ensure young kids' safety. By choosing you, the United States is going in the right direction for a better future.

In conclusion, the challenges that we face with unemployment, college tuition and gun control are ones that we must currently address. We must make significant changes in order to progress. The success of our nation must be made by building upon our society. As in the past, we can and always will work hard and make America and the world a better place.

God bless the United States of America.

ROBERT PENNYPACKER, ST. JOHNSBURY ACADEMY (FINALIST)

This year's Tax Rate for the richest are the lowest this Country has ever seen!

Today's tax rate means that person making $379,150 pays the same tax as a person making seven million dollars. Thirty years ago this was different. In 1981 there were 16 tax brackets. Today there are six. The highest tax bracket for today's federal income tax is 35% for a person making $379,150 or more. That means you're taxing a small business owner the same rate as a giant corporation president like General Electric's Chairman and CEO Jeffrey Immelt who has a salary of 3.3 million dollars as of 2011.

If and when the tax rate increases for the rich like many Americans want, it will not hurt the economy like the GOP is stating. Last September, the Congressional Research Service published a report countering Republican claims that lowering top tax rates would lead, or had led, to higher economic growth. ''Changes over the past 65 years in the top marginal rate and the top capital gains tax rate do not appear correlated with economic growth,'' the report concluded. Republican Minority Leader Mitch McConnell responded by having the report suppressed, but its findings were incontrovertible. This shows that, with the rise in taxes for the upper class, it will not affect the economy like many Republicans are stating.

Also, we are at war with the Taliban and yet we still have lower taxes than ever before. How are we paying to support this war? Never before has the United States had lower taxes during a war. In 1943, during WWII, the tax rate for a person making $2,593,984 (adjusted for inflation) was 88%. In that same year a person making $155,000 (adjusted for inflation) was 38%. During the Vietnam War, in 1966, the tax rate for a person making $629,530 (adjusted for inflation) was 70%. Also, in that same year, a person making $83,104 (adjusted for inflation) was 36%. Today's tax rate, as of 2011, for a person making $379,150 is 35%. A person making 1.1 million dollars tax rate pay the same 35%.

Should a person making $379,150 pay the same rate as multi-millionaires? No they shouldn't. Why do we have the lowest taxes ever in the United States and yet be in a war? The United States should have taxes similar to years before. The middle class should pay the same rate. The rates for the middle class have stayed within the same percentage for the last 70 years. Meanwhile the upper class has gone from a 90 percent tax rate in the 1940's and 50's to 70 percent from 1960's through 1981, and 50 percent in 1982 through 1986. Now they have a 35 percent tax rate which is the same as a middle class citizen. The United States should raise the taxes of the rich.

REBECCA POTTER, BRATTLEBORO UNION HIGH SCHOOL (FINALIST)

Congress is dysfunctional because of priority discrepancies. Some in our government seem to believe that holds, filibusters, and less legal tactics of delay and obstruction serve as necessary means to a greater GOP-dominated end. Others argue that while disagreement is key in a true democracy, so is compromise. Certain members of the Senate, where unanimous consent remains relevant in the scheduling and timing of legislation, stand by ''holding'' the Senate's progress on a bill or committee action. Others point out that this is 2012, where a hold in Senate exists as a euphemism for indefinite or permanent vetoes, often done in secret. In both houses, many forget that the true party holding the majority in Congress is the white, heterosexual, wealthy men.

While Congress' dysfunction directly correlates with the partisan gridlock we've been witnessing over the past four years, this has more to do with flaws in the system itself rather than the puppets within it. Sure, people are selfish and want the connections voting a certain way or hiring a specific set of hands will bring—but what ingenious economic system provides the impetus for such action? Capitalism, at the root of it all, enables members of Congress and the wealthy holding the strings above them to exist as money-motivated figures of power. The privatization of education, healthcare, and human services creates the legislative standstill we've got in Congress, which dedicates an absurd amount of time to arguing over non-issues in a partisan lock. This allows legislation that matters often gets nixed in committee or shoved through without necessary debate.

Capitalist society has created a dysfunctional Congress, and until we fix the system we will keep getting the same results. The bandage for this infectious situation is compromise in the Senate and House of Representatives—impending compromise, I predict, what with a certain cliff looming over our heads. Antibiotics for a more permanent change would mean a re-evaluation of everything we've grown up being told was ''American'': federalized elections, spending limits on campaigns, socialized care for humans and our unalienable rights (health, education, safety), and public ownership of the land of the free.

AUSTIN PRICE, MT. ANTHONY UNION HIGH SCHOOL (FINALIST)

My fellow Americans, Our country is evolving and changing in ways it has never before. We can either adjust or get left in the past. America was once the greatest power in the world and I believe we can get back to that, but we must take hold and lead with force. Although we are on the path back, we still need to focus on our military, economy, and civil rights.

Our military is the backbone of our success as a nation. With over nine hundred military bases internationally, we need our military to be strong as ever to protect our trading partners as well as us. The necessary changes that must be made are to increase our presence in the countries that are filled with enemies of the state and looking to do harm to the United States and its citizens. We must increase the spending budget for the military so that we will maintain our internationally renowned army. We as a country have the responsibility to not only protect our rights, but to protect the civil rights of others who don't have the ability themselves.

Further, we are in one of the greatest recessions since the Great Depression; we face unprecedented challenges as a nation to get back on top. If any country can come out of a depression and be even stronger than before, it is America, the home of the brave. Were the spending in any sector to increase, then there would be a huge influx of jobs that were created by all that new money. A higher tax rate for the wealthiest of Americans will help this nation get out of the greatest debt it has ever been in. It is time for everyone to pay their fair share. Although the taxes do need to be increased, increasing the taxes on small business owners will only hurt our economy because they will hire fewer workers.

There is also a great civil rights issue that must be addressed in our country. This is the marriage of homosexuals. I am proud to say that the state I reside in has done what few other states are brave enough to do by creating civil unions. There are a shocking forty-one states that ban same-sex marriage compared to only nine that allow it. I am asking for an immediate legalization of same-sex marriage in all states, similar to that of the desegregation laws of the sixties and seventies.

If we as a nation are to be prosperous, we must grow and adapt to the world around us. In order to reach our goals their will have to be sacrifices made by every American. We must make changes to the economy, military, and civil rights in order to reach our lofty goals and reap the benefits of our hard work.●

MESSAGE FROM THE HOUSE

At 11:35 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 267. An act to improve hydropower, and for other purposes.

H.R. 592. An act 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.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 267. An act to improve hydropower, and for other purposes; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

H.R. 307. A bill 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, and for other purposes.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment and with an amended preamble:

S. Res. 12. A resolution recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 252. A bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with amendments:

S. 298. A bill to prevent nuclear proliferation in North Korea, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade.

Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade.

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, of New York, to be United States District Judge for the Eastern District of New York.

Katherine Polk Failla, of New York, to be United States District Judge for the Southern District of New York.

Andrew Patrick Gordon, of Nevada, 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, of Colorado, to be United States District Judge for the District of Colorado.

Troy L. Nunley, of California, to be United States District Judge for the Eastern District of California.

Beverly Reid O'Connell, of California, to be United States District Judge for the Central District of California.

Analisa Torres, of New York, to be United States District Judge for the Southern District of New York.

Derrick Kahala Watson, of Hawaii, to be United States District Judge for the District of Hawaii.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER:

S. 324. 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 Finance.

By Mr. TESTER (for himself, Mr. HELLER, Mrs. MURRAY, Mr. BAUCUS, Mr. BLUMENTHAL, Mr. BEGICH, and Mr. ROCKEFELLER):

S. 325. A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BOXER (for herself, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEGICH, and Mr. MANCHIN):

S. 326. A bill to reauthorize 21st century community learning centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself, Mr. ENZI, Mr. HATCH, Mr. LEE, Mr. JOHNSON of South Dakota, Mr. THUNE, and Mr. UDALL of Colorado):

S. 327. A bill to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Mr. UDALL of New Mexico, and Mr. BENNET):

S. 328. A bill to amend title XVIII of the Social Security Act to allow certain critical access hospitals and sole community hospitals to use interactive telecommunications systems to satisfy requirements with respect to having a physician available to stabilize an individual with an emergency medical condition under the Medicare program; to the Committee on Finance.

By Mr. SANDERS:

S. 329. A bill to eliminate certain fuel subsidies and to amend the Internal Revenue Code of 1986 to extend certain energy tax incentives; to the Committee on Finance.

By Mrs. BOXER (for herself, Mr. COBURN, Ms. BALDWIN, and Mr. PAUL):

S. 330. A bill to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV); to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. 331. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS (for himself and Mrs. BOXER):

S. 332. A bill to address climate disruptions, reduce carbon pollution, enhance the use of clean energy, and promote resilience in the infrastructure of the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mrs. BOXER, Mr. FRANKEN, Mr. BROWN, Mr. SANDERS, Mr. WYDEN, Mr. MENENDEZ, and Mrs. GILLIBRAND):

S. 333. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 334. A bill to terminate agricultural direct payments beginning with the 2013 crop year; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MERKLEY (for himself and Mr. LAUTENBERG):

S. 335. A bill to provide financing assistance for qualified water infrastructure projects, and for other purposes; to the Committee on Environment and Public Works.

By Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, Mr. JOHNSON of South Dakota, Mr. BOOZMAN, Mr. REED, Mr. BLUNT, Mr. WHITEHOUSE, Mr. CORKER, Mr. PRYOR, Mr. ROCKEFELLER, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. HEITKAMP, Mr. CARDIN, Mrs. FEINSTEIN, Ms. LANDRIEU, Mr. MANCHIN, Mr. LEVIN, and Mr. HARKIN):

S. 336. A bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. ROCKEFELLER, Mrs. MCCASKILL, Mr. DURBIN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 337. A bill to provide an incentive for businesses to bring jobs back to America; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. BURR, Mr. WYDEN, Mr. GRAHAM, Mr. UDALL of Colorado, Mr. TESTER, and Mr. UDALL of New Mexico):

S. 338. A bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself and Mr. FLAKE):

S. 339. A bill to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 340. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 341. A bill to designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 342. A bill to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada; to the Committee on Energy and Natural Resources.

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

S. 343. A bill to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 344. A bill to prohibit the Administrator of the Environmental Protection Agency from approving the introduction into commerce of gasoline that contains greater than 10-volume-percent ethanol, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN (for herself, Mr. KIRK, Mr. TOOMEY, Mr. DURBIN, Mr. PORTMAN, Mr. LAUTENBERG, Mr. CORKER, Mrs. FEINSTEIN, Ms. AYOTTE, and Mr. ALEXANDER):

S. 345. A bill to reform the Federal sugar program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 346. A bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel; to the Committee on Armed Services.

By Mr. CARPER (for himself and Mr. COONS):

S. 347. A bill to establish the First State National Historical Park in the State of Delaware, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, and Mrs. GILLIBRAND):

S. 348. 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 Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, and Mr. MURPHY):

S. 349. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself and Mr. WYDEN):

S. 350. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself, Mr. HATCH, Mr. COATS, Mr. CHAMBLISS, Mr. RISCH, Mr. COCHRAN, Mr. JOHANNS, Mr. WICKER, Mr. INHOFE, Mr. RUBIO, Mr. BARRASSO, Mr. CRAPO, Mr. GRASSLEY, Mr. PORTMAN, Mr. COBURN, Mr. FLAKE, Mr. JOHNSON of Wisconsin, Mr. THUNE, Mr. GRAHAM, Mr. MORAN, Mr. BOOZMAN, Mr. BURR, Ms. COLLINS, Mr. PAUL, Mr. ISAKSON, Mr. HOEVEN, Mr. TOOMEY, Mr. ROBERTS, Mr. BLUNT, Mrs. FISCHER, Ms. AYOTTE, and Mr. ENZI):

S. 351. A bill to repeal the provisions of the Patient Protection and Affordable Care Act of providing for the Independent Payment Advisory Board; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 352. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 353. A bill to designate certain land in the State of Oregon as wilderness, to make additional wild and scenic river designations in the State of Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 354. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself, Mr. ENZI, Mr. SCHUMER, and Mr. BARRASSO):

S. 355. A bill to require the United States Trade Representative to notify the World Trade Organization if any member of the World Trade Organization fails during 2 consecutive years to disclose subsidies under the Agreement on Subsidies and Countervailing Measures, and for other purposes; to the Committee on Finance.

By Mr. JOHANNS (for himself, Mr. INHOFE, Mr. GRASSLEY, Mrs. FISCHER, Mr. BOOZMAN, Mr. ENZI, Mr. THUNE, Mr. RISCH, Mr. VITTER, and Mr. COCHRAN):

S. 356. A bill to ensure that women seeking an abortion are fully informed regarding the pain experienced by their unborn child; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Mr. GRAHAM, Mr. LEAHY, Ms. KLOBUCHAR, Mrs. BOXER, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Ms. HEITKAMP, and Mr. DURBIN):

S. 357. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; to the Committee on the Judiciary.

By Mr. FRANKEN (for himself, Mrs. MURRAY, Mrs. SHAHEEN, Mr. NELSON, Mr. JOHNSON of South Dakota, Mrs. GILLIBRAND, Mr. CARDIN, and Ms. WARREN):

S. 358. A bill to establish a Science, Technology, Engineering, and Math (STEM) Master Teacher Corps program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Mr. PAUL, Mr. MCCONNELL, and Mr. MERKLEY):

S. 359. A bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself, Mr. HEINRICH, Mr. BEGICH, Mrs. BOXER, and Mr. COONS):

S. 360. A bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI (for herself, Mr. BROWN, Mr. ENZI, Mr. MENENDEZ, Mr. REED, and Mr. MERKLEY):

S. 361. A bill to require the lender or servicer of a home mortgage, upon a request by the homeowner for a short sale, to make a prompt decision whether to allow the sale; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 362. A bill to promote the mapping and development of United States geothermal resources by establishing a direct loan program for high risk geothermal exploration wells, to amend the Energy Independence and Security Act of 2007 to improve geothermal energy technology and demonstrate the use of geothermal energy in large scale thermal applications, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mr. CRAPO, Mr. RISCH, and Mr. MERKLEY):

S. 363. A bill to expand geothermal production, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 364. A bill to establish the Rocky Mountain Front Conservation Management Area, to designate certain Federal land as wilderness, and to improve the management of noxious weeds in the Lewis and Clark National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. 365. A bill to authorize the Secretary of the Army to carry out activities to manage the threat of Asian carp travelling up the Mississippi River in the State of Minnesota, and for other purposes; to the Committee on Environment and Public Works.

By Ms. MURKOWSKI:

S. 366. A bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 367. A bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps; to the Committee on Finance.

By Mr. HEINRICH (for himself, Mr. HELLER, Mr. BAUCUS, Mr. BENNET, Mr. TESTER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, and Mr. WYDEN):

S. 368. A bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself, Mr. HATCH, Mr. BLUNT, Mr. PAUL, Mr. RISCH, Mr. GRASSLEY, Mr. JOHANNS, Mr. BURR, Mrs. FISCHER, Mr. BOOZMAN, Mr. WICKER, Mr. CORKER, Mr. INHOFE, Mr. ROBERTS, Mr. COBURN, Mr. ENZI, Mr. CHAMBLISS, Mr. MCCONNELL, Mr. VITTER, Mr. MORAN, Mr. GRAHAM, Mr. CRUZ, and Mr. CORNYN):

S. 369. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

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

S. 370. A bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED (for himself, Mr. WHITEHOUSE, Ms. WARREN, and Mr. COWAN):

S. 371. A bill to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Ms. HIRONO, Mr. FRANKEN, and Mr. BLUMENTHAL):

S. 372. A bill to provide for the reduction of unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Mrs. GILLIBRAND):

S. 373. A bill to amend titles 10, 32, 37, and 38 of the United States Code, to add a definition of spouse for purposes of military personnel policies and military and veteran benefits that recognizes new State definitions of spouse; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 35. A resolution congratulating the Baltimore Ravens for winning Super Bowl XLVII; considered and agreed to.

By Mr. JOHANNS (for himself, Mr. HARKIN, Mrs. FISCHER, Mr. DURBIN, and Mr. GRASSLEY):

S. Res. 36. A resolution recognizing February 19, 2013 as the centennial of Mosaic, a

faith-based organization that was founded in Nebraska and now serves more than 3,600 individuals with intellectual disabilities in 10 States; considered and agreed to.

By Mr. BROWN (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. HARKIN, Mr. CASEY, Mr. INHOFE, and Mr. LEVIN):

S. Res. 37. A resolution expressing the sense of the Senate in disapproving the proposal of the International Olympic Committee Executive Board to eliminate wrestling from the Summer Olympic Games beginning in 2020; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 82

At the request of Mr. PAUL, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 82, a bill to provide that any executive action infringing on the Second Amendment has no force or effect, and to prohibit the use of funds for certain purposes.

S. 175

At the request of Mr. ROBERTS, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 175, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 183

At the request of Mrs. MCCASKILL, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors 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. 195

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 203

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 203, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame.

S. 218

At the request of Mr. LEVIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 218, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 234

At the request of Mr. REID, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors 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 Delaware (Mr. COONS) 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.

S. 278

At the request of Mr. THUNE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 278, a bill to replace the Budget Control Act sequester for fiscal year 2013 by eliminating tax loopholes.

S. 290

At the request of Mr. REED, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 290, a bill to reduce housing-related health hazards, and for other purposes.

S. 291

At the request of Mr. REED, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 291, a bill to establish the Council on Healthy Housing and for other purposes.

S. 313

At the request of Mr. CASEY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of 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.

S. 316

At the request of Mr. SANDERS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 321

At the request of Mr. WHITEHOUSE, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 321, a bill to reduce the deficit by imposing a minimum effective tax rate for high-income taxpayers.

S. RES. 12

At the request of Mr. NELSON, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. Res. 12, a resolution recognizing the third anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in that earthquake, and expressing continued solidarity with the people of Haiti.

S. RES. 26

At the request of Mr. MORAN, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Maine (Ms. COLLINS), the Senator from Idaho (Mr. CRAPO) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. BOXER (for herself, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEGICH, and Mr. MANCHIN):

S. 326. A bill to reauthorize 21st century community learning centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, I rise today to urge my colleagues to cosponsor, S. 326 the Afterschool for America's Children Act, which I am introducing today with Senators MURKOWSKI, MURRAY, BEGICH, and MANCHIN.

Across the country, afterschool programs help keep children safe and help them learn through hands-on academic enrichment activities that are disappearing from the regular school day.

Numerous studies have shown that quality afterschool programs give students the academic, social, and professional skills they need to succeed. Students who regularly attend have better grades and behavior in school, and lower incidences of drug use, violence, and unintended pregnancy.

Over the past 10 years, the 21st Century Community Learning Centers, CCLC, program has helped support afterschool programs for millions of children from low-income backgrounds, including over 1.6 million children last year.

Unfortunately, the demand for affordable, quality afterschool experiences far exceeds the number of programs available. The 2009 report, America After 3PM, found that while afterschool programs are serving more kids than ever, the number of unsupervised children in the United States has increased. More than 18 million children have parents who would like to enroll their child in an afterschool program but can't find one available.

For over 10 years, federally funded afterschool programs have played an important role in the lives of so many children and families. The Afterschool for America's Children Act, AACA, would strengthen the 21st CCLC program, leaving in place what works and

using what we have learned about what makes afterschool successful to improve the program.

The AACA would modernize the 21st CCLC program to improve states' ability to effectively support quality afterschool programs, run more effective grant competitions and improve struggling programs. In addition, this legislation helps improve local programs by fostering better communication between local schools and programs, encouraging parental engagement in student learning, and improving the tracking of student progress.

Afterschool programs have such a diverse group of supporters—from law enforcement to the business community—because these vital programs help keep the children of working parents safe while enriching their learning experience and preparing them for the real world.

I urge my colleagues to join me and Senators MURKOWSKI and MURRAY in supporting the Afterschool for America's Children Act to ensure that 21st CCLC dollars are invested most efficiently in successful afterschool programs that keep children safe and help them learn.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 340. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today for the fourth time to introduce or reintroduce legislation to settle the outstanding land claims of the Tlingit and Haida Native people, the first people of Southeast Alaska. I first introduced this legislation to speed up the conveyance of lands to the Sealaska Native Regional Corporation in 2008. Native residents of Southeast Alaska in 1971 were promised lands to settle their aboriginal land claims to all of Southeast Alaska. Under the motto that nothing of worth comes easy, I hope that the compromise bill I introduce today with my colleague from Alaska Senator BEGICH will finally settle those claims early in the 113th Congress, capping nearly six years of congressional negotiation and review on this issue.

The newly revised bill establishes where and how Sealaska may select the remaining 70,075 acres of land the Bureau of Land Management now says it is entitled to receive under the Alaska Native Claims Settlement Act of 1971, ANCSA. In all, Sealaska, the regional corporation representing some 20,000 Alaska Natives, more than a fifth of all Native residents in Alaska, will receive about 68,400 acres of land for timber development, about 1,099 acres for other economic development such as hydroelectric generation, marine hydrokinetic activity and future tourism development near Yakutat, Kake and Hydaburg, and 490 acres that Sealaska can apply for to gain an additional 76 cemetery and historical places.

The bill provides a balance of old-growth and second-growth timber, allowing Sealaska's timber business to transition to second-growth harvesting. To address local concerns, the new bill does not contain some 26,000 acres of selections on northern Prince of Wales Island. This version of the bill also eliminates more lands near Kassa Inlet and Mabel Bay near Keete on Prince of Wales Island to meet wildlife concerns, buffer key fisheries and anchorage areas for fishermen, and revises selection areas to address the Forest Service's desire to retain more lands that will aid its young-growth timber transition strategy in the Tongass National Forest.

Frankly, it has taken years of frustrating talks and negotiations to reach this point. This bill contains more than 175 changes since the 2008 version, all designed to make the bill acceptable to all Americans. While the odds are that it still won't make absolutely everyone happy, the bill does address all of the major concerns voiced with the Sealaska bill during nearly a half dozen congressional hearings, 22 town hall meetings, and in hundreds of letters and media comments. It gives Sealaska its ANCSA selections, while it provides unprecedented public access to the lands Sealaska will be receiving, and meets the valid concerns of small communities, fishermen and timber workers and protects their industries while fully protecting the environment.

It is a compromise. Clearly there are provisions in the bill that I wish were different, but on balance, it is a fair solution to a most difficult matter that has been dragging on for more than four decades. It is certainly a balanced solution that allows Sealaska to finally take title to the last 70,000 acres it was promised by the land claims settlement—lands largely to be used for economic development in a region where unemployment often hits 25 percent—while at the same time protecting more than twice as many acres for environmental and fisheries protection in Southeast Alaska, an area roughly the size of South Carolina. The bill does the latter by creating 152,000 acres of new conservation habitat areas in the region in eight tracts.

The revised bill also requires Sealaska, by a conservation easement, to protect three major salmon spawning systems on lands it is gaining by imposing a 100-foot no-cut buffer, specifically, along the main stem of Trout Creek on Koscuisko Island, along Old Tom Creek at Polk Inlet and along Karheen and Tuxekan Creeks on Tuxekan Island. The State Forest Practices Act and buffer rules will govern the management of all other streams on state lands inside the new Sealaska selections.

The bill continues and strengthens all public access provisions contained in ANCSA. The bill contains a provision that guarantees public access to Sealaska's economic land selections for recreation, hunting and fishing both sport and subsistence, allowing closures only to protect public safety, to safeguard cultural properties, to promote educational efforts or to protect against environmental damage, while allowing the public to legally challenge any such closures. It also protects the rights of existing guides and tour operators to continue operations automatically on Sealaska lands for portions of two permit terms, or up to 20 years.

The revised bill also reduces the size of selection areas on Koscuisko and Tuxekan Islands to meet local community concerns, to protect, subsurface, karst formations, to protect old-growth habitat areas for sensitive species, and to protect anchorages for fishermen. The revised bill rearranges selection areas at 12 Mile Arm and Polk Inlet to protect Forest Service planning, facilities and research facilities, and increases the size of selection areas at Calder and the Cleveland Peninsula to offset the acreage reductions.

Sealaska, through this bill, will give up its existing selection rights to 327,000 acres of the Tongass National Forest, allowing that timber to return to full Forest Service planning control, and the bill will result in Sealaska selecting about 25,000 fewer acres of old-growth timber, traditionally the most sought after lands in the forest and about 50,000 fewer acres of inventoried road less lands than might have happened should Sealaska have stayed inside their original selection boundaries, lands that were designated for selection by the corporation in 1976. The problem with those lands, the reason why this bill is so important for the public good, is that if Sealaska had to select from those lands it would have had to select timber lands in the Situk River Valley, the home to the nation's foremost steelhead stream. It would have had to select lands in the Craig municipal watershed, key fisheries habitat near Hoonah and Hydaburg and some 64,000 acres of Old-Growth Habitat Reserves, four times more such land than the corporation is taking by this bill. Those selections would have been bad for the commercial and sport fishing industries, for tourism, and for the environment. Equally important from Sealaska's viewpoint, 44 percent of the lands it had to select from by the 1976 selection areas were located under water bodies, making the selection rights worthless.

Sealaska may use part of its entitlement to select 76 cemetery sites and historical places, but to address concerns from some stakeholders, the bill reduces the number and acreage of cemetery sites and historical places that Sealaska can file to receive. Acreage available to Sealaska was reduced more than six fold, from 3,600 acres in the original 2008 bill to a maximum of 490 acres. The total number of sites was reduced from 206 in the original bill and all parks and wilderness lands were placed off limits.

This bill also confirms that all cemetery sites and historical places will have to pass the existing historical review process before they can be conveyed. The bill, again, prohibits the selection of cemetery sites and historical places inside parks and conservation system units. Sealaska will be required to consult with local tribes before applying for conveyance of any sites, and the bill prohibits the transfer of such sites to third parties and protects them from loss of Native ownership in the event of any future financial claims against Sealaska—the lands reverting to the Federal Government in the event of financial issues. The bill also requires that Sealaska provide a 25-foot easement to allow anyone to sport fish along any salmon stream that crosses such new sites.

The bill allows Sealaska to receive nine small parcels of land that Sealaska may use to help spur cultural tourism, ecotourism, or, in two cases, renewable energy development near the communities of Yakutat, Kake, and Hydaburg. The number of sites, totaling 1,099 acres, is vastly reduced, considering more than 50 sites totaling 5,000 acres had been considered in earlier versions of the legislation. The small parcels all are within or near the so-called 10 selection boxes established by a 1976 amendment to ANCSA. Five sites are in the Yakutat area, where Sealaska currently owns no land on behalf of its tribal member shareholders. The sites in the Yakutat area are at Crab Island, North Dolgoi Island, Cannon Beach, Chicago Harbor and Redfield Lake. Two sites are in the Kake area: Turnabout Island and East Payne Island. There is a hydro site at Lake Josephine on Prince of Wales I and and a final site for marine hydrokinetic development, ocean current energy, on the northern tip of Dall Island at Turn Point-Tlevak Narrows' revised bill removes all sites that drew concern from commercial fishermen, small tour operators, environmental groups or local communities in the Alaska Panhandle.

The compromise bill conveys three non-exclusive access easements to Sealaska to use as traditional Native trade and migration routes in Southeast. The bill, as revised, renames the routes to honor Alaska's Tlingit and Haida Indians and the history of the region and provides generally for public access. The Yakutat to Dry Bay trail will be renamed ''Neix naax aan flax'' meaning, The Inside Passage; the Bay of Pillars to Port Camden trail will be renamed the ''Yakwdeiyl'' trail, meaning the Canoe Road; and the Portage Bay to Duncan Canal trail will be renamed ''Lingit Deiyl,'' meaning the People's Road.

The bill requires Sealaska to share use of all forest roads with the Forest Service and others, meaning that the government retains the right to use the roads to access other timber sales, as do the public. The bill maintains all of the access provisions granted by ANCSA and includes provisions to make access rights workable for all.

It has taken years of really listening to the requests about this bill and working through them one by one to find solutions, with the past nearly two years involved in frequent negotiations among the Forest Service, Democratic and Republican congressional staff, Sealaska, environmental groups and other interest groups such as commercial fishermen and timber operators. This is truly a compromise piece of legislation. But it finally gets Sealaska its lands, protects fisheries and wildlife, and helps maintain a timber industry in Southeast Alaska.

This compromise, the direct result of years of negotiation, has a host of good points. It will prevent ''high-grading'' of timber' the practice where companies cut only the best timber lands, leaving lesser quality lands behind. Sealaska's conveyances in the nine commercial tracts called for in this bill: Calder, Election Creek, Cleveland Peninsula, 12-Mile Arm, Tuexkan Island, Polk and MacKenzie Inlets, Koscuisko Island, Keete, and Kuiu Island include only about 20,700 acres of large old-growth trees just 3.8 percent of the forest's 537,451 acres of such trees. Already 437,000 acres of large old-growth trees, 81 percent, are protected in conservation areas within the 19.6–million-acre national forest.

The bill likely will save the government money. In additional to making Sealaska give up some $2 million of escrowed funds, the bill means Sealaska, by getting about 25,000 acres of less valuable second-growth, based on current timber prices, could be foregoing more than $10 million of timber value, compared to if it had received all old-growth trees—old-growth providing the most valuable habitat for species in the forest like Sitka black-tailed deer, the Queen Charlotte goshawk and wolves.

For Alaskans, the bill makes sure that more than 99 percent of the lands Sealaska will be receiving are open for public access. That is the opposite of what could happen if this bill does not pass, as then Sealaska would be free to prevent the public from trespassing across their new lands, like all other private land owners can post their properties.

The changes between this version and previous versions of the measure are far too many to list here. But briefly this bill reduces the number and acreage of small parcels for economic diversification, once called ''Future'' sites. It reduces the number of new Native cemetery and historical places that Sealaska could select, allowing only such sites outside national parks or wilderness to be selected. The bill increases public access provisions, prevents Sealaska from gaining potential federal grants for management of the cemetery sites, removes a host of questionable land selections on environmental grounds and revises timber lands to protect subsistence hunting areas and resource gathering spots.

As I say, I introduce this bill in a bipartisan manner with my Alaska colleague, Senator MARK BEGICH again as a co-sponsor. It is a reasonable bill and I hope it finally can pass both bodies of Congress, it passing the House of Representatives in a somewhat different form in 2012 and become law. Southeast Alaska's Natives, which while the largest group of Natives in Alaska in 1971, received the third smallest land entitlement in the claims act 42 years ago. That was mostly because much of the rest of the forest at the time was already dedicated to long-term timber sale contracts. Now that those contracts have been voided, it is only just and equitable that Alaska's first inhabitants get a chance to select a little more of the land first settled by their ancestors.

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

S. 342. A bill to designate the Pine Forest Range Wilderness area in Humboldt County, Nevada; to the Committee on Energy and Natural Resources.

Mr. REID. 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. 342

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 ''Pine Forest Range Recreation Enhancement Act of 2013''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNTY.—The term ''County'' means Humboldt County, Nevada.

(2) MAP.—The term ''Map'' means the map entitled ''Proposed Pine Forest Wilderness Area'' and dated July 5, 2011.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) STATE.—The term ''State'' means the State of Nevada.

(5) WILDERNESS.—The term ''Wilderness'' means the Pine Forest Range Wilderness designated by section 3(a).

SEC. 3. ADDITION TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 26,000 acres of Federal land managed by the Bureau of Land Management, as generally depicted on the Map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the ''Pine Forest Range Wilderness''.

(b) BOUNDARY.—

(1) ROAD ACCESS.—The boundary of any portion of the Wilderness that is bordered by a road shall be 100 feet from the edge of the road.

(2) ROAD ADJUSTMENTS.—The Secretary shall—

(A) reroute the road running through Long Meadow to the west to remove the road from the riparian area;

(B) reroute the road currently running through Rodeo Flat/Corral Meadow to the east to remove the road from the riparian area; and

(C) close, except for administrative use, the road along Lower Alder Creek south of Bureau of Land Management road #2083.

(3) RESERVOIR ACCESS.—The boundary of the Wilderness shall be 160 feet downstream from the dam at Little Onion Reservoir.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Wilderness.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(3) AVAILABILITY.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) WITHDRAWAL.—Subject to valid existing rights, the Wilderness is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

SEC. 4. ADMINISTRATION.

(a) MANAGEMENT.—Subject to valid existing rights, the Wilderness shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) LIVESTOCK.—The grazing of livestock in the Wilderness, if established before the date of enactment of this Act, shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary considers to be necessary in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405).

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land within the boundary of the Wilderness that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the Wilderness.

(d) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Congress does not intend for the designation of the Wilderness to create a protective perimeter or buffer zone around the Wilderness.

(2) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within the Wilderness shall not preclude the conduct of the activities or uses outside the boundary of the Wilderness.

(e) MILITARY OVERFLIGHTS.—Nothing in this Act restricts or precludes—

(1) low-level overflights of military aircraft over the Wilderness, including military overflights that can be seen or heard within the Wilderness;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the Wilderness.

(f) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in the Wilderness as are necessary for the control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).

(g) WILDFIRE MANAGEMENT OPERATIONS.—Nothing in this Act precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment).

(h) CLIMATOLOGICAL DATA COLLECTION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms and conditions as the Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the Wilderness if the Secretary determines that the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(i) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the land designated as wilderness by this Act is located—

(i) in the semiarid region of the Great Basin; and

(ii) at the headwaters of the streams and rivers on land with respect to which there are few, if any—

(I) actual or proposed water resource facilities located upstream; and

(II) opportunities for diversion, storage, or other uses of water occurring outside the land that would adversely affect the wilderness values of the land;

(B) the land designated as wilderness by this Act is generally not suitable for use or development of new water resource facilities; and

(C) because of the unique nature of the land designated as wilderness by this Act, it is possible to provide for proper management and protection of the wilderness and other values of land in ways different from those used in other laws.

(2) PURPOSE.—The purpose of this section is to protect the wilderness values of the land designated as wilderness by this Act by means other than a federally reserved water right.

(3) STATUTORY CONSTRUCTION.—Nothing in this Act—

(A) constitutes an express or implied reservation by the United States of any water or water rights with respect to the Wilderness;

(B) affects any water rights in the State (including any water rights held by the United States) in existence on the date of enactment of this Act;

(C) establishes a precedent with regard to any future wilderness designations;

(D) affects the interpretation of, or any designation made under, any other Act; or

(E) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree that apportions water among and between the State and other States.

(4) NEVADA WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the Wilderness.

(5) NEW PROJECTS.—

(A) DEFINITION OF WATER RESOURCE FACILITY.—

(i) IN GENERAL.—In this paragraph, the term ''water resource facility'' means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(ii) EXCLUSION.—In this paragraph, the term ''water resource facility'' does not include wildlife guzzlers.

(B) RESTRICTION ON NEW WATER RESOURCE FACILITIES.—Except as otherwise provided in this Act, on or after the date of enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within a wilderness area, any portion of which is located in the County.

SEC. 5. RELEASE OF WILDERNESS STUDY AREAS.

(a) FINDING.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the Blue Lakes and Alder Creek wilderness study areas not designated as wilderness by section 3(a) have been adequately studied for wilderness designation.

(b) RELEASE.—Any public land described in subsection (a) that is not designated as wilderness by this Act—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(2) shall be managed in accordance with the applicable land use plans adopted under section 202 of that Act (43 U.S.C. 1712).

SEC. 6. WILDLIFE MANAGEMENT.

(a) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this Act affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the Wilderness.

(b) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities in the Wilderness that are necessary to maintain or restore fish and wildlife populations and the habitats to support the populations, if the activities are carried out—

(1) consistent with relevant wilderness management plans; and

(2) in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(B) appropriate policies, such as those set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405), including the occasional and temporary use of motorized vehicles if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values with the minimal impact necessary to reasonably accomplish those tasks.

(c) EXISTING ACTIVITIES.—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with appropriate policies such as those set forth in Appendix B of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405), the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife populations in the Wilderness.

(d) HUNTING, FISHING, AND TRAPPING.—

(1) IN GENERAL.—The Secretary may designate areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the Wilderness.

(2) CONSULTATION.—Except in emergencies, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under paragraph (1).

(e) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—The State, including a designee of the State, may conduct wildlife management activities in the Wilderness—

(A) in accordance with the terms and conditions specified in the cooperative agreement between the Secretary and the State entitled ''Memorandum of Understanding between the Bureau of Land Management and the Nevada Department of Wildlife Supplement No. 9'' and signed November and December 2003, including any amendments to the cooperative agreement agreed to by the Secretary and the State; and

(B) subject to all applicable laws (including regulations).

(2) REFERENCES; CLARK COUNTY.—For the purposes of this subsection, any reference to Clark County in the cooperative agreement described in paragraph (1)(A) shall be considered to be a reference to the Wilderness.

SEC. 7. LAND EXCHANGES.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term ''Federal land'' means Federal land in the County that is identified for disposal by the Secretary through the Winnemucca Resource Management Plan.

(2) NON-FEDERAL LAND.—The term ''non-Federal land'' means land identified on the Map as ''non-Federal lands for exchange''.

(b) ACQUISITION OF LAND AND INTERESTS IN LAND.—Consistent with applicable law and subject to subsection (c), the Secretary may exchange the Federal land for non-Federal land.

(c) CONDITIONS.—Each land exchange under subsection (a) shall be subject to—

(1) the condition that the owner of the non-Federal land pay not less than 50 percent of all costs relating to the land exchange, including the costs of appraisals, surveys, and any necessary environmental clearances; and

(2) such additional terms and conditions as the Secretary may require.

(d) DEADLINE FOR COMPLETION OF LAND EXCHANGE.—It is the intent of Congress that the land exchanges under this section be completed by not later than 5 years after the date of enactment of this Act.

SEC. 8. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

Nothing in this Act alters or diminishes the treaty rights of any Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

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

S. 343. A bill to provide for the conveyance of certain Federal land in Clark County, Nevada, for the environmental remediation and reclamation of the Three Kids Mine Project Site, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REID. 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. 343

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 ''Three Kids Mine Remediation and Reclamation Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term ''Federal land'' means the approximately 948 acres of Bureau of Reclamation and Bureau of Land Management land within the Three Kids Mine Project Site, as depicted on the map.

(2) HAZARDOUS SUBSTANCE; POLLUTANT OR CONTAMINANT; REMEDY.—The terms ''hazardous substance'', ''pollutant or contaminant'', and ''remedy'' have the meanings given those terms in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(3) HENDERSON REDEVELOPMENT AGENCY.—The term ''Henderson Redevelopment Agency'' means the redevelopment agency of the City of Henderson, Nevada, established and authorized to transact business and exercise the powers of the agency in accordance with the Nevada Community Redevelopment Law (Nev. Rev. Stat. 279.382 to 279.685).

(4) MAP.—The term ''map'' means the map entitled ''Three Kids Mine Project Area'' and dated February 6, 2012.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of Nevada.

(7) THREE KIDS MINE PROJECT SITE.—The term ''Three Kids Mine Project Site'' means the approximately 1,262 acres of land that is—

(A) comprised of—

(i) the Federal land; and

(ii) the approximately 314 acres of adjacent non-Federal land; and

(B) depicted as the ''Three Kids Mine Project Site'' on the map.

SEC. 3. LAND CONVEYANCE.

(a) IN GENERAL.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), not later than 90 days after the date on which the Secretary determines that the conditions described in subsection (b) have been met, and subject to valid existing rights and applicable law, the Secretary shall convey to the Henderson Redevelopment Agency all right, title, and interest of the United States in and to the Federal land.

(b) CONDITIONS.—

(1) APPRAISAL; FAIR MARKET VALUE.—

(A) IN GENERAL.—As consideration for the conveyance under subsection (a), the Henderson Redevelopment Agency shall pay the fair market value of the Federal land, if any, as determined under subparagraph (B) and as adjusted under subparagraph (F).

(B) APPRAISAL.—The Secretary shall determine the fair market value of the Federal land based on an appraisal—

(i) that is conducted in accordance with nationally recognized appraisal standards, including—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice; and

(ii) that does not take into account any existing contamination associated with historical mining on the Federal land.

(C) REMEDIATION AND RECLAMATION COSTS.—

(i) IN GENERAL.—The Secretary shall prepare a reasonable estimate of the costs to assess, remediate, and reclaim the Three Kids Mine Project Site.

(ii) CONSIDERATIONS.—The estimate prepared under clause (i) shall be—

(I) based on the results of a comprehensive Phase II environmental site assessment of the Three Kids Mine Project Site prepared by the Henderson Redevelopment Agency or a designee that has been approved by the State; and

(II) prepared in accordance with the current version of the ASTM International Standard E–2137–06 entitled ''Standard Guide for Estimating Monetary Costs and Liabilities for Environmental Matters''.

(iii) ASSESSMENT REQUIREMENTS.—The Phase II environmental site assessment prepared under clause (ii)(I) shall, without limiting any additional requirements that may be required by the State, be conducted in accordance with the procedures of—

(I) the most recent version of ASTM International Standard E–1527–05 entitled ''Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process''; and

(II) the most recent version of ASTM International Standard E–1903–11 entitled ''Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process''.

(iv) REVIEW OF CERTAIN INFORMATION.—

(I) IN GENERAL.—The Secretary shall review and consider cost information proffered by the Henderson Redevelopment Agency and the State in the preparation of the estimate under this subparagraph.

(II) FINAL DETERMINATION.—If there is a disagreement among the Secretary, Henderson Redevelopment Agency, and the State over the reasonable estimate of costs under this subparagraph, the parties shall jointly select 1 or more experts to assist the Secretary in making the final estimate of the costs.

(D) DEADLINE.—Not later than 30 days after the date of enactment of this Act, the Secretary shall begin the appraisal and cost estimates under subparagraphs (B) and (C), respectively.

(E) APPRAISAL COSTS.—The Henderson Redevelopment Agency shall reimburse the Secretary for the costs incurred in performing the appraisal under subparagraph (B).

(F) ADJUSTMENT.—The Secretary shall administratively adjust the fair market value of the Federal land, as determined under subparagraph (B), based on the estimate of remediation, and reclamation costs, as determined under subparagraph (C).

(2) MINE REMEDIATION AND RECLAMATION AGREEMENT EXECUTED.—

(A) IN GENERAL.—The conveyance under subsection (a) shall be contingent on—

(i) the Secretary receiving from the State written notification that a mine remediation and reclamation agreement has been executed in accordance with subparagraph (B); and

(ii) the Secretary concurring, by the date that is 30 days after the date of receipt of the written notification under clause (i), that the requirements under subparagraph (B) have been met.

(B) REQUIREMENTS.—The mine remediation and reclamation agreement required under subparagraph (A) shall be an enforceable consent order or agreement between the State and a party obligated to perform under the consent order or agreement administered by the State that—

(i) obligates a party to perform, after the conveyance of the Federal land under this Act, the remediation and reclamation work at the Three Kids Mine Project Site necessary to ensure all remedial actions necessary to protect human health and the environment with respect to any hazardous substances, pollutant, or contaminant will be taken, in accordance with all Federal, State, and local requirements; and

(ii) contains provisions determined to be necessary by the State, including financial assurance provisions to ensure the completion of the remedy.

(3) NOTIFICATION FROM AGENCY.—As a condition of the conveyance under subsection (a), not later than 90 days after the date of execution of the mine remediation and reclamation agreement required under paragraph (2),

the Henderson Redevelopment Agency shall submit to the Secretary written notification that the Henderson Redevelopment Agency is prepared to accept conveyance of the Federal land under subsection (a).

SEC. 4. WITHDRAWAL.

(a) IN GENERAL.—Subject to valid existing rights, for the 10-year period beginning on the earlier of the date of enactment of this Act or the date of the conveyance required by this Act, the Federal land is withdrawn from all forms of—

(1) entry, appropriation, operation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under the mineral leasing, mineral materials, and the geothermal leasing laws.

(b) EXISTING RECLAMATION WITHDRAWALS.—Subject to valid existing rights, any withdrawal under the public land laws that includes all or any portion of the Federal land for which the Bureau of Reclamation has determined that the Bureau of Reclamation has no further need under applicable law is relinquished and revoked solely to the extent necessary—

(1) to exclude from the withdrawal the property that is no longer needed; and

(2) to allow for the immediate conveyance of the Federal land as required under this Act.

(c) EXISTING RECLAMATION PROJECT AND PERMITTED FACILITIES.—Except as provided in subsection (a), nothing in this Act diminishes, hinders, or interferes with the exclusive and perpetual use by the existing rights holders for the operation, maintenance, and improvement of water conveyance infrastructure and facilities, including all necessary ingress and egress, situated on the Federal land that were constructed or permitted by the Bureau of Reclamation before the effective date of this Act.

SEC. 5. ACEC BOUNDARY ADJUSTMENT.

Notwithstanding section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713), the boundary of the River Mountains Area of Critical Environmental Concern (NVN 76884) is adjusted to exclude any portion of the Three Kids Mine Project Site consistent with the map.

SEC. 6. RESPONSIBILITIES OF THE PARTIES.

(a) RESPONSIBILITY OF PARTIES TO MINE REMEDIATION AND RECLAMATION AGREEMENT.—On completion of the conveyance under section 3, the responsibility for complying with the mine remediation and reclamation agreement executed under section 3(b)(2) shall apply to the parties to the agreement.

(b) SAVINGS PROVISION.—If the conveyance under this Act has occurred, but the terms of the agreement executed under section 3(b)(2) have not been met, nothing in this Act—

(1) affects the responsibility of the Secretary to take any additional response action necessary to protect public health and the environment from a release or the threat of a release of a hazardous substance, pollutant, or contaminant; or

(2) unless otherwise expressly provided, modifies, limits, or otherwise affects—

(A) the application of, or obligation to comply with, any law, including any environmental or public health law; or

(B) the authority of the United States to enforce compliance with the requirements of any law or the agreement executed under section 3(b)(2).

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, and Mrs. GILLIBRAND):

S. 348. 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 Health, Education, Labor, and Pensions.

Mr. ROCKEFELLER. Mr. President, I rise today to introduce a piece of legislation that is desperately needed in West Virginia and across the country—the Prescription Drug Abuse Prevention and Treatment Act of 2013. It is an important bill aimed at addressing the rapid increase in deaths and overdoses from methadone and other opioid prescription drugs in the United States. These deaths have hit my home State of West Virginia particularly hard, but I know that every State is struggling with this serious problem.

In the 111th Congress, Senator CORKER and I, along with our colleague, the late Senator Kennedy, introduced the Methadone Treatment and Protection Act of 2009—a similar piece of legislation that stemmed from a disturbing rise in deaths due to methadone, a synthetic opioid prescription drug that had been increasingly used for pain management. Before 1990, it was used primarily to treat opioid addiction. Because of its high efficacy and low cost, methadone is frequently used for pain management. However, if not used correctly, methadone can be a powerful and deadly drug because it works differently than other painkillers. Methadone stays in a person's body for a longer period of time than the pain relief lasts so a person who does not know better might take far too much of the drug, possibly leading to respiratory distress, cardiac arrhythmia and even death.

Methadone prescriptions for pain management grew from about 531,000 in 1998 to about 4.1 million in 2006—nearly eightfold. During that time, poisoning deaths involving methadone increased nearly sevenfold from almost 790 in 1999 to 5,420 in 2006. Deaths from other opioids have also skyrocketed in the last decade. These deaths may actually be underreported, because there is no comprehensive reporting system for opioid-related deaths in the United States.

Overdoses from methadone are part of a larger disturbing trend of overdoses and deaths from prescription painkillers, or opioid drugs—a trend driven by a knowledge gap about how to treat serious pain in a safe and effective manner, by misperceptions about the safety of prescription drugs, and by the diversion of prescription drugs for illicit uses. In 2009, there were nearly 4.6 million drug-related emergency department, ED, visits of which nearly one half, 45.1 percent, or 2.1 million were attributed to prescription drug misuse or abuse, according to data from the Drug Abuse Warning Network, DAWN. Emergency department visits involving misuse or abuse of pharmaceuticals nearly doubled between 2004 and 2009, to more than 1.2 million visits.

This bill takes multiple steps to address these problems. First, with respect to the knowledge gap about safe pain management, the bill includes a training requirement for health care professionals to be licensed to prescribe these powerful drugs. Currently, the Controlled Substances Act requires that every person who dispenses or who proposes to dispense controlled narcotics, including methadone, whether for pain management or opioid treatment, obtain a registration from the Drug Enforcement Administration, DEA. But, there is no requirement as a condition of receiving the registration that these practitioners receive any education on the use of these controlled narcotics, including methadone. Physicians struggle every day with determining who has a real need for pain treatment, and who is addicted or at risk. They struggle with our failure to provide adequate treatment facilities for those who are addicted. This bill will help physicians get the information they need to prescribe safely and better recognize the signs of addiction in their patients.

Second, this bill addresses the knowledge gap among consumers—with a competitive grant program to States to distribute culturally sensitive educational materials about proper use of methadone and other opioids, and how to prevent opioid abuse, such as through safe disposal of prescription drugs. Preference will be given to states with a high incidence of overdoses and deaths.

Third, this bill creates a Controlled Substances Clinical Standards Commission to establish patient education guidelines, appropriate and safe dosing standards for all forms of methadone and other opioids, benchmark guidelines for the reduction of methadone abuse, appropriate conversion factors for transitioning patients from one opioid to another, and guidelines for the initiation of methadone and other opioids for pain management. A standards commission will provide much-needed evidence-based information to improve guidance for the safe and effective use of these powerful and dangerous controlled substances.

Fourth, this bill provides crucial support to state prescription drug monitoring programs. As of 2008, 38 states had enacted legislation requiring prescription drug monitoring programs and many states were able to fund these initiatives in part from grants available through the Harold Rogers Prescription Drug Monitoring Program. A second program created in 2005 through the National All Schedules Prescription Electronic Reporting Act, NASPER, would provide even more assistance, and requires interoperability among states to reduce doctor shopping across state lines and diversion. Unfortunately, NASPER has only recently been funded with $2 million in the fiscal year 2009 Omnibus legislation and $2 million in fiscal year 2010.

Here is just one example of why NASPER funding matters: recently, the governor of Florida announced a

budget that would not fund a planned prescription monitoring program in his State, due to State budget difficulties. This directly affects States in Appalachia because of the rampant drug trafficking between the two regions. In fact, the roads from West Virginia to Florida are well-travelled by drug traffickers and people seeking pain medication. It is crucial to finally give NASPER the funding it needs, and this legislation would do so, with $25 million a year to establish interoperable prescription drug monitoring programs within each state.

Fifth, this bill requires that quality standards be developed across the range of providers engaged in the prevention and treatment of prescription drug abuse. It is essential as we move ahead that quality always be front and center in our efforts. With lives at risk, this is, if anything, only more important in the areas of addiction prevention and treatment. Every effort to address this problem must be as effective as possible, and the development of quality standards required by this bill will make sure that each provider, regardless of his or her background or approach, can provide high caliber services to their patients.

Finally, this bill would help solve the data gap when it comes to opioid-related deaths. Right now there is no comprehensive national database of drug-related deaths in the United States, nor is there a standard form for medical examiners to fill out with regard to opioid-related deaths. Since there is no comprehensive database of methadone-related deaths, the number of deaths may actually be underreported. To truly reduce the number of methadone-related deaths, quality data must be collected and made available. This bill would create a National Opioid Death Registry to track all opioid-related deaths and related information, and establish a standard form for medical examiners to fill out which would include information for the National Opioid Death Registry.

Today we have an opportunity to change the harrowing statistics and stem the rising tide of deaths from methadone and other opioids by supporting the Prescription Drug Abuse Prevention and Treatment Act of 2013. This legislation provides a multifaceted approach to preventing tragic overdoses and deaths from methadone and other opioids. This is exactly what we need to improve the coordination of efforts and resources at the local, state, and federal levels.

I urge my colleagues to support this timely and important piece of legislation. In doing so, we will be on our way to saving lives and reducing the needless deaths that otherwise will continue to cause so much suffering for too many individuals, families, and communities in this country.

By Mr. REED (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, and Mr. MURPHY):

S. 349. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REED. Mr. President, today I am reintroducing, along with my colleagues Senators BLUMENTHAL, WHITEHOUSE, AND MURPHY legislation to authorize the National Park Service to evaluate portions of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers located in Rhode Island and Connecticut for possible inclusion in the National Wild and Scenic Rivers System. Our legislation seeks to highlight the need for greater resources to protect and restore the health of these rivers by studying their recreational, natural, and historical qualities and determining if they are suitable for designation as Wild and Scenic Rivers.

The Wood-Pawcatuck Watershed is a national treasure that holds recreational and scenic value. In the 1980s, the National Park Service's Rivers and Trails Conservation Assistance Program conducted a planning and conservation study which found, in part, that the waters of the Wood and Pawcatuck Rivers corridor ''are the cleanest and purest and its recreational opportunities are unparalleled by any other river system in the state.''

The rivers also provide opportunities for recreation and tourism that contribute to the economy of the local communities, while offering ways to explore our American heritage throughout the watershed. The experiences one can enjoy range from visiting Native American fishing grounds to seeing Colonial and early industrial mill ruins. The rivers are also a prime location for outdoor activities like trout fishing, canoeing, bird watching, and hiking.

I have long been a supporter of protecting and restoring Southern New England's riverways and estuaries, including the Narragansett Bay. The study proposed in our legislation is an important part of the process in determining future opportunities for protection and recreational enjoyment of the rivers in the Wood-Pawcatuck watershed. It would also help Rhode Island and Connecticut continue their stewardship of these rivers, and greatly enhance existing state and local efforts to preserve and manage this ecosystem.

Indeed, partnerships are essential for the successful restoration and management of our natural resources, and it is anticipated that this study would be conducted in close cooperation with the communities, state agencies, local governments, and private organizations that are stakeholders in the process. The partnership-based approach also allows for development of a proposed river management plan, which could address issues ranging from fish passage to the restoration of wetlands to assist with flood mitigation, as well as balance the preservation of the natural resources with the recreational opportunities that contribute to the local economies.

I commend Representatives LANGEVIN, CICILLINE, and COURTNEY for introducing similar legislation in the other body. I look forward to working with them and all of my colleagues to pass this bill to initiate the process that will evaluate the Wood-Pawcatuck Watershed for inclusion in the National Wild and Scenic Rivers System.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 352. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today I rise to re-introduce three bills that will better protect unique and important areas in the beautiful state of Oregon. Two of these passed out of the Senate Energy and Natural Resources Committee the last two Congresses. I am pleased to again be joined on these bills with my colleague from Oregon, Senator MERKLEY. I look forward to working with Senator MERKLEY, other colleagues and other supporters of the bills to keep up the fight for these special places in Oregon.

The first bill I am introducing—the Oregon Caves Revitalization Act of 2013—will enhance the existing Oregon Caves National Monument to protect this majestic site for future generations. The bill expands the boundary of the National Park Service land to create the Oregon Caves National Monument and Preserve.

A Presidential Proclamation in 1909 established 480 acres of natural wonder as the Oregon Caves National Monument in the botanically-rich Siskiyou Mountains. At the time, the focus was on the unique subsurface resources, and the small, rectangular boundary was thought to be adequate to protect the cave. However, scientific research has since provided much greater insight into the cave's ecology and its hydrological processes, for which 480 acres is inadequate. The National Park Service formally proposed boundary modification numerous times—in 1939, 1949, and 2000.

My bill expands protections in and around the Oregon Caves National Monument. The entirety of the Cave Creek Watershed would be included in the park site, transferring management of 4,070 acres of United States Forest Service land to the National Park Service. Hunters will still have recreational access to this land since it will be designated a Preserve.

And the expansion of the Monument's boundary would be incomplete

without protecting the water that enters the cave so as to preserve the cave's resources. My legislation would designate at least 9.6 miles of rivers and tributaries as Wild, Scenic, or Recreational, under the federal Wild and Scenic Rivers Act—including the first Wild and Scenic subterranean river, the ''River Styx.'' A perennial stream, the River Styx—an underground portion of Cave Creek—flows through part of the cave and is one of the dynamic natural forces at work in the National Monument. In addition, this bill would authorize the retirement of existing grazing allotments. The current grazing permitee, Phil Krouse's family, has had the Big Grayback Grazing Allotment, 19,703 acres, since 1937. Mr. Krouse has publicly stated that he would look favorably upon retirement with private compensation for his allotment, which my legislation will allow to proceed.

The Oregon Caves National Monument offers important contributions to Southern Oregon and the nation. The cave ecosystem provides habitat for one of the highest concentrations of biological diversity anywhere. And as the longest marble cave open to the public west of the Continental Divide, the Monument receives over 80,000 visitors annually. A larger Monument boundary will help showcase more fully the recreational opportunities on the above-ground lands within the proposed Monument boundary.

I want to express my thanks to the conservation and business communities of southern Oregon, who have worked diligently to protect these lands and waters.

My second bill is the Devil's Staircase Wilderness Act of 2013. Under this bill, approximately 30,500 acres of rugged, wild, pristine, and remote land surrounding the Wasson Creek area will be designated wilderness. In fact the area is so rugged that federal land managers have withdrawn this landslide-prone forest from all timber activity numerous times. At the heart of this coastal rainforest lies Devil's Staircase, a crystal clear waterfall that cascades over slab after slab of sandstone. The Devil's Staircase proposal typifies what Wilderness in Oregon is all about.

The proposed Devil's Staircase Wilderness is the finest old-growth forest remaining in Oregon's Coast Range, boasting huge Douglas-fir, cedar and hemlock. The ecological significance of this treasure is as clear as the water running through Devil's Staircase. The land is protected as a Late-Successional Reserve by the Northwest Forest Plan, as critical habitat for the northern spotted owl and marbled murrelet, and as an Area of Critical Environmental Concern by the Bureau of Land Management. Preserving these majestic forests as Wilderness for their wildlife and spectacular scenery not only matches the goals of the existing land management plans but also permanently protects this natural gem for future generations. The wilderness designation is needed to protect these areas permanently.

My bill would not only protect the forests surrounding Wasson Creek but would also designate approximately 4.5 miles of Franklin Creek and approximately 10.1 miles of Wasson Creek as Wild and Scenic Rivers. Franklin Creek, a critically important tributary to the Umpqua River, is one of the best examples of pristine salmon habitat left in Oregon. Together with Wasson Creek, these two streams in the Devil's Staircase area deserve Wild and Scenic River designation by Congress.

The third bill I am introducing is the Oregon Treasures Act of 2013. This bill seeks to provide protections for five significant areas in Oregon. They are the Chetco River, the Molalla River, the Rogue River, and Horse Heaven and Cathedral Rock. Each of these parts of the bill aim to protect natural treasures in Oregon, preserve them for use and enjoyment for generations to come, and build upon the economic opportunities they provide for their local communities.

The Oregon Treasures Act of 2013 includes a provision to protect two of Oregon's natural treasures, Cathedral Rock and Horse Heaven. This wilderness designation has been introduced in the two most recent Congresses. The Cathedral Rock and Horse Heaven wilderness proposal will do more than simply protect these areas. It will also help Oregon's economy, because visitors from all over the world come to my state to experience firsthand the unique scenic beauty of place like the lands preserved by this bill.

This legislation will consolidate what is currently a splintered ownership of land in this area and protect 17,340 acres of new Wilderness along the Lower John Day River. The fractured land ownership in this area makes it difficult for visitors to fully appreciate these areas when they hike, fish or hunt there because of the scattered and misunderstood lines of private and public ownership. This bill will solve that problem and make these lands more inviting to visitors while giving the landowners more contiguous property to call home.

The area in question is stunning. The Cathedral Rock and Horse Heaven Wilderness proposals encompass dramatic basalt cliffs and rolling hills of juniper, sagebrush and native grasses. These new areas build on the desert Spring Basin Wilderness that was established in 2009 as a result of legislation I introduced, and are located directly across the John Day River from Spring Basin.

With 500 miles of undammed waters, the John Day River is the second-longest free-flowing river in the continental United States and is a place that is cherished by Oregonians. The Lower John Day Wild and Scenic River offers world-class opportunities for outdoor recreation as well as crucial wildlife habitat for elk, mule deer, bighorn sheep and native fish such as salmon and steelhead trout. Through land consolidation between public and private landowners, this legislation will allow for better management and easier public access for this important natural treasure. With the current fragmentation of public and private land ownership in the area, river campsites are limited. Many federal lands among them can't be reached by the hikers, campers and other outdoors recreationists who could most appreciate them. With the equal-value land exchanges included in this bill, public lands would be consolidated into two new Wilderness areas. This would enhance public safety, improve land management, and increase public access and recreational opportunities. I want to recognize that some have raised concerns about the lack of roaded access to Cathedral Rock. I have engaged the private landowners on this issue to seek a solution. Whatever the outcome, I do know that the Cathedral Rock and Horse Heaven proposal will create an incredible, new heritage for public lands recreationists who are an important factor in keeping Oregon's economy healthy and thriving.

Rafters of the John Day River can attest to the need for more campsites and public access to the Cathedral Rock area. Backcountry hunters will be able to scan the hillsides for elk, deer and game-birds without having to worry about accidentally trespassing on someone's private land. Anglers will be able to access nearly 5 miles of the John Day River that today are only reachable from privately owned lands. Likewise, such a solution ensures that local landowners can manage their lands effectively without running across unwitting trespassers.

One good example of the value of these land swaps is Young Life's Washington Family Ranch. This Ranch is home to a Christian youth camp that welcomes over 20,000 kids to the lower John Day area each year. This bill sets out private and public land boundaries that can be clearly seen on the ground and these boundaries create a safer area for campers on the Ranch; this serves the children who visit the area well and ensures the continued viability of the Ranch, which, in turn, provides big economic dividends to the local community.

The Cathedral Rock and Horse Heaven Wilderness proposal is described as ''win-win-win'' by many stakeholders—nearly five miles of new river access for the public and protected land for outdoor enthusiasts; better management for private landowners and public agencies; and important habitat protections for sensitive and endangered species. This proposal is an example of the positive solutions that can result when varied, bipartisan interests in a community come together to craft solutions that will work for everyone. I especially want to thank the Oregon Natural Desert Association, Young Life, and Matt Smith for their role in developing this collaborative solution

that will benefit all Oregonians. The Cathedral Rock and Horse Heaven Wilderness areas will help make sure that this rural area will enjoy the benefits that permanently connecting these disparate pieces of natural landscape will bring for generations to come.

Additionally the Oregon Treasures Act protects the Chetco River. For over a decade, I've advocated for protections for the Chetco and other threatened waterways in Southwest Oregon. Part of the Oregon Treasures Act of 2013 would withdraw about three miles of the Chetco River from mineral entry, while upgrading the designations for some portions.

This river is under persistent threat from out-of-state suction dredge miners. In 2010, the group American Rivers listed the Chetco as the seventh most endangered river in the country because of those threats. Withdrawing these portions of the river from future mineral entry will prevent future harmful mining claims and make sure that those claims that already exist are valid.

The Chetco is also hugely important for salmon habitat and local sport fishing. The passage of this legislation would mean protecting that habitat, and promoting the continued success of the fishing industry throughout the West Coast. I am pleased the Obama administration has taken some steps to protect this area, but the passage of this legislation is needed to ensure long-term protection for this important river.

Next, the Oregon Treasures Act of 2013 would add 60,000 acres of new wilderness to the existing Wild Rogue Wilderness. The Wild Rogue Wilderness expansion would protect habitat for bald eagles, osprey, spotted owls, bear, elk, cougar, wild coho, wild Chinook, wild steelhead, green sturgeon, and many others. The Wild Rogue Wilderness and the Rogue River that runs through it embody one of the nation's premier recreation destinations, famous for the free flowing waters which provide numerous rafting and fishing opportunities.

The headwaters of the Rogue River start in one of Oregon's other great gems—Crater Lake National Park—and the river ultimately empties into the Pacific Ocean, near Gold Beach on Oregon's southwest coast. Along that stretch, the Rogue River flows through one of the most spectacular canyons and diverse natural areas in the United States. The Rogue River is a world class rafting river, offering everything from one day trips to week long trips through deep forested canyons. On the land, the Rogue River trail is also one of Oregon's most renowned backpacking routes.

The legislation would also protect an additional 143 miles of tributaries that feed the Rogue River with cold clean water. Of that number, 93 miles would be designated Wild and Scenic Rivers and an additional 50 miles would be protected from mining. The areas receiving protection include Galice Creek, Little Windy Creek, Jenny Creek, Long Gulch and 36 other tributaries of the Rogue. The Rogue River is one of Oregon's most iconic and beloved rivers. It is a river that teems with salmon leaping up rapids to spawn, and finds rafters down those very same rapids at other times of the year.

I previously introduced legislation to protect the Rogue River tributaries in the last three Congresses. Since it was first introduced, I have worked with the timber industry and conservationists to find a compromise that protects one of America's treasures with additional wilderness designations and more targeted protections for the Rogue's tributaries. I am pleased that 95 local businesses—and over 120 organizations and business in total—support protecting the Wild Rogue, and that support grows every day. Many of those businesses directly benefit from the Wild Rogue and the Rogue River. As I often say, protecting these gems is not just good for the environment, but also good for the economy. These protected landscapes are powerhouses of the recreation economy that draws visitors from around the world to this region and the Rogue River is one of Oregon's most important sport and commercial fisheries. The Wild Rogue is the second largest salmon fishery in Oregon behind the Columbia. The Wild Rogue provides the quality of life and recreational opportunities that create an economic engine that attracts businesses and brings in tourists from around the world. The Rogue River supports more than 400 local jobs in nearby communities like Grants Pass.

By protecting the Wild Rogue landscape and the tributaries that feed the mighty Rogue River, Congress will ensure that future generations can raft, fish, hike and enjoy the Wild Rogue as it is enjoyed today and that the recreational economy of this region remains strong.

Lastly, there is another provision in the bill to designate segments of Oregon's Molalla River as Wild and Scenic. An approximately 15.1–mile segment of the Molalla River and an approximately 6.2–mile segment of Table Rock Fork Molalla River would be designated as a recreational river under the Wild and Scenic Rivers Act.

Including these river segments would protect a popular Oregon destination that provides abundant recreational activities that help fuel the recreation economy that is so important to the communities along the river. The scenic beauty of the Molalla River provides a backdrop for hiking, mountain biking, camping, and horseback riding, while the waters of the river are a popular destination for fishing, kayaking, and whitewater rafting enthusiasts. This legislation would not only preserve this area as a recreation destination, but would also protect the river habitat of the Chinook salmon and Steelhead trout, along with the wildlife habitat surrounding the river, home to the northern spotted owl, the pileated woodpecker, golden and bald eagles, deer, elk, the pacific giant salamander, and many others. The Molalla River is also the source of clean drinking water for the towns of Molalla and Canby, Oregon. Protecting the approximately 21.3 miles of the Molalla River will provide the residents of these Oregon towns with the assurance that they will continue to receive clean drinking water.

I would like to reiterate my continued appreciation for the Molalla River Alliance—a coalition of more than 48 member-organizations that recognize that this river is a jewel and have set out to protect it. This Alliance made sure that irrigators, city councilors, the mayor, businesses and environmentalists all came together on this.

Oregon's wildlands play an increasingly important role in the economic development of our state, especially in traditionally rural areas east of the Cascades. Visitors come from thousands of miles away to hike, fish, raft and hunt in Oregon's desert Wilderness. Beyond tourism, the rich quality of life and the diverse natural amenities that we enjoy as Oregonians are key to attracting new businesses to Oregon. And with all these bills, I express my gratitude for the many groups and individuals who have worked diligently to protect these special places. I look forward to working with Senator MERKLEY, Representative DEFAZIO, Representative SCHRADER and other colleagues and the bill's other supporters to keep up the fight for these unique places in Oregon and get these pieces of legislation to the President's desk for his signature.

By Mr. CARDIN (for himself, Mr. GRAHAM, Mr. LEAHY, Ms. KLOBUCHAR, Mrs. BOXER, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Ms. HEITKAMP, and Mr. DURBIN):

S. 357. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; to the Committee on the Judiciary.

Mr. CARDIN. Mr. President, I rise today to introduce the National Blue Alert Act of 2013.

Every day, more than 900,000 Federal, State and local law enforcement officers put their lives on the line to keep our communities safe. Unfortunately these officers can become targets for criminals and those seeking to evade our justice system, and we must make sure our officers have all the tools they need to protect themselves and each other.

Each year thousands of law enforcement officers are assaulted while performing their duties and dozens lose their lives. According to the Federal Bureau of Investigation, FBI, 72 law enforcement officers were feloniously killed in the line of duty in 2011. This

is an unacceptable level of violence against our law enforcement officers, and we must act now to better protect them.

This is why I am introducing the National Blue Alert Act of 2013 today, and thank Senators GRAHAM, LEAHY, KLOBUCHAR, BOXER, BLUMENTHAL, WHITEHOUSE, HEITKAMP, and DURBIN for joining me as co-sponsors of this important legislation.

The Blue Alert system provides for rapid dissemination of information about criminal suspects who have injured or killed law enforcement officers. The Blue Alert system would only be used in the case of the death or serious injury of a law enforcement officer, where the suspect has not been apprehended, and where there is sufficient descriptive information of the suspect and any vehicles involved. This information can be used by local law enforcement, the public and the media to help facilitate capture of such offenders and ultimately reduce the risk they pose to our communities and law enforcement officers.

A National Blue Alert will encourage, enhance and integrate blue alert plans throughout the United States in order to effectively disseminate information notifying law enforcement, media and the public that a suspect is wanted in connection with an attack on a law enforcement officer.

Currently there is no national alert system that provides immediate information to other law enforcement agencies, the media or the public at large. Many states have created a state blue alert system in an effort to better inform their local communities. The State of Maryland, under the leadership of Governor Martin O'Malley, created their Blue Alert system in 2008 after the murder of Maryland State Trooper Wesley Brown. Blue Alert programs have been created in 18 states so far including: Washington, California, Utah, Colorado, Oklahoma, Texas, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, South Carolina, Florida, Virginia, Maryland, Montana, and Delaware.

The National Blue Alert Act will provide police officers and other emergency units with the ability to react quickly to apprehend violent offenders and will complement the work being done by Attorney General Holder in his Law Enforcement Officer Safety Initiative.

The purpose of our National Blue Alert legislation is to keep our law enforcement officers and our communities safe. And based on the success of the AMBER Alert and the SILVER Alert, I believe this BLUE Alert will be equally successful in helping to apprehend criminal suspects who have seriously injured or killed our law enforcement officers.

I am also pleased to say this legislation has the endorsement of the Fraternal Order of Police, the National Association of Police Organizations, the Federal Law Enforcement Officers Association, the Concerns of Police Survivors, and the Sergeants Benevolent Association of the New York City Police Department. Passing this legislation can help us live up to our commitment to help better protect those who serve us.

By Mr. WYDEN (for himself, Mr. PAUL, Mr. MCCONNELL, and Mr. MERKLEY):

S. 359. A bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marihuana, and for other purposes; to the Committee on the Judiciary.

Mr. WYDEN. Mr. President, I am pleased to be joined by Senators PAUL, MCCONNELL, and MERKLEY in introducing the Industrial Hemp Farming Act of 2013.

As some folks will recall, I introduced a similar bill as an amendment to the Senate Farm Bill last year in an attempt to empower American farmers and increase domestic economic activity. Unfortunately, this amendment didn't receive a vote. Doubly unfortunate is the fact that a senseless regulation that flunks the common-sense test is still on our nation's books.

Members of Congress hear a lot about how dumb regulations are hurting economic growth and job creation. The current ban on growing industrial hemp makes no sense at all, and what is worse, this regulation is hurting job creation in rural America and increasing our trade deficit.

If my colleagues take the time to learn about this outrageous restriction on free enterprise, I am sure most senators would say that what I am talking about is the poster child for dumb regulation.

The only thing standing in the way of taking advantage of this profitable crop is a lingering misunderstanding about its use. The bill my colleagues and I have filed will end this ridiculous regulation.

Right now, the United States is importing over $10 million in hemp products to use in textiles, foods, paper products, and construction materials. We are importing a crop that U.S. farmers could be profitably growing right here at home, if not for government rules prohibiting it.

Our neighbors to the north certainly see the potential for this product. In 2010, the Canadian government injected over $700,000 into their blossoming hemp industry to increase the size of their hemp crop and fortify the inroads they have made into U.S. markets. It was a good bet. U.S. imports have consistently grown over the past decade, increasing by 300 percent in 10 years, and from 2009 to 2010 they grew 35 percent. The number of acres in Canada devoted to growing hemp nearly doubled from 2011 to 2012. So it should come as no surprise that the United States imports around 90 percent of its hemp from Canada.

Now, I know it is tough for some members of Congress to talk about hemp and not connect it to marijuana. I want to point out that even though they come from the same species of plant, there are major differences between them.

You know, the Chihuahua and St. Bernard come from the same species, too, Canis lupus familiaris, but no one is going to confuse them. Also, the domestic dog is a subspecies of the gray wolf, Canis lupus, and no one is going to confuse those two either. So let's recognize the real differences between hemp and marijuana, and focus on the benefits from producing domestically the hemp we already use.

Under our bill, the production of industrial hemp would still be regulated, but it would be done by States, not the Federal Government.

Pro-hemp legislation has been introduced in eight states, and several others have already removed barriers to industrial hemp production. Under our bill, industrial hemp is defined as having extremely low THC levels: it has to be 0.3 percent or less. The lowest commercial grade marijuana typically has 5% THC content. The bottom line is that no one is going to get high on industrial hemp. To guarantee that won't be the case, our legislation allows the U.S. Attorney General to take action if a state law allows commercial hemp to exceed the maximum 0.3 percent THC level.

Hemp has been a profitable commodity in many other countries. In addition to Canada, Australia also permits hemp production and the growth in that sector helped their agricultural base survive when the tobacco industry dried up. Over 30 countries in Europe, Asia, and North and South America currently permit farmers to grow hemp, and China is the world's largest producer.

In fact, the U.S. is the only industrialized nation that prohibits farmers from growing hemp. This seems silly considering that we are the world's leading consumer of hemp products, with total sales of food, health and beauty products exceeding $52 million in 2012, with 16.5 percent growth over 2011.

My home State of Oregon is home to some major manufacturers of hemp products, including Living Harvest, one of the largest hemp foods producers in the country. Business has been so brisk there that the Portland Business Journal recently rated them as one of the fastest-growing local companies.

There are similar success stories in many states. One company in North Carolina has begun incorporating hemp into building materials, reportedly making them both stronger and more environmentally friendly. Another company in California produces hemp-based fiberboard.

No country is better than the U.S. at developing, perfecting, and expanding markets for its products. As that market grows, it should be domestically-produced hemp that supplies its growth.

I would like to share with colleagues an editorial by one of the leading newspapers in my state, the Bend Bulletin. Here's what they had to say about legalizing industrial hemp: ''producers of hemp products in the United States are forced to import it. That denies American farmers the opportunity to compete in the market. It is like surrendering the competitive edge to China and Canada, where it can be grown legally.''

The Bend Bulletin's editorial went on to say: ''Legalizing industrial hemp does not have to be a slippery slope toward legalizing marijuana. It can be a start toward removing regulatory burdens limiting Oregon farmers from competing in the world market.''

The opportunities for American farmers and businesses are obvious here. Let's boost revenues for farmers and reduce the costs for businesses around the country that use this product. Let's put more people to work growing and processing an environmentally-friendly crop, with a ready market in the United States. For all the reasons I just described, I urge my colleagues to join Senators PAUL, MCCONNELL, and MERKLEY and me by cosponsoring this bill.

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

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

S. 359

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 ''Industrial Hemp Farming Act of 2013''.

SEC. 2. EXCLUSION OF INDUSTRIAL HEMP FROM DEFINITION OF MARIHUANA.

Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) in paragraph (16)—

(A) by striking ''(16) The'' and inserting ''(16)(A) The''; and

(B) by adding at the end the following:

''(B) The term 'marihuana' does not include industrial hemp.''; and

(2) by adding at the end the following:

''(57) The term 'industrial hemp' means the plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.''.

SEC. 3. INDUSTRIAL HEMP DETERMINATION BY STATES.

Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:

''(i) INDUSTRIAL HEMP DETERMINATION.—If a person grows or processes Cannabis sativa L. for purposes of making industrial hemp in accordance with State law, the Cannabis sativa L. shall be deemed to meet the concentration limitation under section 102(57), unless the Attorney General determines that the State law is not reasonably calculated to comply with section 102(57).''.

By Mr. WYDEN (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mr. CRAPO, Mr. RISCH, and Mr. MERKLEY):

S. 363. A bill to expand geothermal production, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, I rise today to introduce the Geothermal Expansion Production Act of 2013. This legislation is the same as a bill reported favorably by voice vote by the Senate Committee on Energy and Natural Resources during the 112th Congress. This bill has bi-partisan support, with Senators MURKOWSKI, BEGICH, CRAPO, RISCH, and MERKLEY, joining me as original cosponsors. The legislation will help to encourage the production of geothermal energy from public lands.

With limited exceptions, current law requires that all Federal lands to be leased for the development of geothermal resources be offered on a competitive basis. BLM must hold a competitive lease sale every 2 years. If bids are not received for the lands offered, BLM must offer the lands on a noncompetitive basis for 2 years.

This legislation extends the authority for noncompetitive leasing in cases where a geothermal developer wants to gain access to Federal land immediately adjacent to land on which that developer has proven that there is a geothermal resource that will be developed. This will allow a geothermal project to expand onto adjacent land, if necessary, to increase the amount of geothermal energy it can develop. It will also add to the royalties and rents that the project pays to the U.S. Treasury.

The reason for this legislation is to allow the rapid expansion of already identified geothermal resources without the additional delays of competitive leasing and without opening up those adjacent properties to speculative bidders who have no interest in actually developing the resource, only in extracting as much money as they can from the existing geothermal developer.

The bill is not a give away at taxpayer expense. The bill limits the amount of adjacent Federal land that can be leased to 640 acres. This lease on Federal land must be acquired at fair-market value. The bill also requires the lease holder to pay the higher annual rental rate associated with competitive leases even though this new parcel is not being competitively leased. Again, the purpose of this higher rental rate is to ensure that taxpayers will get the revenue due to them from the use of their public lands.

I hope that my colleagues will join me in supporting this important legislation.

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. 363

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 ''Geothermal Production Expansion Act of 2013''.

SEC. 2. NONCOMPETITIVE LEASING OF ADJOINING AREAS FOR DEVELOPMENT OF GEOTHERMAL RESOURCES.

Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) is amended by adding at the end the following:

''(4) ADJOINING LAND.—

''(A) DEFINITIONS.—In this paragraph:

''(i) FAIR MARKET VALUE PER ACRE.—The term 'fair market value per acre' means a dollar amount per acre that—

''(I) except as provided in this clause, shall be equal to the market value per acre (taking into account the determination under subparagraph (B)(iii) regarding a valid discovery on the adjoining land) as determined by the Secretary under regulations issued under this paragraph;

''(II) shall be determined by the Secretary with respect to a lease under this paragraph, by not later than the end of the 180-day period beginning on the date the Secretary receives an application for the lease; and

''(III) shall be not less than the greater of—

''(aa) 4 times the median amount paid per acre for all land leased under this Act during the preceding year; or

''(bb) $50.

''(ii) INDUSTRY STANDARDS.—The term 'industry standards' means the standards by which a qualified geothermal professional assesses whether downhole or flowing temperature measurements with indications of permeability are sufficient to produce energy from geothermal resources, as determined through flow or injection testing or measurement of lost circulation while drilling.

''(iii) QUALIFIED FEDERAL LAND.—The term 'qualified Federal land' means land that is otherwise available for leasing under this Act.

''(iv) QUALIFIED GEOTHERMAL PROFESSIONAL.—The term 'qualified geothermal professional' means an individual who is an engineer or geoscientist in good professional standing with at least 5 years of experience in geothermal exploration, development, or project assessment.

''(v) QUALIFIED LESSEE.—The term 'qualified lessee' means a person that may hold a geothermal lease under this Act (including applicable regulations).

''(vi) VALID DISCOVERY.—The term 'valid discovery' means a discovery of a geothermal resource by a new or existing slim hole or production well, that exhibits downhole or flowing temperature measurements with indications of permeability that are sufficient to meet industry standards.

''(B) AUTHORITY.—An area of qualified Federal land that adjoins other land for which a qualified lessee holds a legal right to develop geothermal resources may be available for a noncompetitive lease under this section to the qualified lessee at the fair market value per acre, if—

''(i) the area of qualified Federal land—

''(I) consists of not less than 1 acre and not more than 640 acres; and

''(II) is not already leased under this Act or nominated to be leased under subsection (a);

''(ii) the qualified lessee has not previously received a noncompetitive lease under this paragraph in connection with the valid discovery for which data has been submitted under clause (iii)(I); and

''(iii) sufficient geological and other technical data prepared by a qualified geothermal professional has been submitted by the qualified lessee to the applicable Federal land management agency that would lead individuals who are experienced in the subject matter to believe that—

''(I) there is a valid discovery of geothermal resources on the land for which the

qualified lessee holds the legal right to develop geothermal resources; and

''(II) that thermal feature extends into the adjoining areas.

''(C) DETERMINATION OF FAIR MARKET VALUE.—

''(i) IN GENERAL.—The Secretary shall—

''(I) publish a notice of any request to lease land under this paragraph;

''(II) determine fair market value for purposes of this paragraph in accordance with procedures for making those determinations that are established by regulations issued by the Secretary;

''(III) provide to a qualified lessee and publish, with an opportunity for public comment for a period of 30 days, any proposed determination under this subparagraph of the fair market value of an area that the qualified lessee seeks to lease under this paragraph; and

''(IV) provide to the qualified lessee and any adversely affected party the opportunity to appeal the final determination of fair market value in an administrative proceeding before the applicable Federal land management agency, in accordance with applicable law (including regulations).

''(ii) LIMITATION ON NOMINATION.—After publication of a notice of request to lease land under this paragraph, the Secretary may not accept under subsection (a) any nomination of the land for leasing unless the request has been denied or withdrawn.

''(iii) ANNUAL RENTAL.—For purposes of section 5(a)(3), a lease awarded under this paragraph shall be considered a lease awarded in a competitive lease sale.

''(D) REGULATIONS.—Not later than 270 days after the date of enactment of the Geothermal Production Expansion Act of 2013, the Secretary shall issue regulations to carry out this paragraph.''.

By Ms. MURKOWSKI:

S. 366. A bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to reintroduce legislation to clarify Federal mining law and remedy a problem that has arisen from the extension process for ''small'' miner mineral claims.

Under revisions to the Federal Mining Law of 1872, 30 U.S.C. 28(f), holders of unpatented mineral claims must pay a claim maintenance fee originally set at $100 per claim by a deadline, set by regulation, of September 1st each year. Since 2004 that fee has risen. But Congress also has provided a claim maintenance fee waiver for ''small'' miners, those who hold 10 or fewer claims, that they do not have to submit the fee, but that they must file to renew their claims and submit an affidavit of annual labor, work conducted on the claim, each year, certifying that they had performed more than $100 of work on the claim in the preceding year, 30 U.S.C. 28f(d)(1). The waiver provision further states: ''If a small miner waiver application is determined to be defective for any reason, the claimant shall have a period of 60 days after receipt of written notification of the defect or defects by the Bureau of Land Management to: cure such defect or defects or pay the $100 claim maintenance fee due for such a period.''

Since past revisions of the law, there have been a series of incidents where miners have argued that they submitted their applications and affidavits of annual labor in a timely manner, but due to clerical error by BLM staff, mailing delays or for unexplained reasons, the applications or documents were not recorded as having been received in a timely fashion. In that case BLM has terminated the claims, deeming them null and void. While mining claim holders have argued that the law provides them time to cure claim defects, BLM has argued that the cure only applies when applications or fees have been received in a timely manner. Thus, there is no administrative remedy for miners who believe that clerical errors by BLM or mail issues resulted in loss or the late recording of claim extension applications and paperwork.

There have been a number of cases where Congress has been asked to override BLM determinations and reinstate mining claims simply because of the disputes over whether the claims had been filed in a timely manner. Congress in 2003 reinstated such claims in a previous Alaska case. Claims in two other incidents were reinstated following a U.S. District Court case in the 10th Circuit first in 2009 in the case of Miller v. United States and secondly earlier this year in a second Alaska case. Legislation to correct the provision to prevent this problem in the future actually cleared the Senate in 2007, but did not ultimately become law.

In the past two Congresses I have introduced legislation intended to short circuit continued litigation and pleas for claim reinstatement by clarifying the intent of Congress that miners do have to be informed that their claims are in jeopardy of being voided and given 60 days notice to cure defects, including giving them time to submit their applications and to submit affidavits of annual labor, should their submittals not be received and processed by BLM officials on time. If all defects are not cured within 60 days, the obvious intent of Congress in passing the original act, then claims still are subject to voidance. But this administration has opposed the legislation arguing that it would be too expensive to notify all small miners who fail to file their small miner waiver documents on time and giving them time to solve the defect prior to the loss of their claims. It has even been suggested that giving small miners simple due process would just encourage miners to ignore the deadline for filing for their fee waivers.

I find the cost complaint unpersuasive. Many Federal departments and agencies, the Federal Communication Commission, as one example, routinely sends out notices on permit and license applications. The FCC sends out hundreds of thousands of such notices to Americans who have small radio licenses expiring yearly, warning them that they need to file applications for license renewal. The Bureau of Land Management certainly should be able to afford a few hundred 50-cent stamps to perform a similar service. Given the value of claims placed at risk and the bother, inconvenience and fear of loss of claims, it is highly unlikely that miners would avoid filing their waiver paperwork on time just because a notification process was clearly in place before claims could be terminated.

So today I reintroduce legislation to solve the notification issue and include language to remedy an injustice to one of my constituents who has lost his rights to nine mineral claims on the Kenai Peninsula, near Hope, Alaska. The transition language would reinstate claims for Mr. John Trautner, who has lost title to claims that he had held from 1982 to 2004. Mr. Trautner suffered this loss even though he had a consistent record of having paid the annual labor assessment fee for the previous 22 years. The local BLM office did have a time-date-stamped record that the maintenance fee waiver certification form had been filed weeks before the deadline but just not a record that the affidavit of annual labor had arrived when he dropped it office in the Anchorage office at the same time.

This legislation, supported in the past by the Alaska Miners Association, will clarify that small miners do have a right to simple due process to be able to have a chance to file their small miner waiver applications in the event of mistakes in processing, rather than immediately lose their rights to patented mining claims without effective appeal or recourse. I appreciate that the Justice Department and BLM Jan. 22, 2013 reinstated claims owned by Alaskans Don and Judy Mullikins of Nome, finally reversing a decision that they should lose their claims following a 2009 application filing incident. But the legal expense, bother and uncertainty that the Mullikins went through in getting their claims reinstated are clear reasons why Congress should clarify past changes to the small miner waiver provision and permit claims to be retained in the event of clerical errors or honest mistakes by claim holders in missing the deadline for filings. Such a change would simply provide justice for small miners.

By Mr. RUBIO (for himself, Mr. HATCH, Mr. BLUNT, Mr. PAUL, Mr. RISCH, Mr. GRASSLEY, Mr. JOHANNS, Mr. BURR, Mrs. FISCHER, Mr. BOOZMAN, Mr. WICKER, Mr. CORKER, Mr. INHOFE, Mr. ROBERTS, Mr. COBURN, Mr. ENZI, Mr. CHAMBLISS, Mr. MCCONNELL, Mr. VITTER, Mr. MORAN, Mr. GRAHAM, Mr. CRUZ, and Mr. CORNYN):

S. 369. A bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I am proud to stand with my friend from Florida, Senator RUBIO, as he introduces an important piece of legislation, the Child Interstate Abortion Notification Act. This bill, which is being introduced in the House by Rep. ILEANA ROS-LEHTINEN of Florida, is based on the belief that children should not make profound life-changing decisions by themselves and that parents are generally in the best and most responsible position to help them.

One of the many disturbing ironies in the abortion debate is that parental consent is needed for such things as tattoos or school fieldtrips but not always for abortions that will end one life and change another forever. Abortion advocates say that abortion should be treated as any other surgical procedure many of them oppose doing so when it comes to parental consent.

What is worse, there are individuals and organizations out there who appear to care more about money than about kids. They are willing to help young girls get abortions by any means necessary, including taking them to other States without the knowledge or consent of their parents. Mind you, those same parents will be responsible for the aftermath, for the physical, emotional, and spiritual consequences of the abortion. If parents are to be responsible at the end, they have the right to be there at the beginning.

If it were possible, just for a moment, to take the abortion politics out of the picture, every parent knows that kids have to develop over time the judgment and maturity to make decisions. No one is more committed to them, no one has more love for them, no one has more responsibility for them than their parents.

This bill has two parts. First, it prohibits taking a minor across state lines for an abortion if doing so evades the parental involvement law in her home State. In the 109th Congress, this portion of our bill passed the Senate with 65 bipartisan votes. More than 80 percent of our fellow Americans support it. Second, this bill requires abortionists to notify parents of an out-of-state minor before performing an abortion. Without this common sense requirement, abortion providers and advocates actually advertise how minors in states that require parental involvement can get abortions elsewhere. This perverse practice undermines parents and puts young girls at greater risk. Fifty-seven Senators of both parties, including 23 still serving in this body today, voted for cloture on this combined bill in 2006.

I urge my colleagues to read the bill. It does not apply when an abortion is necessary to save a girl's life or if the girl is a victim of abuse or neglect. Again, please read the bill. It is carefully drafted with the appropriate exceptions and safeguards in order to focus on what unites the vast majority of Americans, that parents should be involved before their child has an abortion. The majority of states have laws requiring parental involvement and, with its interstate component, this bill is a legitimate and constitutional way for Congress to help protect children and support parents.

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

S. 370. A bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

Mr. COCHRAN. Mr. President, today I am introducing the Teaching Geography is Fundamental Act. I am pleased to be joined by my friend from Maryland, Ms. MIKULSKI. The purpose of this bill is to improve geographic literacy among K–12 students in the United States by supporting professional development programs administered by institutions of higher education for K–12 teachers. The bill also assists states in measuring the impact of geography education.

Ensuring geographic literacy prepares students to be good citizens of both our nation and the world. John Fahey, Chairman and CEO of the National Geographic Society, once stated that, ''Geographic illiteracy impacts our economic well-being, our relationships with other nations and the environment, and isolates us from the world.'' When students understand their own environment, they can better understand the differences in other places and the people who live in them. Knowledge of the diverse cultures, environments, and distances between states and countries helps our students to understand national and international policies, economies, societies and political structures on a global scale.

To expect that Americans will be able to work successfully with other people around the world, we need to be able to communicate and understand each other. It is a fact that we have a global marketplace, and we need to be preparing our younger generation for competition in the international economy. A strong base of geographic knowledge improves these opportunities.

In a report prepared for leading Internet company, Google, the study estimated that geography service industries generate up to $270 billion every year. Geographic knowledge is increasingly needed for U.S. businesses in electronic mapping, satellite imagery, and location-based navigation to understand such factors as physical distance, time zones, language differences and cultural diversity among project teams.

Additionally, geospatial technology is an emerging career field available to people with an extensive background in geography education. Professionals in geospatial technology are employed in federal government agencies, the private sector and the non-profit sector and focus on areas such as agriculture, archeology, ecology, land appraisal and urban planning and development. It is important to improve and expand geography education so that students in the United States can attain the necessary expertise to fill and retain the estimated 70,000 new skilled jobs that are becoming available each year in the geospatial technology industry.

Former Secretary of State Colin Powell once said, ''To solve most of the major problems facing our country today—from wiping out terrorism, to minimizing global environmental problems, to eliminating the scourge of AIDS—will require every young person to learn more about other regions, cultures, and languages.'' We need to do more to ensure that the teachers responsible for the education of our students, from kindergarten through high school graduation, are trained and prepared to teach the critical skills necessary to solve these problems.

Over the last 15 years, the National Geographic Society has awarded more than $100 million in grants to educators, universities, geography alliances, and others for the purposes of advancing and improving the teaching of geography. Their models are successful, and research shows that students who have benefited from this teaching outperform other students. State geography alliances exist in 26 States and the District of Columbia, endowed by grants from the Society. But, their efforts alone are not enough.

In my home State of Mississippi, teachers and university professors are making progress to increase geography education in schools through additional professional training. Based at the University of Mississippi, hundreds of geography teachers are members of the Mississippi Geography Alliance. The Mississippi Geography Alliance conducts regular workshops for graduate and undergraduate students who are preparing to be certified to teach elementary through high school-level geography in our State. These workshops have provided opportunities for model teaching sessions and discussion of best practices in the classroom.

The bill I am introducing establishes a Federal commitment to enhance the education of our teachers, focuses on geography education research, and develops reliable, advanced technology based classroom materials. I hope the Senate will consider the seriousness of the need to invest in geography, and I invite other Senators to cosponsor the Teaching Geography is Fundamental Act.

By Mr. REED (for himself, Mr. WHITEHOUSE, Ms. WARREN, and Mr. COWAN):

S. 371. A bill to establish the Blackstone River Valley National Historical Park, to dedicate the Park to John H. Chafee, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. REED. Mr. President, today I am reintroducing legislation with my colleagues Senators WHITEHOUSE, WARREN, and COWAN that would create the Blackstone River Valley National Historical Park. Our legislation seeks to preserve the industrial, natural, and cultural heritage of the Blackstone Valley, assist local communities by providing economic development opportunities, and build upon the foundation of the John H. Chafee Blackstone River Valley National Heritage Corridor.

In 1793, Samuel Slater began the American Industrial Revolution in Rhode Island when he built his historic mill along the Blackstone River. Today, the mills and villages found throughout the John H. Chafee Blackstone River Valley National Heritage Corridor in Rhode Island and Massachusetts stand as witnesses to this important era of American history.

Not only is the Blackstone Valley a window to our nation's past but it is also includes thousands of acres of pristine, undeveloped land and waterways that are home to a diverse ecosystem.

The combined efforts of the National Park Service and Federal, State, and local officials in our or two states, along with dedicated volunteers, have rejuvenated the communities within the Corridor and renewed interest in the rich history of the Blackstone River and valley. This kind of economic and environmental revitalization is indicative of the tradition of the valley in its successful reinvention over the past two centuries.

For example, the Ashton Mill in Cumberland is an excellent illustration of local redevelopment. With the designation of the National Heritage Corridor, the cleanup of the river, the creation of the state park, and the construction of the Blackstone River Bikeway, the property was restored for adaptive reuse as rental apartments. Once again, the mill and its village are a vital part of the greater Blackstone valley community.

I have been pleased over the years to help support the preservation and renewed development of the Blackstone River Valley.

In 2005, I cosponsored legislation with former Senator Lincoln Chafee, now our State's governor, requiring the completion of a Special Resource Study to determine which areas within the Corridor were of national significance and possibly suitable for inclusion in the National Park System. After extensive input from local stakeholders and historians, in 2011 the completed study recommended the creation of a new unit of the National Park System.

The legislation I am reintroducing today with my colleagues from Rhode Island and Massachusetts seeks to establish the two-state partnership park described in the study, with sites including the Blackstone River and its tributaries, the Blackstone Canal, the historic district of Old Slater Mill in Pawtucket, the villages of Slatersville and Ashton in Rhode Island, the villages of Whitinsville and Hopedale in Massachusetts, and the Blackstone River State Park. The National Park Service would partner with the local coordinating entity of the surrounding Heritage Corridor, the Blackstone River Valley National Heritage Corridor, Inc. That non-profit would then lead efforts with other regional and local groups to preserve the surrounding rural and agriculture landscape within the greater Blackstone River Valley.

Creating a national historic park will enable us to safeguard our cultural heritage for future generations; improve the use and enjoyment of the area's resources, including outdoor education for young people; enhance opportunities for economic development; and increase protection of the most important and nationally significant cultural and natural resources of the Blackstone River Valley.

I am proud that this park would be dedicated to my late colleague John H. Chafee, who worked tirelessly for many years, along with others in Rhode Island and Massachusetts, to protect and preserve the Blackstone River Valley.

I look forward to working with my colleagues to pass this legislation to establish the Blackstone River Valley National Historical Park.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 35—CONGRATULATING THE BALTIMORE RAVENS FOR WINNING SUPER BOWL XLVII

Mr. CARDIN (for himself and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 35

Whereas, on February 3, 2013, the Baltimore Ravens won Super Bowl XLVII, defeating the San Francisco 49ers by a score of 34 to 31 at the Mercedes-Benz Superdome in New Orleans, Louisiana;

Whereas Super Bowl XLVII marks the second Super Bowl win for the Baltimore Ravens, the third Super Bowl win for a Baltimore football team, and the first time in history that siblings have coached opposing teams in the Super Bowl;

Whereas the victory by the Baltimore Ravens was the culmination of a regular season with 10 wins and 6 losses and a series of exhilarating playoff performances;

Whereas the Baltimore Ravens exhibited a stellar offensive performance, with 93 rushing yards and 274 passing yards;

Whereas the Baltimore Ravens' defense forced turnovers that were critical to achieving a victory;

Whereas middle linebacker Ray Lewis won his second Super Bowl ring in his last game in the National Football League after recovering from a torn tricep earlier in the season;

Whereas linebacker Terrell Suggs tore his achilles tendon in the offseason but made a full recovery to play in the Super Bowl;

Whereas quarterback Joe Flacco led the Baltimore Ravens to victory by throwing for a total of 287 yards, 3 touchdowns, and no interceptions, earning the award for Most Valuable Player;

Whereas receiver Jacoby Jones caught 1 pass for 56 yards and a touchdown and returned a kickoff a record-tying 108 yards for another touchdown;

Whereas receiver Anquan Boldin caught 6 passes for 104 yards and a touchdown;

Whereas the Baltimore Ravens dedicated their play during the season to the memories of Art Modell, the former owner, and Tevin Jones, the brother of receiver Torrey Smith;

Whereas the leadership and vision of head coach John Harbaugh propelled the Baltimore Ravens back to the pinnacle of professional sports;

Whereas members of the Baltimore Ravens organization have helped their community through charitable work and advocacy; and

Whereas the Baltimore Ravens have brought great pride and honor to the City of Baltimore, its loyal fans, and the entire State of Maryland: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Baltimore Ravens for winning Super Bowl XLVII;

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

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

(A) the owner of the Baltimore Ravens, Steve Biscotti;

(B) the head coach of the Baltimore Ravens, John Harbaugh; and

(C) the now-retired field leader of the Baltimore Ravens, Ray Lewis.

SENATE RESOLUTION 36—RECOGNIZING FEBRUARY 19, 2013 AS THE CENTENNIAL OF MOSAIC, A FAITH-BASED ORGANIZATION THAT WAS FOUNDED IN NEBRASKA AND NOW SERVES MORE THAN 3,600 INDIVIDUALS WITH INTELLECTUAL DISABILITIES IN 10 STATES

Mr. JOHANNS (for himself, Mr. HARKIN, Mrs. FISCHER, Mr. DURBIN, and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 36

Whereas the roots of Mosaic, a faith-based organization that serves individuals with intellectual disabilities, trace back to the commitment of a Nebraskan to ensure that individuals with disabilities were cared for and inspired by a loving community;

Whereas, on February 19, 1913, a Nebraska pastor, the Reverend K.G. William Dahl, founded Bethphage Inner Mission Association (referred to in this preamble as ''Bethphage'') in Axtell, Nebraska as a ministry for individuals with intellectual disabilities;

Whereas, on October 20, 1925, a school endeavoring to create opportunities for children with disabilities took root in Sterling, Nebraska when the Reverends Julius Moehl, August Hoeger, and William Fruehling, and laymen John Aden and William Ehmen, established Martin Luther Home Society, which later became known as Martin Luther Homes;

Whereas, with the increasing need for community-based programs for individuals with disabilities in the 1970s and 1980s, both Bethphage and Martin Luther Homes grew into ministries that served locations across the United States;

Whereas the shared vision and mission of the 2 Nebraska-born ministries, to care for the most vulnerable individuals, laid the foundation for the formation of a powerful partnership;

Whereas, on July 1, 2003, Mosaic was officially established through a consolidation of Bethphage and Martin Luther Homes; and

Whereas Mosaic has created a legacy of love, providing individualized support to thousands of individuals in the United States and extending its work beyond the borders of the United States through an international alliance: Now therefore be it

Resolved, That the Senate—

(1) recognizes February 19, 2013 as the centennial of Mosaic;

(2) recognizes the important and valuable contributions that individuals with intellectual disabilities make in their communities;

(3) celebrates the integral role that Mosaic has played in the growth and success of individuals with intellectual disabilities; and

(4) congratulates the men and women who have touched countless lives by contributing to the mission of Mosaic to create a life of possibilities for individuals with intellectual disabilities.

SENATE RESOLUTION 37—EXPRESSING THE SENSE OF THE SENATE IN DISAPPROVING THE PROPOSAL OF THE INTERNATIONAL OLYMPIC COMMITTEE EXECUTIVE BOARD TO ELIMINATE WRESTLING FROM THE SUMMER OLYMPIC GAMES BEGINNING IN 2020

Mr. BROWN (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. HARKIN, Mr. CASEY, Mr. INHOFE, and Mr. LEVIN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 37

Whereas wrestling is recognized as one of the world's oldest competitive sports dating back to 3000 BC;

Whereas wrestling was one of the original sports of the ancient Greek Olympic Games and of the first modern Olympic Games;

Whereas wrestling is one of the world's most diverse sports, with participants from almost 200 countries around the world;

Whereas over 280,000 high school students in the United States participated in wrestling in 2012;

Whereas there are over 300 intercollegiate wrestling programs in the United States;

Whereas wrestling represents the determination and hard work it takes to succeed in life and sport;

Whereas the United States has a long, proud, and storied Olympic wrestling history; and

Whereas wrestling epitomizes the spirit of the Olympic Games: Now, therefore, be it

Resolved, That the Senate—

(1) thanks the United States Olympic Committee for its continued support of wrestling and encourages it to work actively to reverse the proposal of the International Olympic Committee Executive Board to eliminate wrestling from the Summer Olympic Games beginning in 2020;

(2) disapproves the proposal of the International Olympic Committee Executive Board to eliminate wrestling from the Summer Olympic Games beginning in 2020; and

(3) urges the International Olympic Committee Executive Board to reinstate wrestling as a core sport of the Summer Olympic Games.

AMENDMENTS SUBMITTED AND PROPOSED

SA 22. Mr. REID (for Mr. LAUTENBERG) proposed an amendment to the resolution S. Res. 21, designating February 14, 2013, as ''National Solidarity Day for Compassionate Patient Care''.

TEXT OF AMENDMENTS

SA 22. Mr. REID (for Mr. LAUTENBERG) proposed an amendment to the resolution S. Res. 21, designating February 14, 2013, as ''National Solidarity Day for Compassionate Patient Care''; as follows:

On page 3 line 1, strike ''humanistic'' and insert ''humane''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Ms. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on February 14, 2013, at 9:30 a.m. in room SR 328A of the Russell Senate office building.

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

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Ms. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to conduct a hearing entitled ''Drought, Fire and Freeze: The Economics of Disasters for America's Agricultural Producers,'' during the session of the Senate on February 14, 2013, at 9:30 a.m. in room SR 328A of the Russell Senate office building.

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

COMMITTEE ON ARMED SERVICES

Ms. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 14, 2013, at 10 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 14, 2013, at 10:30 a.m. to conduct a hearing entitled ''Wall Street Reform: Oversight of Financial Stability and Consumer and Investor Protections.''

The Presiding Officer. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on February 14, 2013, at 10 a.m. in room 406 of the Dirksen Senate office building.

The Presiding Officer. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 14, 2013, at 9:30 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Health Insurance Exchanges: Progress Report''.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 14, 2013, at 2 p.m.

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

COMMITTEE ON THE JUDICIARY

Ms. SHAHEEN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on February 14, 2013, at 10 a.m., in SD–226 of the Dirksen Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. SHAHEEN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 14, 2013, at 2:30 p.m.

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

NATIONAL SOLIDARITY DAY FOR COMPASSIONATE PATIENT CARE

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 21 and that the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 21) designating February 14, 2013, as ''National Solidarity Day for Compassionate Patient Care.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the Lautenberg amendment to the resolution, which is at the desk, be agreed to; the resolution, as amended, be agreed to; the preamble be agreed to; and the motions to reconsider be laid on the table with no intervening action or debate.

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

The amendment (No. 22) was agreed to, as follows:

On page 3 line 1, strike ''humanistic'' and insert ''humane''.

The resolution (S. Res. 21), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

S. RES. 21

Whereas the National Solidarity Day for Compassionate Patient Care promotes national awareness of the importance of compassionate and respectful relationships between health care professionals and their patients as reflected in attitudes that are sensitive to the values, autonomy, cultural, and ethnic backgrounds of patients and families;

Whereas individuals and groups of medical professionals and students stand in solidarity to support compassion in health care as expressed by Dr. Randall Friese, triage physician at the University of Arizona Medical Center who, when queried, stated that the most important treatment he provided to Congress member Gabrielle Giffords after she was shot on January 8, 2011, was to hold her hand and reassure her that she was in the hospital and would be cared for;

Whereas physicians, nurses, all other health care professionals, and medical facilities are charged with providing both the art and science of medicine;

Whereas a greater awareness of the importance of compassion in health care encourages health care professionals to be mindful of the need to treat the patient rather than the disease;

Whereas scientific research illustrates that when health care professionals practice humanistically; demonstrating the qualities of integrity, excellence, compassion, altruism, respect, empathy, and service, their patients have better medical outcomes; and

Whereas February 14th would be an appropriate day to designate as National Solidarity Day for Compassionate Patient Care and to celebrate it by health care students and professionals performing humanistic acts of compassion and kindness toward patients, families of patients, and health care colleagues: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 14, 2013, as ''National Solidarity Day for Compassionate Patient Care'';

(2) recognizes the importance and value of a respectful relationship between health care professionals and their patients as a means of promoting better health outcomes; and

(3) encourages all health care professionals to be mindful of the importance of both—

(A) being humane and compassionate; and

(B) providing technical expertise.

CONGRATULATING THE BALTIMORE RAVENS FOR WINNING SUPER BOWL XLVII

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 35, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 35) congratulating the Baltimore Ravens for winning Super Bowl XLVII.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CARDIN. Mr. President, we take this time in order to acknowledge the extraordinary accomplishments of the Baltimore Ravens and their victory in Super Bowl XLVII as well as to honor the players, coaches, staff, and loyal fans who helped to secure the Ravens' second Lombardi trophy in the last 12 years as the best team in the National Football League.

I have been a Baltimore football fan for as long as I can remember, from the days of the Baltimore Colts and Johnny Unitas, Alan Ameche, and Lenny Moore. I am so proud of this team. This team has guts. No one predicted them to win the Super Bowl—no one. At one point no one expected them to even get into the playoffs. They not only made the playoffs but they won in spectacular fashion. They looked after each other, and they worked hard.

Coach Harbaugh brought the team together. Ray Lewis, in his last season, motivated the team. We had players who were injured during the course of the season who came back to play in the playoffs. The team represented Baltimore so well and I think represented the best in football. They not only gave our city and our football fans the opportunity to come together, I was very much impressed how Baltimore changed during Super Bowl week. Our city was so proud of our team and so proud of the manner in which they conducted themselves on and off the field. They gave back to the community in so many different ways. They helped young people. They helped develop healthy lifestyles. They have been role models.

This Super Bowl will be remembered for a long time to come. I think in the first half we thought it was going to be a runaway game, but the Baltimore Ravens have a way to make sure they keep TV ratings high. It got a little more suspenseful, particularly when we had the blackout in the third-quarter, but in the end the Baltimore Ravens prevailed and Baltimore is the championship city.

We are so proud of the accomplishments of our team. Whether we are talking about the comeback of Ray Lewis or Terrell Suggs from a devastating injury or Ray Rice's fourth and 29 scramble to keep our playoff hopes alive, it is clear that the Ravens were the most determined team in the National Football League.

Unflappable Joe Flacco has established himself as a leader and one of the preeminent quarterbacks in the league. His Most Valuable Player performance in the Super Bowl was a fitting capstone on an MVP season and should prove once and for all ''Joe Cool'' has what it takes.

It has been thrilling to watch the Ravens this year, to say the least. In a season during which the team clawed and ''cawed'' its way to some close victories, the Super Bowl was a fitting end. The Ravens came into New Orleans as the underdogs against incredible odds, and they prevailed as the world champions.

I applaud the team, the coaches, the managers, the owner, and all who were involved for giving not just Baltimore but for giving football a team everyone can admire.

I also want to acknowledge the gracious way in which our colleagues from California have handled the results of the Super Bowl. The 49ers are a great team. They played a great game and had a great season. Baltimore and San Francisco share a lot. We share great football and we share a bay. We call our bay the Chesapeake Bay and they call theirs the San Francisco Bay. We share great seafood, and we share a love for the sport of football.

I thank them for their graciousness, and I thank all involved for a great season for the Baltimore Ravens.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I join with Senator CARDIN as a fellow jock to support the resolution commending the Baltimore Ravens. What a great season we have had. It was thrilling; it was exciting. I have been a Ravens fan since they came to Baltimore, and I was originally a Colts fan.

I was a little girl when the National Football League came to Baltimore. It was the Baltimore Colts. They even had a telethon to buy tickets. Just imagine, we could buy season tickets to the Baltimore Colts for $15. One of the first things I did when I graduated from college and had my own money was to go in with my Uncle Fred to be able to have tickets to go to the Colts games at Memorial Stadium.

I remember watching TV when we had that famous game with New York and Johnny Unitas tossed that winning touchdown to Lenny Moore and won 10 seconds before the game was over. I didn't think football could ever be that exciting again. But then came this Ravens season just roaring to the finish. There they were playing the Broncos in Denver, the mile-high city. Senator UDALL really razzed and did some pretty uppity trash talk. But we, with our usual pride and gentility, weathered the storm.

I could not believe it. I thought the game was over. I was ready to kick back and call my sister when, oh, wow, there goes Flacco with that 70-yard toss, and it was a touchdown. Even though I am short and chunky, I was ready to do cartwheels around my condo that evening.

The team went on to deal with the New England Patriots and then all the way to the Super Bowl. We were out there winning again when all of a sudden the lights went out in New Orleans. Even though they went out for 38 minutes in New Orleans, the lights were on all over Baltimore and we were purple. We were purple with pride and purple with joy. We were so pleased that they brought us victory not only on the playing fields of the National Football League, but do you know what else they did? They created a sense of community and a sense of energy.

If you came with me to one of our great major league institutions, such

as Johns-Hopkins or the University of Maryland, you would see that we are shoulder to shoulder with Nobel prize winners who are working in our institutions. The facility managers, nurses, and even the patients had on their purple ties or purple shirts. We were united. It was a sense of community, and it was a sense of pride.

What is it that we liked? Because we did our best. We were the underdog team. Some of the national sports writers would often look down their nose at the football players. We don't carry a chip on our shoulder, we carry the football across the goal line. That is the way Baltimore is. We are gritty, we are strong, and we will fight and take it all the way to the end.

So I want to congratulate the Ravens for creating a sense of energy, creating a sense of community, and, yes, winning the Super Bowl. They were champs, but really what they created was not only champions of the Super Bowl, they were champions on their way to victory to create this sense of community.

Also, a special acknowledgment to Ray Lewis. Ray Lewis has had a tough life. It has been hard-scrapple and hard-tackle for him. He has faced some life challenges and has had some dark moments. Out of that, he has reclaimed his life, and in the process of reclaiming his life and giving essentially all honor to God, he has then gone on to work with other football players and people in our community about how you get your life together, how you hold your life together, and how you are a winner both on and off the field.

So I wish to congratulate the Ravens. We are really proud of them. We are glad they won the Lombardi Trophy for the second time in 11 years.

I have a purple coat that I bought for the first Super Bowl. Some women have special-occasion cocktail dresses; I have a special coat for football season. I pulled it out, and I am ready to wear it, and I am ready to wear it for victory for next season.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 35) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resoultions.''

RECOGNIZING FEBRUARY 19, 2013, AS CENTENNIAL OF MOSAIC

Mr. REID. Mr. President, I ask unanimous consent to proceed to S. Res. 36.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 36) recognizing February 19, 2013 as the centennial of Mosaic, a faith-based organization that was founded in Nebraska and now serves more than 3,600 individuals with intellectual disabilities in 10 States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 36) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.''

ORDER OF PROCEDURE

Mr. REID. I ask unanimous consent that if the Senate receives an adjournment resolution from the House identical to the text which is at the desk, the concurrent resolution be considered agreed to and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

Mr. REID. Mr. President, I ask unanimous consent that either on Monday, February 25, or Tuesday, February 26, I be permitted and the Republican leader be permitted to introduce a bill to replace the sequester required under the Budget Control Act; further, that if a leader introduces such legislation, his bill be placed directly on the legislative calendar; finally, that motions to proceed to these bills be in order the day they are introduced.

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

Mr. REID. Mr. President, the purpose of this—and I have had meetings with Senator MCCONNELL—is that we are each going to have a piece of legislation to hold the sequester from kicking in, and this is the easiest way to do it without a lot of procedural motions, and I appreciate everyone's cooperation in that regard.

APPOINTMENTS AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President pro tempore and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Friday, February 15, through Monday, February 25, Senator LEVIN be authorized to sign duly enrolled bills or joint resolutions.

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

ORDERS FOR FRIDAY, FEBRUARY 15, 2013, THROUGH MONDAY, FEBRUARY 25, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, February 15, at 12 p.m.; Tuesday, February 19, at 10:30 a.m.; and Friday, February 22, at 10:45 a.m.; and that the Senate adjourn on Friday, February 22, until 2 p.m. on Monday, February 25, 2013, unless the Senate adopts an adjournment resolution pursuant to the previous order, and that if the Senate adopts such a resolution, the Senate adjourn until 2 p.m. on Monday, February 25, 2013; that on Monday, 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 be in a period of morning business until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each; further, that the Senate then proceed to executive session, under the previous order.

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

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be on Monday, February 25, at 5:30 p.m., on confirmation of the Bacharach nomination.

CONDITIONAL ADJOURNMENT UNTIL TOMORROW

Mr. REID. 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 6:57 p.m., adjourned until Friday, February 15, 2013, at 12 noon.

EXTENSIONS OF REMARKS

RECOGNIZING NATIONAL COURT REPORTING AND CAPTIONING WEEK

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. KIND. Mr. Speaker, today I rise to acknowledge the hard work of court reporters and broadcast captioners nationwide, as well as the recognition of the National Court Reporting and Captioning Week from February 17–23, 2013.

Court reporters and broadcast captioners have the unique skill of translating the spoken word into text to record history, preserve judicial proceedings, assist individuals who are deaf and hard-of-hearing with access to audio communications, and even capture the work of Congress in committees and on the floor of the House and Senate. They are truly the guardians of the record.

The profession of court reporting is thousands of years old; its roots can be traced back to 63 B.C., when Marcus Tullius Tiro created shorthand reporting to service the Roman philosopher, lawyer, and orator Cicero. Since the dawn of civilization, the desire to capture the spoken word and record our history has been the responsibility of the scribe, known today as the court reporter.

The scribe has been an essential part of history from times in Ancient Egypt, to the drafting of the Declaration of Independence, Bill of Rights, the Emancipation Proclamation and the recording of our entire American history.

Since the advent of shorthand machines, these scribes are now known as court reporters and have played a prominent and invaluable role in courtrooms, state legislatures, and in Congress preserving Members' words and actions.

Court reporters and captioners are also responsible for the closed captioning seen scrolling across television screens, at sporting stadiums and in other community and educational settings, bringing information to almost 40 million deaf and hard-of-hearing Americans every day.

Congress has continuously worked with the National Court Reporters Association to make increasing this access a reality and to ensure that every American has access to the spoken word.

Whether called the scribes of yesterday or the court reporters and captioners of today, the individuals who preserve our Nation's history are truly the guardians of our national record. They have a tough profession but continue to excel through their dedication and expertise. With that, it is my honor to acknowledge February 17–23 as National Court Reporting and Captioning Week across the country.

HONORING BENJAMIN JACKSON MATT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Benjamin Jackson Matt. Benjamin 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.

Benjamin has been very active with his troop, participating in many scout activities. Over the many years Benjamin has been involved with scouting, he has not only earned 32 merit badges, but also the respect of his family, peers, and community. Most notably, Benjamin has led his troop in various positions including Troop Guide, has earned the rank of Warrior in the Tribe of Mic–O–Say and is a Brotherhood Member in the Order of the Arrow. Benjamin has also contributed to his community through his Eagle Scout Project. Benjamin led a team of more than 30 people in designing and constructing a trail at Parkville Nature Sanctuary in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Benjamin Jackson Matt for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

FEDERAL DISASTER ASSISTANCE NONPROFIT FAIRNESS ACT OF 2013

SPEECH OF

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. SMITH of New Jersey. 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 is about those who are being unfairly left out and left behind. It's about those who helped feed, comfort, clothe and shelter tens of thousands of victims now being told they are ineligible for a FEMA grant.

It is 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 this 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 of 2013—H.R. 592—will ensure that churches, synagogues, mosques, temples and other houses of worship are eligible for federal funds to effectuate repairs, restoration and replacement of damaged facilities.

Madam Speaker, it's worth noting here that FEMA's discriminatory policy of exclusion isn't 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, restore or replace houses of worship. Indeed, congressional precedent favors enacting H.R. 592 as there are several pertinent examples of public funds bein allocated to houses of worship.

For example:

FEMA grants were explicitly authorized by Congress and provided to churches damaged in the Oklahoma City terrorist attack;

Homeland Security Department and UASI provides funding to houses of worship for security upgrades;

Interior Department provides funding for grants for historically significant properties including churches and synagogues;

It is important to note that a controlling Justice Department Office of Legal Counsel Memorandum explains in detail the legal principles which make H.R. 592 constitutional. In a September 25, 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 "provision 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 Everson v. Board of Education, which involved a program in my own 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 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.

As examples, the Court cited ''such general government services as ordinary police and fire protection, connections for sewage disposal, public highways and sidewalks,'' concluding that ''cutting off church schools from these services . . . 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.''

As Nathan J. Diament, Executive Director of Public Policy for the Union of Orthodox Jewish Congregations of America notes in his excellent legal analysis which I will include in the Record ''federal disaster relief is analogous to aid that qualifies as 'general government services' approved by the Court in Everson.

That same Supreme Court also held that ''[Government] 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.''

In Walz v. Tax Commission, 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.'' 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.''

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, ''[t]he provision of benefits to so broad a spectrum of groups is an important index of secular [that is, constitutional] effect.'' And as it stated more recently in Texas Monthly, Inc. v. Bullock, ''[i]nsofar 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.''

Significantly, Madam Speaker, when three churches in Detroit received taxpayer funded grants to repair and spruce up their buildings prior to the 2006 Superbowl, American Atheists sued the City of Detroit and lost. In a sweeping decision authored 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: ''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, and accordingly it has not run afoul of the federal or state religion 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.''

In sum, 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 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 human decency.

Indeed, to do otherwise would be to single out churches for adverse treatment, which is itself constitutionally suspect. The Supreme Court held in Church of Lukumi Babalu Aye v. City of Hialeah, that ''[a]t 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.'' Similarly, in Rosenberger v. Rector and Visitors of the University of Virginia, the Court held that ''the government offends the First Amendment when it imposes financial burdens on certain speakers based on the content of their expression,'' including religious expression. To continue to single houses of worship out for discrimination does not express government neutrality, it expresses government hostility. And there is no place for government hostility toward religion under our constitution.

The constitution clearly allows, and arguably requires, that religious organizations be treated equally when it comes to Congress' providing for the well-being of Americans following the onslaught of Superstorm Sandy and other natural disasters.

The damage unleashed by Sandy has taken a huge toll on houses of worship. According to the N.J. Catholic Conference more than 145 churches suffered significant damage in my state alone. Another 125 churches in New York have been damaged and are seeking FEMA help with more to be counted as repairs and ongoing work are addressed and contracted out for completion.

Similarly, dozens of synagogues and temples in both states are now looking to see how they repair after spending months of providing goods and services—with no regard to religion—to those who needed it.

In testimony just last week before the New York City Council, Joseph Rosenberg of the Catholic Community Relations Council poignantly noted that when Sandy hit, the leaders of the churches, synagogues and other houses of worship did not first ask if their facilities would be eligible for federal assistance before providing food and shelter and relief to thousands of displaced persons.

Nor did these providers of assistance ask the religious affiliation of the victims. No, they went to work providing tangible, life-saving aid to all comers.

In his letter of support for H.R. 592, Harvard professor Alan Dershowitz concludes that ''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.''

Professor Dershowitz notes further:

> 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 religion of those affected, in the wake of Sandy and countless previous disasters. Federal disaster relief aid is a form of social insurance and 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.

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, 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.''

America's 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 selflessly provide assistance to all in need.

H.R. 592 has been endorsed by several organizations including the Union of Orthodox Jewish Congregations, the United States Conference of Catholic Bishops, the Council of Churches of the City of New York and the American Jewish Committee.

I would like to take this moment to submit one more additional letter of support for H.R. 592 from Carl H. Esbeck, Professor of Law, University of Missouri, and my full statement for the RECORD.

UNIVERSITY OF MISSOURI
SCHOOL OF LAW,
February 11, 2013.

Re Federal Disaster Assistance Nonprofit Fairness Act of 2013.

HON. CHRIS SMITH,
Rayburn HOB, Washington, DC.
HON. GRACE MENG,
1317 Longworth HOB, Washington, DC.

DEAR REPRESENTATIVES SMITH AND MENG: I have been asked to give an opinion concerning the constitutionality of the Federal

Disaster Assistance Nonprofit Fairness Act of 2013. The bill was introduced in the House of Representatives on Friday, February 8, 2013. It would amend Sections 102(10)(B) and 406(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(10)(B) and 5172(a)(3)), to clarify that houses of worship are eligible for disaster relief and emergency assistance on the same terms as other nonprofit facilities providing certain defined essential services to the public. Stated differently, houses of worship that are otherwise eligible for relief and assistance are not to be discriminated against because of their religious character.

FEMA's current policy is set forth in its memorandum captioned ''Houses of Worship—FEMA Public Assistance Eligibility.'' Concerning multiple-use facilities, FEMA denies relief and assistance to otherwise eligible houses of worship unless the primary use of the space in a facility is for essential services of a governmental nature. FEMA converts ''primary use'' into a simple fifty-percent (50%) rule, but it does not state the legal authority for the rule.

The matter of interest is compliance with the Establishment Clause in the First Amendment to the U.S. Constitution. The United States Supreme Court has formulated a neutrality principle to assess general programs of aid to the nongovernmental sector. The principle requires: (i) that the program have a secular purpose, and (ii) that the recipients of the aid be eligible without regard to religion. Under the above-referenced bill, Section 102(10)(B) defines an eligible private nonprofit (PNP) as a facility that provides: (a) essential services; (b) while not by government, of that ''nature;'' and (c) available to the public. The three-part definition is secular in purpose. True, the bill expressly mentions houses of worship as eligible. But that makes sense and is secular in purpose, because in the past they were sometimes excluded by FEMA. So Congress, in passing this amendment, is just bringing matters back from a discriminatory situation to one of religious neutrality.

A parenthetical in 102(10)(B) gives several examples of such eligible PNP facilities providing essential services. If a private ''museum'' is an essential service in the ''nature'' of ''governmental,'' the eligible recipients are not as narrowly limited as might at first appear. ''Community centers'' are expressly named as eligible, and this bill has ''houses of worship'' as a type of community center. The findings in Section 2(5) of the bill further help to define how houses of worship serve as a type of community center. The findings also help to explain how a community center provides ''essential services,'' namely activities central to community rebuilding and reconstruction after a natural disaster.

Several U.S. Supreme Court cases prepared the way for the neutrality principle as we presently recognize it. In *Bowen* v. *Kendrick*, 487 U.S. 589 (1988), the Court upheld a congressional program funding counseling centers targeting adolescent sexuality that was available to religious as well as secular providers. In *Zobrest* v. *Catalina Foothills Sch. Dist.*, 509 U.S. 1 (1993), the Court held that a public school district had to provide the same special education services to a student when he switched enrollment from a public to a religious high school. In *Witters* v. Washington Dep't of Servs. for the Blind, 474 U.S. 481 (1986), the Court upheld a state vocational rehabilitation program, available without regard to religion, even when it resulted in aid to a student to attend a seminary.

The neutrality principle became fully grounded with the Court's decision in *Agostini* v. *Felton*, 521 U.S. 203 (1997). Agostini involved the implementation of federal funding for K–12 special educational services in schools in the State of New York. The special educational services were rendered by special education teachers employed by the local public school district. For those special education students in religious schools, it was more effective and less costly to have the teachers travel to the religious school campus to deliver the services. But this had been barred by prior case law. In Agostini, the Court overruled its prior precedent and approved the delivery of services to all special needs students on a basis neutral as to religion. The services were secular, and there was no reason because of the Establishment Clause to discriminate against children enrolled in the religious schools.

The Agostini secular-purpose/religion-neutral analysis was carried forward by the Supreme Court in *Mitchell* v. *Helms*, 530 U.S. 793 (2000). The case involved a challenge to a part of the Primary and Secondary Education Act of 1965, which provide educational materials and services to all K–12 schools without regard to religion. The challengers wanted the aid denied to religious schools. The nature of the educational materials was secular. Accordingly, the Court upheld the practice of treating all schools neutrally. These religious schools were intensely religious, but that was no reason to discriminate against them. Care should be exercised so that no governmental aid is diverted from its intended secular purpose, in particular that the aid not be diverted to an explicitly religious purpose.

It is my opinion that the above-referenced proposed amendment to the Robert T. Stafford Disaster Relief and Emergency Assistance Act is consistent with the Establishment Clause of the First Amendment to the U.S. Constitution.

Thank you for your kind consideration of this letter opinion.

Sincerely,

CARL H. ESBECK,
R.B. Price Professor of Law and Isabelle Wade & Paul C. Lyda Professor of Law, University of Missouri.

HONORING NATHAN CONRAD STAHL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nathan Conrad Stahl. 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 314, 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 31 merit badges, but also the respect of his family, peers, and community. Most notably, Nathan has led his troop in various positions including Troop Guide and has earned the rank of Warrior in the Tribe of Mic–O–Say. Nathan has also contributed to his community through his Eagle Scout Project. Nathan built a handrail along concrete steps in the parking lot at Hillcrest Transitional Housing in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Nathan Conrad Stahl for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING TIME WARNER CABLE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. REED. Mr. Speaker, I rise today to recognize Time Warner Cable for its Connect a Million Minds (CAMM) initiative. This program is designed to inspire the next generation of problem solvers by connecting young people to the wonders of science, technology, engineering, and math (STEM) outside of the classroom.

This campaign includes original public service announcements and programming, grants to support nonprofit organizations that introduce students to STEM, and the creation of ''The Connectory,'' a one-of-a-kind resource that allows parents to find kid-centric STEM learning opportunities in their own backyards. The CAMM initiative also encourages Time Warner Cable employees to volunteer at science fairs, robotics competitions, and local Connect a Million Minds events.

The STEM fields have become increasingly important for the development of our country as the world continues to modernize at a rapid pace. The performance of U.S. students in STEM subjects has fallen behind their international peers. Today, more and more employers report having a difficult time finding qualified applicants for STEM jobs. This problem will continue to grow as it is estimated that the number of jobs in STEM fields will increase 17% by 2018. Given this figure, it is difficult to understate the importance of STEM education for both our nation's collective economic future and the future of our nation's students.

The CAMM program has focused resources across several Congressional Districts, including the 23rd District of New York. With increased attention and support from community and industry leaders that will someday hire students in STEM fields, programs like CAMM are critical to building a pool of future qualified employees. I commend Time Warner Cable for its CAMM initiative; and I want my colleagues to understand the importance of such initiatives and their positive impact on all of our communities.

REINTRODUCTION OF THE LENA HORNE RECOGNITION ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to reintroduce the Lena Horne Recognition Act. This bill would award Lena Horne with a Congressional Gold Medal in recognition of her achievements and contributions to American culture and the Civil Rights Movement. A symbol of elegance and grace, Lena

Horne created a legacy by not only entertaining Americans for over 60 years, but by breaking many racial barriers as a singer, dancer, and actress. Ms. Horne passed away in New York City on May 9, 2010 at the age of 92.

Lena Mary Calhoun Horne was born on June 30, 1917 in Brooklyn, New York. Her path to international stardom began in Harlem's Cotton Club, where she was first hired as a chorus dancer at the age of 16. From there, her career continued in Charlie Barney's jazz band, where she became one of the first African-American women to tour with an all white band, to Hollywood and Broadway.

In the 1940s, Ms. Horne was discovered by a Metro Gold Mayer talent scout and moved to Hollywood to be an actress. She was the first black artist to sign a long-term contract with a major studio. Despite her beauty and talent, however, she was limited to minor acting roles because of her race. She was passed over for the role of Julie in the movie Show Boat because the studio did not want the film to star a black actress, and the Motion Picture Code did not allow the depiction of interracial relationships. Nonetheless, she dazzled audiences and critics in a number of films, including Cabin in the Sky and Stormy Weather.

The struggle for equal and fair treatment was an inseparable and increasingly political part of Ms. Horne's life. During WWII, she toured extensively with the United Service Organizations on the West Coast and in the South in support of the troops. Ms. Horne was outspoken in her criticism of the way black soldiers were treated. She refused to sing for segregated audiences or to groups where German prisoners of war were seated in front of the African-American servicemen.

During the period of McCarthyism in the 1950s, Ms. Horne was blacklisted as a communist for seven years due to her civil rights activism and her friendships with Paul Robeson and W.E.B. DuBois. Despite facing continued discrimination, Ms. Horne's career flourished in television and onstage throughout the country. It was during this time that she also established herself as a major recording artist. In 1957, she recorded Lena Horne at the Waldorf Astoria, which reached the Top 10 and became the best selling album by a female singer in RCA Victor's history.

Ms. Horne used her talent and fame to become a powerful voice for civil rights and equality. In 1963, she participated in the historic March on Washington for Jobs and Freedom. She also performed at rallies throughout the country for the National Council for Negro Women and worked with the National Association for the Advancement of Colored People (NAACP).

Ms. Horne finally received the break she had been waiting for her in 1981, which was a one woman Broadway show. Lena Horne: The Lady and Her Music, was the culmination of her triumphs and struggles. The show enjoyed a 14-month run and earned her a Tony Award and two Grammy Awards.

Furthermore, she received two stars on the Hollywood Walk of Fame for her work in both motion pictures and recordings, as well as a footprint on the International Civil Rights Walk of Fame at the Martin Luther King, Jr. National Historic Site.

Mr. Speaker, Lena Horne was an extraordinary woman who refused to give up her dreams and used her beauty, talent, and intelligence to fight racial discrimination. I urge my colleagues to support the Lena Horne recognition Act, in order to honor her life and legacy with a Congressional Gold Medal.

PERSONAL EXPLANATION

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. DEFAZIO. Mr. Speaker, unfortunately I was unable to record my vote on H.R. 267, the Hydropower Regulatory Efficiency Act. I was detained by a very important meeting with Oregon Governor John Kitzhaber about issues critical to my rural communities and State.

I am a strong supporter of renewable energy and agree there's enormous untapped potential for hydropower. Reducing red tape, process, and cost to approve small, non-controversial hydropower projects is a no-brainer. I am pleased the bill passed 422–0 and would have voted ''yea'' had I been available. I look forward to supporting H.R. 267 in the future if the bill is amended and comes back to the House from the Senate.

NORTHERN ILLINOIS UNIVERSITY—REMEMBERING THOSE LOST ON FEBRUARY 14, 2008

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. FOSTER. Mr. Speaker, it is with a heavy heart that I rise today to ask the House to observe a moment of silence for the tragedy that occurred at Northern Illinois University five years ago. On February 14, 2008, we lost five very bright and energetic young students—students who had hoped to one day become the future of our nation.

Each year since that tragic day, members of the community gather to remember those students and to present the memorial wreathes. Gayle Dubowski, Catalina Garcia, Julianna Gehant, Ryanne Mace, and Daniel Parmenter will never be forgotten, for they will always be in our hearts. Their memories will live on through their family and friends, as well as Northern Illinois University.

''Forward, Together Forward,'' three simple words that stem from the University's Fight Song, teach us a lesson that we can all learn from. It reminds us that even in the darkest of situations, when all seems lost, if we come together as a community there is nothing that we cannot get through. It gives us the strength and motivation to move forward.

Mr. Speaker, I ask my colleagues to join me in remembering those lost and to support all who were affected by this tragedy.

HONORING ALAN P. LESSENDEN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Alan P. Lessenden. Alan 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.

Alan has been very active with his troop, participating in many scout activities. Over the many years Alan 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, Alan has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Alan P. Lessenden for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING JANICE ATKINSON, COUNTY CLERK-RECORDER ASSESSOR REGISTRAR OF VOTERS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today, along with my colleague JARED HUFFMAN, to recognize Janice Atkinson, who is retiring as county clerk-recorder assessor and registrar of voters.

Jancie Atkinson is a third generation Sonoma County native and comes from a long line of public servants. She began her public service career in election administration in 1972 with the Registrar of Voters Division of the County Clerk's Office. She worked her way up through the division, was appointed division chief in 1979 and assumed the position of assistant department head in 1995. She was elected to the position of County Clerk-Recorder Assessor of the County of Sonoma on June 6, 2006, and assumed office on January 8, 2007.

Ms. Atkinson's primary area of expertise is in the field of election administration. As Assistant Registrar of Voters, she headed the division responsible for the conduct of all elections in Sonoma County including city, school and special district elections. The division maintains the files of approximately 600 elected officials, 249,554 registered voters and the boundaries of all political subdivisions in the County.

Under Ms. Atkinson's leadership, Sonoma County removed barriers to participation in the democratic process by administering a highly successful vote-by-mail program. In November 2006, Sonoma County's voter turnout of 75.49 percent exceeded the statewide average turnout by almost 20 percent. Sonoma County's high voter turnout can be attributed to the high number of permanent absentee voters in the County (roughly 52 percent of the registered voters) and the efforts of the department to keep the voter files up-to-date. Ms. Atkinson implemented an accessible voting system for voters with disabilities, all while maintaining paper-based voting systems, assuring voter confidence in elections.

Ms. Aktinson was an active member in the California Association of Clerks and Election Official from 1976–2012. She served on the board of directors from 2002–2012, as Correspondence Secretary from 1988–2011 and

as a member of the County Recorder's Association of California from 2001–2012. She also was a member of the California Assessors' Association from 2007–2012 and the Bay Area Assessor's Association 2007–2012, serving as its president in 2010. She has been a member of the Sonoma County Historical Records Commission since 2000 and is recognized throughout the state for her knowledge of the California Elections Code and voting procedures.

Ms. Atkinson is a longtime supporter of the Cloverdale Boys and Girls Club and served as the lead public information officer for Sonoma County during disasters, providing vital information to those impacted by floods, mudslides and fires.

Mr. Speaker, Janice Atkinson has a long and distinguished career in service to Sonoma County and it is therefore appropriate that we acknowledge her today and wish her well in her retirement.

CONGRATULATING THE INTERMOUNTAIN JEWISH NEWS ON ITS 100TH YEAR

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GARDNER. Mr. Speaker, I rise today to congratulate the Intermountain Jewish News on its 100th year of continuous publication.

The Intermountain Jewish News has served as an important conduit of information for people of the Jewish faith across the Rocky Mountain West. With insightful reporting and a keen eye to the stories that matter most to its readers, it has provided the Jewish community with relevant news and a constant connection to the community.

Freedom of the press and freedom of religion are two of the pillars that have made the United States the beacon of light across the world. The Intermountain Jewish News is more than just the product of these freedoms; it is the medium through which these freedoms live on today.

I applaud the hard work and dedication of all who have contributed to this publication's success over the past 100 years and I wish them continued success in the future.

IN SUPPORT OF THE FORWARD ON CLIMATE RALLY FEBRUARY 14, 2013

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise to join President Obama and concerned citizens around the world to say it is high time we move forward on addressing climate change.

As President Obama said in his State of the Union address: "We can choose to believe that Superstorm Sandy, and the most severe drought in decades, and the worst wildfires some states have ever seen were all just a freak coincidence. Or we can choose to believe in the overwhelming judgment of science—and act before it's too late. "

This weekend, tens of thousands of people—including 100 buses from over 30 states—will be traveling to Washington, DC to participate in Sunday's Forward on Climate Rally to demonstrate their support for action on climate change.

My home state of Maryland knows all too well the devastating effects of extreme weather events, and the threat that coastal flooding and sea level rise present to our coastal communities. In that regard, I'm proud that Maryland is tackling this issue head on by committing to reduce greenhouse gas emissions by 25 percent below 2006 levels by 2020. In addition to restoring a healthy climate, this initiative will boost economic growth, create jobs and save consumers money.

Mr. Speaker, I welcome the Forward on Climate Rally to the nation's capital, and I stand with concerned citizens from across the country who say the time is now to address climate change.

INTRODUCTION OF LEGISLATION TO REFORM THE FEDERAL PROTECTIVE SERVICE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, today I am introducing legislation to improve the level of security provided by the Federal Protective Service, FPS.

Formed in 1971 as the uniformed protection service for the General Service Administration, GSA, the Federal Protective Service's mission is to safeguard the Federal buildings that Americans access every day across the country. FPS is charged with protecting over 9,000 Federal facilities, including many of our own Congressional district offices.

Since FPS was transferred to the Department of Homeland Security in 2003, a series of government audits have uncovered major breaches in the security services FPS provides and attributed these lapses, in large part, to slipshod oversight by the agency of its contractor workforce.

One glaring example of FPS's lapses in providing security occurred in February 2011 when contract guards failed to detect explosive material that was left undetected inside the Patrick V. McNamara Federal building in Detroit for 21 days.

Testifying on July 13, 2011 about this incident before the Committee on Homeland Security, the Government Accountability Office, GAO, stated that FPS needs to undertake a stronger role in overseeing contractor performance, to reevaluate its hiring and training practices for contract guards, and to implement a comprehensive risk assessment strategy.

On July 24, 2012, at a subsequent Committee on Homeland Security hearing, FPS's lack of a comprehensive risk management strategy was identified as a major obstacle to FPS' ability to safeguard Federal facilities and effectively serve as the lead agency charged with coordinating infrastructure protection government-wide.

Both hearings addressed the Federal Protective Service's pressing need to replace the failed Risk Assessment and Management Program, RAMP, to monitor the hours and duties performed by contract guards—which has cost of over $41 million—with an effective tool to implement risk assessment. As an interim step, FPS has since developed the Modified Infrastructure Survey Too, MIST.

Since May 2007, the Committee on Homeland Security has held five oversight hearings of FPS. Additionally, since 2008, GAO has issued seven oversight reports, at my request, on the agency that identified a wide range of challenges FPS faces in protecting Federal facilities. Among the areas for reform identified in these reports are the need for increased oversight of the contract guard program; the need for FPS to implement a risk management strategy to improve facility security; enhanced schedule and cost estimating practices to facilitate the transition of management functions; and a comprehensive approach to human capital management.

The legislation I am reintroducing today: (1) seeks to increase security at Federal facilities by adding 500 more Federal Law Enforcement Officers; (2) directs FPS to intensify its monitoring of contract guards; (3) requires national minimum standards for the training and certification of contract guard staff; (4) requires that security standards for Federal facilities established by the Interagency Security Committee be implemented; (5) directs FPS to conduct a 1-year pilot program to assess whether a Federal Security Guard that is a Federal employee would do a better job protecting the highest risk Federal facilities than a contract guard; (6) requires a law enforcement presence at the highest risk Federal facilities; and (7) directs the Government Accountability Office to investigate the adequacy of the fee-based funding system utilized by FPS and determine whether it prevents the agency from fully executing its security mission.

Under my legislation, the FPS' inspector corps would be increased to 1,350, thereby elevating the Federal law enforcement presence inside Federal buildings by offering "boots on the ground" security expertise.

I strongly believe that a more robust inspector workforce would, for the first time, provide FPS with a core of specialized security personnel with the training and authority required to create long-overdue change within the entire organization.

My legislation also calls for dedicated contract oversight staff to oversee the performance of contract guards; this would allow FPS inspectors focus on their security and law enforcement duties and not be bogged down in contract-management concerns.

Similarly, my legislation would require a law enforcement presence at the highest risk Federal facilities, which directly addresses a gap in the current system, where contract guards, who lack arrest authority are charged with protecting high-profile Federal facilities.

I introduced similar legislation in the 111th and 112th Congresses to ensure that the Federal Protective Service fulfills its responsibility to coordinate infrastructure protection across the Federal government, and to make certain that effective management procedures are implemented to hold contractors accountable for the hiring, training and certification of security guards who are charged with protecting Federal facilities.

It has been 18 years since the Alfred P. Murrah building was attacked in Oklahoma City. We have been fortunate that an attack of this magnitude has not occurred against a

Federal building in the intervening years. That said, we must do more to ensure that Federal buildings are secure and that the Federal Protective Service can effectively fulfill its mission.

Enactment of my legislation will bring about long-overdue and necessary reforms and help FPS become the agency that Congress envisioned and the American people deserve.

HONORING CONNOR JAMES DERRY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Connor James Derry. Connor 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.

Connor has been very active with his troop, participating in many scout activities. Over the many years Connor has been involved with scouting, he has not only earned 33 merit badges, but also the respect of his family, peers, and community. Most notably, Connor has led his troop in various positions including Patrol Leader, has earned the rank of Warrior in the Tribe of Mic-O-Say and is a Brotherhood Member in the Order of the Arrow. Connor has also contributed to his community through his Eagle Scout project. Connor led a team of 15 scouts in removing and reconstructing a swing set at Hillcrest Transitional Housing in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Connor James Derry 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 ACCESS TO BIRTH CONTROL (ABC) ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am proud to introduce the Access to Birth Control (ABC) Act with my colleagues DEBBIE WASSERMAN SCHULTZ, JOHN CONYERS, JR, GWEN MOORE, DAVID CICILLINE, BARBARA LEE, CHELLIE PINGREE, JANICE HAHN, SAM FARR, CHARLES RANGEL, JERROLD NADLER, KEITH ELLISON, DIANA DEGETTE, JAMES MORAN, RUSH HOLT, and SCOTT PETERS. Special thanks go to Senator FRANK LAUTENBERG for introducing the Senate version of the bill.

This legislation ensures women's timely access to basic, preventative health care and ensures that women of age will not be denied birth control or emergency contraception by their pharmacist. The ABC Act also requires pharmacies to help a woman obtain medication by her preferred method if the requested product is not in stock and protects women from being intimidated when requesting contraception.

Family planning is central to women's basic health care. Thanks to the Affordable Care Act women can receive contraceptive coverage and other preventative services without a copay. While this is great news to the millions of women using some form of birth control, barriers to contraceptive access still persist. According to the National Women's Law Center, at least 24 states across the country have reported incidents where pharmacists have refused to fill prescriptions for birth control or provide emergency contraception to individuals who do not require a prescription. Furthermore, six states permit refusals without patient protections such as requirements to refer or transfer prescriptions and seven states allow refusals but prohibit pharmacists from obstructing patient access to medication.

Denying contraception to women represents an erosion of a woman's constitutional right of access to contraception and a threat to women's basic health care. Access is especially important for women living in rural areas who may not have multiple pharmacies near them and low-income women who lack the resources to find an alternative pharmacy in the appropriate time frame.

The use of birth control is widespread, with 99 percent of women having used contraceptives at some point in their life. Now that insurance plans are required to cover birth control, Congress must act to make sure that women receive timely access to both prescription and over the counter contraception at the pharmacy counter.

TRIBUTE TO TURKISH AMBASSADOR NAMIK TAN AND TURKISH EMBASSY

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. CONYERS. Mr. Speaker, in the early 30's the Turkish Embassy began a journey to heal racial integration through jazz in our Nation's Capital. Today, I wish to pay tribute to the continuing efforts of Turkish Ambassador Namik Tan and the Turkish Embassy for proudly telling this great story of racial integration in Washington, DC's history. This story involves an intriguing combination of jazz music, a foreign embassy, and race relations in the Nation's Capital in the 1930s and 1940s.

In 1934, Mehmet Munir Ertegun was named Turkish Ambassador to the United States. He moved to Washington with his family, including his sons Ahmet and Nesuhi, who were then 17 and 11 years old, respectively. Ahmet would eventually become the founder of Atlantic Records, while Nesuhi would run the Atlantic Records jazz department, producing albums for such legendary figures as John Coltrane, Ray Charles, Bobby Darin, and Roberta Flack.

In those early years after moving to the District of Columbia, the Ertegun brothers became active in the local jazz scene and eventually invited local performers to the Embassy for what would later be described by a 1943 Newspaper article as "Washington's most famous private jam sessions." In a 1979 interview with the Washington Post, Nesuhi described the mindset behind these sessions, "You can't imagine how segregated Washington was at that time. Blacks and whites couldn't sit together in most places. So we put on concerts . . . Jazz was our weapon for social action."

Despite the complaints from certain "outraged southern senators" to the Turkish Ambassador, the jam sessions at the Embassy continued for several years, playing to a racially diverse audience and featuring such performers as Johnny Hodges, Harry Carney, and Barney Bigard from the Duke Ellington Band, Lester Young, Benny Carter, Meade Lux Lewis, Leadbelly, members of the Count Basie band, and many others.

To commemorate this tradition, the Turkish Embassy initiated the Ertegun Jazz Series in March, 2011, and has hosted ten performances since that time that have featured both up-and-coming artists and well-established performers such as Roy Hargrove and Jonathan Batiste. This series will continue in 2013 with a concert on February 26th at the Embassy. As we celebrate Black History Month, I wish to congratulate Ambassador Tan and the Turkish Embassy for recognizing the important role that Ahmet and Nesuhi Ertegun played in advancing racial integration and bringing jazz music to the world.

HONORING MR. VYRLE DAVIS

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the life and accomplishments of Mr. Vyrle Davis. His contributions to education and social reform in the Tampa Bay community and throughout the state of Florida are worthy of recognition by all.

Mr. Davis, a native of the Tampa Bay community, attended Florida Agricultural and Mechanical University, before beginning his teaching career at 16th Street Elementary and Junior High School in 1960. Inspired by both his grandfather, a teacher who established the first school for African-American children in Jackson County, and his mother, who taught African-American students in a one-room schoolhouse within the Citrus Park community, Mr. Davis broke both racial and social barriers within his profession.

In 1971, Mr. Davis was named assistant principal at Gibbs High School and two years later he became principal at St. Petersburg High School. In 1986, he overcame countless obstacles to become Pinellas County's first African-American superintendent, a position he held for nine years.

Mr. Davis was also an advocate for social reform. In 1984, he established the Ebony Scholars program, providing institutional and financial support to high-achieving African-American students. Not only did Mr. Davis participate in raising money for his organization, he also contributed a significant amount of his own time and money. To date, the program has allocated over $500,000 to students.

By 1990, Mr. Davis had left an indelible mark by reforming the role of African-Americans in political office. He founded multiple organizations, such as the African-American Voters Registration and Education Committee, that advanced both the political and educational causes of African Americans. He formed a coalition of other activists, whose mission was to help minorities attain elected

positions within their neighborhoods. Specifically, he played a momentous role in the campaign of Mary Brown, a woman who became the first elected African-American Pinellas County School Board member.

Although he was diagnosed with Parkinson's disease in 2004, he never let his illness deter him from doing that which he truly loved. He was admired by the Tampa Bay community, and those who knew him, revered him.

As I join with Mr. Davis's family and friends in mourning the passing of an outstanding individual, I know they are incredibly proud of the contributions he has made to the Tampa Bay area. The entire Pinellas County community honors and remembers the 76 year life of Vyrle Davis. Mr. Vyrle Davis molded the lives of generations of students through his dedication to education and to the community as a whole. His example will continue to live through those that worked with him and those who learned from him. I ask that you and all Americans recognize such a remarkable citizen for his service to our community and our State.

HONORING ROBERT ''BOB'' ABRAMSON OS SONOMA COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today along with my colleague Congressman JARED HUFFMAN to recognize and honor the life and tremendous social contributions of my late friend, Mr. Robert ''Bob'' Abramson of Sonoma County, California.

Mr. Abramson was an exemplary and upstanding member of his community and a longtime resident of the Northern California region. After his extraordinary, storied career as a B–29 bomber pilot during WWII, flying as many as 30 missions over the Pacific, he would be decommissioned from the military in 1945.

He would go on to graduate from University of California, Berkeley with a Masters in Philosophy and Social Welfare. He then worked as a parole officer in Oakland before taking a job at the University of Southern California through which he was stationed in Pakistan for a program funded by the U.S. Agency for International Development. This led to larger diplomatic posts with the United Nations and the World Bank.

Mr. Abramson cared deeply for his community and the people in it. He was an open book and loved talking to new people, always looking to learn new things and always going into every conversation with an open mind. He was especially active with the World War II Pilots Association, the Prostate Cancer Support Group and the Democratic Clubs of Petaluma and Santa Rosa. He was liked by all who knew him in the community.

Mr. Abramson never lost his love for international public service. Despite retirement and an extremely active role in his local community, he accepted special consulting contracts in Maldives and Sri Lanka. He consistently represented the American people with grace and civility.

His family however, always came first. Mr. Abramson is survived by his wife Barbara, his son Bruce, his daughter Julie Morrison, his brother Albert, his sister Carol, and his four grandchildren.

Mr. Speaker, Robert Abramson served his country with distinction both as a member of the armed services and as a civilian. He was an active, vital member of his community and it is therefore appropriate that we celebrate and honor his life and committed service and extend our deepest condolences to his friends, family and community.

HONORING SPENCER HARRISON GRANGER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Spencer Harrison Granger. Spencer 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.

Spencer has been very active with his troop, participating in many scout activities. Over the many years Spencer has been involved with scouting, he has not only earned 33 merit badges, but also the respect of his family, peers, and community. Most notably, Spencer has led his troop in various positions including Patrol Leader, has earned the rank of Warrior in the Tribe of Mic-O-Say and is a Brotherhood Member in the Order of the Arrow. Spencer has also contributed to his community through his Eagle Scout project. Spencer constructed nine disc golf tee boxes for a public disc golf course at Fox Hill Elementary School in Kansas City, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Spencer Harrison Granger for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING JERRY PRICE

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. VALADAO. Mr. Speaker, I rise today to honor Officer Jerry Price, an important figure in Central Valley law enforcement, on the occasion of his retirement.

Jerry graduated from the California Highway Patrol Academy in 1983 and was assigned to service in his hometown of Santa Ana. In 1986, he was transferred to Bakersfield where he patrolled the eastern part of the city and began aggressively seeking DUI drivers.

In 1988 Jerry transferred to Hanford, where he served for 24 years. Jerry was appointed the PAO/Court liaison in 1997 and held this position until December of 2012.

Jerry was a member of the county's first gang task force established in 1998, where he served as an Intelligence Agent.

Jerry has a passion for education and was instrumental in the establishment of many educational programs for local students. He is credited with reorganizing high school senior ethics days in all local high schools and starting ''character conferences'' in junior high schools. He also helped launch ''Every 15 Minutes'' programs in high schools across Kings County to educate young people about the dangers of drunk driving.

Jerry enthusiastically spread this safety message at Lemoore Navy Air Station for over 18 years. He led more than 550 safety presentations for approximately 200,000 Navy personnel.

In addition to his CHP service, Jerry has been heavily involved in numerous community service commitments including Relay 4 Life, the March of Dimes, and the Central California ''Battle of the Badges'' Blood Drive. He has coached several youth sports teams and taught at Kings Christian High School, College of the Sequoias, and West Hills College.

Most recently Jerry assisted the co-founders in organizing the ''Buckle Up for Itzy'' Fest, an event to raise seat belt safety awareness.

Jerry has mentored many local youths and has dedicated his life to improving the safety of the people of Central California. He has given his time and effort to numerous nonprofits and charities over the decades. Please join me in congratulating Mr. Price on his invaluable service to the Central Valley, as he retires from the California Highway Patrol.

HAPPY 108TH BIRTHDAY, MISS ROSE RUSH

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRIFFITH of Virginia. Mr. Speaker, I submit these remarks in honor of Miss Rose Rush of Clintwood, Virginia, who celebrated her 108th birthday on Thursday, February 7.

Miss Rush was born in 1905 in the house her father built in Dickenson County, the very home she lives in today. She was valedictorian of her graduating class at Honaker High School, and attended the University of Virginia, Emory and Henry College, my alma mater, and she also attended Vanderbilt University so she could receive her teaching license.

Miss Rush taught various subjects in different school systems in Virginia until her retirement. She didn't rest for long, though—the year after she ''retired,'' Miss Rush returned to the classroom as a substitute teacher.

To this day, Miss Rush remains up to speed on current events and politics. I have been told Miss Rush is a huge fan of our political system, and that she particularly enjoys voting on the new voting machines.

She has never been seriously ill or hospitalized, nor has she been married or had children. Some in Clintwood even say that's the secret to her longevity!

Miss Rush has been approached from time to time for interviews or photos since she turned 100. The Coalfield Progress notes that she has refused them all, ''stating with a sense of humbleness that she has done nothing to receive recognition.''

Well, here's to Miss Rose Rush, and to her family, friends, and students in Virginia whose lives she changed. Happy 108th birthday, Miss Rush.

CONGRATULATING PRESIDENT-ELECT PARK GEUN-HYE ON HER INAUGURATION AS THE FIRST WOMAN PRESIDENT OF THE REPUBLIC OF KOREA

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, President-elect Park Geun-hye will be inaugurated as the eleventh President of the Republic of Korea on Monday, February 25, 2013. Madam Park will then become the first freely elected woman leader among the nations of Northeast Asia and the first woman President of the Republic of Korea

Madam Park has shattered the glass ceiling for Korean women by attaining the highest elected office in the land, achieving this remarkable feat before the United States has elected a woman to lead our Nation.

In the traditional Land of the Morning Calm where the slogan ''men first, women behind'' was the watchword only a generation ago, Park Geun-hye's election is historic. President-elect Park will serve as a role model for women—young and old—not only in Asia but around the world as they seek to achieve their full potential unfettered by the gender limitations of the past.

Madam Park also raises the possibility of a new beginning in the complex and often hostile relationship that has evolved between the two Koreas since the tragic division of the Korean peninsula at the end of the Second World War. A daughter of a mother slain by a North Korean agent in 1974, Madam Park chose to put this painful family tragedy aside and travel to North Korea in 2002 and meet the very man, Kim Jong-il, who was likely responsible for the murder of her mother. She did this for the good of her country, for those numerous divided Korean families who have not seen nor heard from their loved ones in sixty years, and for a people with a common culture and heritage suddenly torn asunder by Cold War politics.

The Korean people have an old saying that ''when whales fight, shrimp get broken'' recognizing the victimization of a small but proud nation surrounded by colossal and often hostile neighbors. The healing process after sixty years of this externally imposed division symbolized by the stark frontier of the DMZ will not be easy. But, as was once said in reference to the unfreezing of Sino-American relations, that ''only Nixon could go to China,'' so it may one day be said that ''only Park Geun-hye, the daughter of an anti-communist general and a martyred mother, could reconcile the two Koreas.''

This coming summer, on July 27th, we will commemorate the sixtieth anniversary of the signing of an Armistice which silenced the guns but brought no permanent peace on the Korean peninsula. Our aging Korean War era veterans, who include four Members of the U.S. House of Representatives including the Honorable CHARLES RANGEL, the Honorable JOHN CONYERS JR., the Honorable HOWARD COBLE, and the Honorable SAM JOHNSON, often speak of our steadfast friendship with the people of South Korea as being one which was forged in the crucible of war.

The Korean War Memorial, located not far from this House, serves to remind us all of the brave men and women of our country ''who answered the call to defend a country they never knew and a people they never met.'' The election of Park Geun-hye symbolizes the achievement of those democratic values for which these veterans fought and died.

I am also certain that America's almost two million strong Korean-American community who have contributed so much to their adopted country are justifiably proud of the democratic and economic miracle of their ancestral homeland. The alliance between their old and new countries, strengthened by the recent adoption of the U.S.-Korea Free Trade Agreement, will only be further invigorated under Madam Park's presidency.

For historical purposes, I submit this statement to be made part of the CONGRESSIONAL RECORD in tribute to the service, often at great personal sacrifice, that President-elect Park Geun-hye has rendered for and on behalf of the people of the Republic of Korea. I join my colleagues in looking forward to welcoming Madam Park when she makes her first official visit to Washington, DC later this year.

INTRODUCTION OF THE STATES' MEDICAL MARIJUANA PATIENT PROTECTION ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. BLUMENAUER. Mr. Speaker, today, along with a bipartisan group of cosponsors, I am introducing the States' Medical Marijuana Patient Protection Act, legislation that will allow medical marijuana patients and businesses—who are complying with state law—the ability to access and distribute marijuana free from federal interference.

Eighteen states and the District of Columbia have passed laws allowing for the use of medical marijuana for people suffering from conditions such as cancer and severe nausea. As a result there are now hundreds of thousands of medical marijuana patients nationwide. Despite these laws, at the federal level marijuana is currently listed as a Schedule I substance under the Controlled Substances Act, meaning that it is considered a substance with a ''high potential for abuse,'' with ''no currently accepted medical use in treatment in the United States.'' This means that the 19 jurisdictions that permit medical marijuana are operating in a patchwork of inconsistent local and federal laws.

These inconsistencies create significant challenges for both patients and the businesses working to provide access to medical marijuana. Because of federal tax and banking laws, marijuana businesses—despite operating in compliance with state or local law—are not allowed to deduct their legitimate business expenses and are often unable to make deposits or maintain bank accounts. Simultaneously, the federal government has continued to enforce federal law, and many medical marijuana facilities across the country have been raided by the Drug Enforcement Administration or otherwise targeted by the Department of Justice.

The federal government maintains a monopoly on access to marijuana for research, currently run by the National Institute on Drug Abuse (NIDA). The mission of this Institute is to ''lead the Nation in bringing the power of science to bear on drug abuse and addiction,'' and many researchers have found it difficult to obtain marijuana for research into the potential therapeutic or medicinal effects of marijuana.

The States' Medical Marijuana Patient Protection Act would provide for the rescheduling of marijuana under the Controlled Substance Act to a listing other than Schedule I or II, which would mean the federal government recognizes an accepted medical use. It would also ensure that neither the Controlled Substances Act nor the Federal Food, Drug and Cosmetic Act would restrict individuals, doctors or businesses from consuming, recommending, producing, distributing or otherwise operating in marijuana in compliance with state or local laws. Finally, it would require that access to marijuana for research into its potential medicinal and therapeutic uses be overseen by an entity in the government not focused on researching the addictive properties of substances.

Nineteen jurisdictions have passed laws recognizing the importance of providing access to medical marijuana for the hundreds of thousands of patients who rely on it. It is time for the federal government to respect these decisions, and stop inhibiting safe access.

HONORING JACE C. PINE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jace C. Pine. Jace 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.

Jace has been very active with his troop, participating in many scout activities. Over the many years Jace 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, Jace has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jace C. Pine for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING WILLIAM ASHFORD

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. ADERHOLT. Mr. Speaker, it is my privilege to honor Mr. William Ashford, who is interning in my office with the Uni-Capitol Washington Program. The Uni-Capitol Washington Program (UCWIP) has paired some of the brightest Australian students with various congressional offices for more than a decade and I am happy to be a host again this year.

Will comes from the University of Wollongong and is studying engineering and

commerce. Over the past month, I have found him to be outstanding in his duties and going above and beyond our expectations. He has attended committee hearings, drafted constituent correspondence, and assisted me as well as my staff with research. His Australian accent has garnered the attention of many of my constituents on tours and over the phone. Will's commitment, hard work, and presence have been an asset to the office and he will be sorely missed by all.

The program has been in force for 13 years thanks to the vision of Eric Federing, its director and founder. The students who are selected come from a variety of academic disciplines, but all have a common interest: promoting the U.S.-Australia relationship. These student placements are enhanced by the formation of genuine friendships and the exchange of views and ideas between the Australian interns and their respective offices. We are grateful for these friendships and it is our hope that they strengthen the diplomatic ties of our great countries.

I would like to thank Eric Federing for the opportunity to host Will over the past several weeks. To date, over 130 interns have come through his program representing 8 different universities over the program's lifetime. It enhances opportunities for the individuals who come and enlighten those who they come to. After the internship, many receive jobs on Capitol Hill in Washington, D.C. or go to work with Federal or various State Parliaments in Australia. Other interns have gone on to work in the Australian Embassy or The World Bank. Simply put, this program selects incredibly talented individuals that are a pleasure to host and work with. It was an honor to have Will in our office and I wish him the very best in the future. Will, thank you again for your hard work and dedication.

HONORING THE CENTENNIAL OF PRESIDENT NIXON'S BIRTH

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. ROYCE. Mr. Speaker, I rise to recognize the legacy of President Richard Nixon in this centennial year of his birth.

President Nixon took the oath of office at a time of domestic upheaval and far-reaching social, economic, and political change. I doubt there was ever a day when he did not wake to an agenda of pressing challenges and difficult decisions.

But his true legacy lies in foreign policy.

Few Presidents have entered the White House with a deeper understanding of international affairs, and we are very fortunate that he did. For when he first walked into the Oval Office, he inherited a world in which the U.S. was faced with enormous difficulties and problems that seemed to have no solution, from our grinding engagement in Vietnam to an increasingly emboldened Soviet Union.

He understood from the first that the old ways of doing things simply would not work in a new and dangerous world and repeatedly astonished his admirers and opponents alike with a surprisingly flexible and sophisticated, albeit tough-minded, approach.

That was most famously demonstrated by his stunning reaching out to China.

For decades this action has been the subject of much discussion and comment, and it is commonly cited as a model for similarly bold action today.

But there is danger in easy comparisons. It is of key importance to stress that he did not suffer from an illusion that Mao's dictatorship was reforming itself or that our mutual hostility was primarily the fault of the United States. Or that a handshake could somehow transform conflicting goals into a broad partnership.

Instead, it was based on a clear-eyed understanding of how the world actually works and that a rigid adherence to ideology can blind one to inconvenient facts and potential options. Only someone deeply confident in his beliefs could have done so. But he did not take unnecessary risks, he did not leap into the dark, hoping for the best. Instead, he took deliberate steps on a well-thought-out path to specific goals.

Even then, his eyes were not focused on China, but on a much larger purpose, namely reordering the international system to give the U.S. new options that it otherwise would not have had, including an ability to exploit divisions among opponents that rendered each eager for improved relations with the U.S.

What a contrast to today's world, where the U.S. often goes hat in hand to professed enemies in the illusion that they can be bribed to abandon their fundamental goals, that unilateral concessions will generate good will, or that they can somehow be convinced to become good international citizens through pleas or lectures.

Nixon knew that peaceful outreach and negotiations were possible only when the other side had no doubts of your toughness. Sometimes a smile is helpful, but often a stick is more convincing. No one ever doubted that Richard Nixon understood the difference.

His no-nonsense view of the world can be seen in the aftermath of the murder of Israeli Olympians in Munich by PLO terrorists on September 27th, 1972 when he warned that if we want safety, we must not seek "accommodations with savagery, but rather act to eliminate it."

That was written twenty-nine years before the devastating 9/11 terror attacks, but it remains a crucial guide to action today.

As Chairman of the House Foreign Affairs Committee, I deal on a daily basis with the many problems the U.S. faces around the world. Some would be familiar to President Nixon; many are quite different. But the deep understanding, the commitment to basic principles, the pragmatic flexibility that characterized his approach are as essential today as they were then.

I met him once when he spoke before the House Republican Conference in March, 1993, shortly after I first entered Congress. The subject was Russia in the aftermath of the collapse of the Soviet empire, but even after many years out of office, and only a year before his death, his understanding of the range of issues and problems facing that country and ours impressed everyone in the room. He was masterful to the end.

Afterward, the President mentioned his old House seat to me, and he asked me to join him for a meeting with members of the Senate, organized by Senator Patrick Moynihan. There he spoke of the future challenges and opportunities with respect to China, Eurasia, Africa, and Latin America. As usual, he spoke without using notes.

Perhaps his greatest legacy is what any student of his accomplishments can see for themselves: that the United States has no choice to be a leader in the world if we are to secure the safety and interests of the American people, that passivity and a surrender to events can bring only disaster, that refusing to recognize that the world is often a dangerous and unforgiving place is to live in illusion, that foolishly acting as though our resources were unlimited with no need to prioritize our goals is a certain road to defeat.

So it gives me pride to recognize President Richard Nixon during the centennial of his birth. We owe him our respect for what he accomplished on behalf of the security of the United States in a turbulent world.

HONORING JOHN BRENKLE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize Monsignor John Brenkle on the occasion of receiving the Jefferson Award for his work in the Napa Valley community.

The Jefferson Award is a national award given to those serving the community at a national and local level, which Monsignor Brenkle has done for the past three decades. He is known throughout the Napa Valley as a mercenary who goes above and beyond to ensure the well-being of those in the community.

Monsignor Brenkle attended St. Patrick's Seminary in Menlo Park, California, and was ordained on June 14, 1958 through the Archdiocese of San Francisco. He received his Doctorate in Canon Law from The Catholic University of America in 1962. He served as Chancellor of the Diocese in Santa Rosa until 1971, followed by two years of teaching in Zambia.

Monsignor Brenkle has worked tirelessly to help low-income families and farm workers. He played a pivotal role in creating housing for migrant farm workers, and assisted in the decision to build low income housing sites in the valley. He serves on numerous local boards, including Catholic Charities, the Board of Directors of Justin-Siena High School, Catholic Community Foundation, California Human Development Corporation, and the St. Helena Mayor's Multi-cultural Committee.

It is because of all his hard work that he was recognized to receive this outstanding award. Mr. Speaker and colleagues, it is my distinct pleasure to congratulate Monsignor John Brenkle on this joyous occasion.

COME AND TAKE IT

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. POE of Texas. Mr. Speaker, it was fall of 1835. Mexican President Santa Anna had dissolved the Constitution and made himself dictator. Tensions began to flare between his oppressive government and the liberty minded desires of Texians and Tejanos. To suppress

the rumblings of unrest and revolution the Mexican military leaders began their quest to quietly disarm the Texians. One of the first actions was to retrieve a cannon lent to the Texian colonists at Gonzales. The famous bronze cannon was loaned to the Gonzales colonists by the Mexican government in 1831 to defend themselves from hostile Apaches and Comanches. Mexican Corporal Casimiro De León and a few soldiers were sent to reclaim the cannon. That task was easier said than done.

The feisty Texians said they were keeping the gun and took the soldiers prisoner. The ladies of settlement even made a flag bearing the words ''Come and Take It!'' to be flown over the cannon. The cannon had been buried in a peach orchard near the Colorado River for safety, but was retrieved shortly after and readied for battle and mounted on cart wheels. The Mexican government responded by sending Lieutenant Francisco de Castaneda of the Mexican Army and 150 troops to put an end to the dispute. They were met by a militia of frontier Texians and Indian fighters who simply said, ''There it is—come and take it.'' After a few shots were fired by both sides the Mexican army left the engagement. The Battle of Gonzales went on to be known as the ''Lexington of Texas''. It was Act I of the Texas War of Independence. It was similar to Lexington because sixty years earlier the British had tried to seize the weapons of the colonists at Lexington and Concord. The Texas War, like the American War of Independence, began because oppressive government tried and failed to disarm the people. The citizens of Texas would not surrender their arms to appease the overbearing Mexican regime. History has an odd way of repeating itself.

Flash forward 200 years. One night I was at a town hall meeting in Spring when a local preacher came up to me to share his concerns about where our country was headed. It is always refreshing for me to hear from normal people in Southeast Texas after spending all week long in the land of the bureaucrats. I will always remember this particular neighbor because of his strong opinions and his shirt. It had a photograph of the Bible and two .45 Colt revolvers with the words ''I love my Bible'' and ''I love my guns''. Naturally, they were in the right order. God then guns. Leave it to a Texas preacher to keep it all in perspective. You wouldn't see that shirt up in Washington, DC. Some elites outside of our Great State fear ''us southerners'' and our colt 45s, and ridicule those who cling to their guns and religion. In Texas we have a rich tradition of proudly celebrating the right to bear arms. The elites seem to forget that not only do we cling to guns and religion, we cling to the Constitution that protects these rights. Many Texans believe the call for gun control is really a call for more government control.

Texans aren't the only ones who have historically defended this right. During the birth of our nation, the Founding Fathers were very concerned—almost paranoid—that a strong Federal Government would trample on the rights of the people. Their concerns were warranted because that is exactly what happened to the colonists, and that's what governments historically do—trample on individual liberty. So after the ratification of the Constitution, the Framers purposely included a list of inalienable rights that are endowed by our Creator, not from government. One of them being the individuals' right to bear arms. They knew from their experiences in the American War of Independence that an armed citizenry and a citizen militia were not only needed for personal defense, but were also the best safeguard against the tyranny of government.

But here we go again. Today some in government once again fear the freedom of its citizens and are now calls to round up all the guns. Ironically, each day in the U.S. Capitol there are guards with guns by the doors—to the north, to the south, to the east, to the west—on the roof, on all of the entrances, and by the steps. Many elitist politicians and lifelong bureaucrats expect protections for themselves while advocating for more restrictions on guns for the people of America—hypocrisy at its highest. Most citizens don't have government guards protecting them 24/7. Many people feel defenseless. In fact, one of the proposals for more gun laws mirrors the stringent DC. gun laws. If the DC gun laws worked, DC would not be such a violent city. If DC gun laws worked, why are there so many armed guards at the Capitol?

The elites want more government power and control while taking away liberty from the rest of us. They want to punish the guns, not the people who commit crimes with guns. They want to keep their special government protection while redlining the Second Amendment for the people. They say, ''Protection for me but not for thee''. Not much has changed since the days of the Santa Anna. Oppressive governments will always seek to limit the freedom of their citizens. Mexico eventually lost Texas and Great Britain eventually lost America. Both wars started because those in charge wanted to take guns away from the citizens. Those who seek to take guns away from Texans should open a history book. Those early Texans defied Santa Anna, hoisted the flag ''Come and Take It'', and the rest they say is Texas history.

And that's just the way it is.

HONORING JACKSON ANTHONY CARRIZZO

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jackson Anthony Carrizzo. Jax 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.

Jax has been very active with his troop, participating in many scout activities. Over the many years Jax has been involved with scouting, he has not only earned 33 merit badges, but also the respect of his family, peers, and community. Most notably, Jax has led his troop in various positions including 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. Jax has also contributed to his community through his Eagle Scout project. Jax redesigned, cleared and constructed a 70 foot stretch of walking trail in the Parkville Nature Sanctuary in Parkville, Missouri, connecting a new bridge to the walking trail and adding new approaches to the bridge.

Mr. Speaker, I proudly ask you to join me in commending Jackson Anthony Carrizzo for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING MICHAEL HIGGINS ON HIS RETIREMENT

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Michael Higgins, a professional staff member for the House Armed Services Committee, on his retirement after over 40 years of public service.

Mike's dedication to the personnel and families of the U.S. Armed Services began in 1970, when he joined the U.S. Air Force as a career personnel officer. His assignments in the Air Force included the Military Personnel Center, the Office of the Secretary of the Air Force, and a variety of unit personnel positions. After retiring as a lieutenant colonel in 1990, Mike joined the staff of the Committee on Armed Services, Subcommittee on Military Personnel, where he served for most of his 23 years on Capitol Hill. His work has affected the lives of millions of active, reservist, retired, and civilian Department of Defense men and women and their families. His expertise on all policy and fiscal matters related to the sustainment of the morale, welfare, and recreation programs of the military services, including the commissary system and military exchanges, helped ensure a high quality of life for all who have served in the military.

Mike's tireless efforts to protect and enhance the quality of life for service members resulted in many notable achievements. His early advocacy and shaping of statutes that required the military services to consider and address individual service members' deployment time helped lead the Services to recognize that frequent back-to-back deployments, combined with extensive training even when not deployed, were a detriment to readiness. His recognition of the special challenges and needs of service members also led to the drafting of the critical skills retention bonus—a very flexible tool that allowed military leaders to target bonuses and bonus amounts at retaining people with crucial military skills, such as senior special operations non-commissioned officers and intelligence analysts.

Mike also helped transform the environment supporting our service members. His oversight of the initial implementation of the Military Child Care Act of 1989 resulted in the world-class military child care system that exists today. He helped make subsistence and housing payments more consistent with the real-world conditions faced by service members and their families, and eased compensation penalties for military widows and disabled retirees. More importantly, Mike established himself as an honest broker and listener to all parties, including advocacy groups, particularly in managing the committee's response to the ''Don't Ask, Don't Tell'' policy from its inception until its repeal in 2011.

Mr. Speaker, it is with great pleasure that I recognize Michael Higgins. Mike personifies

the ideal of public service to his fellow citizens. I wish him the best in his retirement.

THE HOUSE PASSAGE OF H.R. 592

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. SMITH of New Jersey. Mr. Speaker, the House passage of H.R. 592 by the large margin of 354–72 is a substantial statement of support for the houses of worship that have done so much for those suffering in the wake of natural disasters like Superstorm Sandy. It is also a strong affirmation of the constitutionality of the bill.

RECOGNIZING WEGMANS FOOD MARKETS, INC.

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. REED. Mr. Speaker, I rise today to recognize the accomplishments and long-standing success of Wegmans Food Markets, Inc. Recently, Wegmans was named 5th in Fortune Magazine's ''100 Best Companies to Work For'' in 2012.

Since opening their first store in 1916 in Rochester, New York, Wegmans has experienced sustained growth for nearly a century, with a total of 81 store locations and a workforce of over 43,000 Americans. Even during trying economic times, Wegmans continued to grow and has plans to open additional stores, which will add more than 1,500 new jobs to the economy in the near future.

Wegmans exemplifies the American dream of entrepreneurship, and the core reason for the sustained success of this company is their workforce. By providing employees with a positive work environment with opportunities to learn and contribute to the organization, Wegmans is able to share in the success and growth of their employees.

This recognition from Fortune Magazine is just one of many accolades received by Wegmans throughout their long history and I trust there are many more to come. I hope new business owners and entrepreneurs will look to the business practices of Wegmans as an example. Additionally, I would like to thank Wegmans for not only their services to consumers, but also for their contributions to the economy and communities in my district.

HONORING CHARLIE DANIELS

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. COOPER. Mr. Speaker I rise today to pay tribute to Charlie Daniels, a Tennessean who, through his dedication to supporting our military, has touched the lives of countless servicemembers, veterans and their families.

As an American entertainer, he needs no introduction. As an advocate for our military, he has no equal. Daniels unites his devotion to those serving our country with his passion for music by visiting our troops wherever they may be stationed around the world to perform concerts at military bases.

In recent years, he has teamed with Lipscomb University in Nashville to salute those who serve through his annual ''Scholarship for Heroes'' tour. This concert raises awareness and funds for Lipscomb University's Yellow Ribbon Enhancement Program, through which the university offers a tuition-free college education to post-9/11 veterans. His support has helped the school grow its veteran student attendance from 10 to 182 in just over three years.

Today, I join the citizens of my district in honoring Charlie Daniels for his tireless commitment to honoring those who serve and working to ensure that though freedom isn't free, an education for our veterans should be.

HONORING TYLER KURT WHEELER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Tyler Kurt Wheeler. Tyler 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.

Tyler has been very active with his troop, participating in many scout activities. Over the many years Tyler has been involved with scouting, he has not only earned 32 merit badges, but also the respect of his family, peers, and community. Most notably, Tyler has led his troop in various positions including Senior Patrol Leader and is a Brotherhood Member of the Order of the Arrow. Tyler has also contributed to his community through his Eagle Scout Project. Tyler designed and led the construction of a walking bridge over a creek in the Parkville Nature Sanctuary in Parkville, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Tyler Kurt Wheeler for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF DR. RICHARD H. STULEN

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. SWALWELL of California. Mr. Speaker, I rise to honor Dr. Richard H. Stulen, vice president of Sandia National Laboratories' California laboratory and the Energy, Climate, and Infrastructure Security Mission based in Livermore, California. Dr. Stulen, who recently retired after 36 years of service, spent his career helping to make critical advances in areas of scientific research crucial to our nation's interest and security. Under Dr. Stulen's leadership, Sandia National Laboratory in Livermore has been tasked with conducting research aimed at ensuring the stewardship of our nation's nuclear weapons, defending the homeland against weapons of mass destruction, and has engaged in hydrogen fuel cell research that has the potential to revolutionize how our nation's transportation system is powered.

Dr. Stulen joined Sandia National Laboratories in 1976, and during his tenure at Sandia Dr. Stulen has played a critical role in the evolution of the research landscape in the Bay Area. In the early 1990s, Dr. Stulen helped initiate one of Sandia's first cooperative-research-and-development agreements (CRADAs) under the Department of Energy's Technology Transfer Initiative. This CRADA led to the formation of the Extreme Ultraviolet Lithography (EUVL) Program and an industry-funded $300 million, three-lab CRADA with Lawrence Livermore and Lawrence Berkeley national laboratories. This consortium agreement between the three Bay Area national laboratories helped spur further innovation and growth in these research fields within our region.

Before serving in his current role, Dr. Stulen served as Sandia National Laboratories' chief technology officer, as well as chief scientist for Sandia's Nuclear Weapons Program. Dr. Stulen's extensive contributions to science were honored with Lockheed Martin's prestigious NOVA award for Technical Excellence in 1999.

Mr. Speaker, Dr. Stulen has provided outstanding leadership in a variety of research fields that are incredibly important to our national security. I am honored to recognize his decades of leadership in service to Sandia National Laboratories, the research landscape of the San Francisco Bay Area, and to the nation at-large. I wish him the best of luck as he begins this new chapter of his life.

RECOGNIZING THE BUSINESS ALLIANCE FOR COMMUNITY HEALTH (BACH)

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. COURTNEY. Mr. Speaker, I rise to recognize the Business Alliance for Community Health (BACH), a membership organization of the Eastern Connecticut Health Network (ECHN) which is located in my district. Through its initiatives and extensive corporate partnerships, BACH supports health programs in eastern Connecticut that benefit individuals and families and businesses as well as lower the costs of health care delivery.

Since inception, BACH has helped businesses in my district promote health-related education, including health and wellness and workplace safety. The Alliance has also served as an educational resource to the community on health care changes in the pipeline from the Affordable Care Act. BACH's efforts have also focused on increased awareness of the services and programs of ECHN and its affiliated physicians, which have and continue to provide high quality, cost-effective care. Of additional note, BACH has helped promote local business networking, which has supported a ''buy local'' campaign.

Mr. Speaker, I am proud to recognize BACH's continued contributions to eastern

Connecticut. Our nation continues to face challenges in lowering health care costs and organizations like BACH are providing leadership to meet these challenges.

PERSONAL EXPLANATION

HON. GLORIA NEGRETE McLEOD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mrs. NEGRETE McLEOD. Mr. Speaker, on rollcall No. 38, had I been present, I would have voted "no."

RECOGNIZING THE 45TH ANNIVERSARY OF THE BOB BONDURANT SCHOOL OF HIGH PERFORMANCE DRIVING

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. SALMON. Mr. Speaker, I rise today to congratulate the Bob Bondurant School of High Performance Driving in Phoenix, Arizona on their forty-fifth anniversary.

After racing since a teenager, Bob Bondurant was in a tragic accident during a race flipping his car eight times, injuring his ribs, legs, feet, and back. Determined to help drivers of all levels avoid accidents like his own, Mr. Bondurant took his passion of racing and turned it into an opportunity to advise and instruct others. On February, 13, 1968, he opened the Bondurant Driving School with three cars and three students. From this small start, the Bondurant School grew and in 1990 opened their purpose-built driver training facility in Phoenix, Arizona—the Firebird Raceway.

The world-famous Bondurant School established a name for themselves by sticking to their core principle and driving motivation to offer professional and everyday drivers with the best track-intensive training in the world. Throughout their forty-five years in operation, the Bondurant School has trained more than four-hundred thousand people to become safe and effective drivers both on and off the racetrack.

This milestone is a shining reminder of how core principles, hard-work, close friends, and a passion for your work produce lasting results. Today, I am pleased to call on my colleagues to join me in congratulating the Bondurant racing family on their impressive accomplishment and core ethos of driver safety.

HONORING U.S. ARMY SPC. TRAVIS RYAN VAUGHN FOR HIS SERVICE AND SACRIFICE

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. BRALEY of Iowa. Mr. Speaker, today, I am here to honor and celebrate the life of a brave American patriot, United States Army Specialist Travis Ryan Vaughn. Travis left us on February 18, 2007, when the CH–47 Chinook helicopter he was in, lost power and crashed while conducting operations in support of Operation Enduring Freedom in southeastern Afghanistan.

Travis, a proud Iowan, was born on September 1, 1980 in Waterloo, and grew up in Cedar Falls, graduating from Cedar Falls High School in 1999. He joined the Army in 2003 and went on to earn various medals and decorations, including the Army Commendation Medal, Army Good Conduct Medal and National Defense Service Medal.

Travis' memory lives on through his family, who every year collects food and household items from residents of Northeastern Iowa which are donated to Iowa veterans. Travis has also been honored with a memorial marker at Cedar Falls High School which was donated by Flags for Freedom Outreach.

As we come upon the 6th year of Travis' passing, we are reminded of the sacrifice our young American men and women make in service to their country. His family's efforts and the generosity of Northeastern Iowans ensure that Travis is 'never forgotten.'

HONORING JACOB B. HODSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jacob B. Hodson. Jacob 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.

Jacob has been very active with his troop, participating in many scout activities. Over the many years Jacob 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, Jacob has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Jacob B. Hodson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

KENT STATE UNIVERSITY'S WASHINGTON PROGRAM IN NATIONAL ISSUES CELEBRATES ITS 40TH ANNIVERSARY

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. RYAN of Ohio. Mr. Speaker, I rise today in recognition of Kent State University's Washington Program in National Issues, known as WPNI. On April 23, 2013 WPNI will celebrate its 40th Anniversary. This anniversary marks not only WPNI's 40th year in Washington, DC, but also symbolizes the impressive achievements of faculty, staff, alumni, and students who are and have been dedicated to the success of WPNI. Dr. Lester Lefton President of Kent State University has been a very strong supporter of the program and has contributed significantly to its continued success.

WPNI has three primary objectives: (1) to facilitate learning of the U.S. political system and policy issues and its policy issues; (2) to develop and understanding of the interrelationship of public issues and structures of government; and (3) to encourage individual initiative and provide for experiences and research. Dr. Lefton and Dr. Richard Robyn the program's director have worked extremely hard to ensure that these objectives are met.

WPNI is a full 15-week academic program offered each spring semester by Kent State University since its creation in 1973, WPNI has sent more than 600 selected juniors and seniors from various backgrounds and academic disciplines to Washington, DC to live, work, and study. Throughout the course of the program, students are required to participate in the academic curriculum and maintain an internship position in government, a company, or an organization of their choice. The academic and professional benefits this program brings to its students are extraordinary. At the same time government agencies, companies, and organizations benefit enormously. I know this first-hand because I have had the good fortune of having several students intern in my Washington office over the years.

I commend Dr. Lefton, Dr. Robyn and those at Kent State involved in the continuation of this meaningful program. I also congratulate the students who have in the past 40 years taken part in this wonderful experience. I am certain that with continued support the Washington Program in National Issues will celebrate many more anniversaries to come.

HONORING THE LIFE OF THE BELOVED VISIONARY AND ADVOCATE SUZANNE ROSENTHAL

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. CRENSHAW. Mr. Speaker, I rise today to celebrate the life of the beloved visionary and advocate, Suzanne Rosenthal who passed away on Sunday, February 10, 2013. Suzanne was a fearless, determined and courageous woman who turned her diagnosis of Crohn's disease in 1955 into a legacy that has gone on to help hundreds of thousands of people over the years. She dedicated her life to spreading awareness about Crohn's disease and ulcerative colitis, supporting and educating patients and funding research to find cures. In 1967, along with her husband, Irwin M. Rosenthal, William D. and Shelby Modell, and Henry D. Janowitz, MD, she founded the National Foundation of Ileitis and Colitis, now known as the Crohn's & Colitis Foundation of America (CCFA).

Suzanne held many key volunteer positions at CCFA. She was a former president of the Greater New York Chapter and served as National Chairperson of the Board from 1987 to 1991. She served as Chairperson Emeritus of CCFA's Government Affairs Task Force and champion in all advocacy efforts of the Foundation. Suzanne received CCFA's distinguished Public Policy Pioneer Award for her tireless advocacy efforts on behalf of IBD patients everywhere. The award was presented at CCFA's First National IBD Advocacy Conference, held in Washington, D.C. in June

2003. Keeping in line with her tireless support of IBD patients and their families, as President of the Greater New York Chapter, she initiated the support group model that has since been implemented as CCFA's national network of support groups.

Suzanne was also the Founder and past President of the Digestive Disease National Coalition (DDNC). The DDNC comprises more than 32 patient groups and professional societies, representing the research and healthcare legislative interests of people who suffer from digestive disorders. In addition, she was an active leader in many digestive disease-related health forums and committees, holding the following positions: member of the Advisory Council, National Institute of Diabetes & Digestive & Kidney Diseases, National Institutes of Health; chair of the Workgroup on Education of Public and Patients and Supporting Resources of the National Commission on Digestive Diseases; and member of the Advisory Committee and Executive Committee of the National Digestive Disease Information Clearinghouse.

Under Suzanne's direction, CCFA and DDNC have been consistent and effective voices for digestive disease research within the National Institutes of Health, including funding for the National Institute of Diabetes and Digestive and Kidney Diseases, and other related institutes and agencies within the Public Health Service. She is recognized by the research community, CCFA and the DDNC as a loyal ally and a valuable resource in creating public awareness of digestive diseases, as well as a strong partner in the effort to develop new treatments and improve medical understanding of these conditions.

Most recently, with Suzanne's guidance, I worked along with CCFA to establish the Congressional Crohn's and Colitis Caucus. In memory of Suzanne's contributions, CCFA and DDNC will continue to work together to improve the lives of patients with digestive diseases.

Mr. Speaker, I ask you to join me in this very special congressional salute to this leader and advocate, Suzanne Rosenthal.

IN HONOR OF THE OPENING OF PINNACLES NATIONAL PARK

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. FARR. Mr. Speaker, I rise today to honor the opening of Pinnacles National Park, the 59th National Park in the United States. I want to thank Secretary of the Interior Ken Salazar for joining us to celebrate the opening of Pinnacles National Park on February 11, 2013.

Pinnacles truly is a special place. There are few words that can describe the feeling of watching a California condor spread its massive wings as it soars high above the volcanic spires or the beauty of the Park's wildflowers painted upon the landscape by the springtime sun.

Native Americans were the first to discover the cliffs of Pinnacles. The Chalon and Mutsun groups of the Ohlone people lived here thousands of years ago. This place was more than just a home to these native tribes; it was the center of their community. As our nation spread west and homesteaders began to settle on the Central Coast, they too were drawn to this spot. Led by Schuler Hain, who the wilderness of Pinnacles is now named for, they would hike into the park to explore the Talus Caves or picnic in the open meadows. Realizing that this was a special place worthy of protection for generations to enjoy, Schuler Hain gathered the community and preservation efforts were launched. Then, in 1908 President Theodore Roosevelt established Pinnacles National Monument. A century later, understanding the economic potential of a National Park designation, surrounding counties again turned to Pinnacles as a means to support their communities.

I would like to thank Representative JEFF DENHAM, who co-sponsored the bill, Senator BARBARA BOXER for championing the bill in the Senate and President Obama in making Pinnacles a national park thus achieving the dream of Schuler Hain and President Theodore Roosevelt.

I can't help but think of the pride my father, who as a state Senator protected so many special places here in California, would have felt if he were alive to see the creation of the ninth national park here in his home state. I also think of my friend and my first campaign chair, Ansel Adams, whose iconic photographs captured the unbelievable beauty of this country, inspiring a whole new generation of Americans to experience our other great parks. Finally, I think of the Ansel Adams of this generation, Director Ken Burns, a supporter of elevating Pinnacles to a national park, whose documentary series National Parks: America's Best Idea captured the story of our country's efforts to set aside land for protection.

He and his business partner, Dayton Duncan wrote:

"National parks are truly 'America's best idea,' an idea that for nearly 150 years has kept evolving and expanding, not just in the United States but across the entire world. It is the Declaration of Independence written upon the landscape, a statement that a nation's most majestic and sacred places should be preserved for all time and for everyone . . .

"Pinnacles National Park, like so many in our history, is the result of the dedication of individual citizens who worked tirelessly to save a special place they loved, so that others could love it and appreciate it as well. It has a deep history that matches its beauty . . .

"We cannot think of a better way to express our feelings than to quote John Muir, who had this to say about the people responsible for the birth of a new national park: 'Happy will be [the ones] who, having the power and the love and the benevolent forecast [to create a park] will do it. They will not be forgotten. The trees and their lovers will sing their praises, and generations yet unborn will rise up and call them blessed.'"

Mr. Speaker, I'm proud to call Pinnacles a national park. I encourage all Americans to come visit this truly special place and be inspired to go home and preserve the special places in their own communities.

IN RECOGNITION OF THE AFRICAN AMERICAN COMMUNITY OF QUAKERTOWN

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. BURGESS. Mr. Speaker, I rise today to recognize the dedication of the State of Texas' Historical Commission with the placement of an Official Texas Historical Marker on behalf of the African American Community of Quakertown.

In the early 1880s, Quakertown emerged as a thriving African American community in the heart of Denton, TX. Quakertown flourished through 1920, its growth due in part to its location near the city square and the opportunities it provided for African Americans. The community was bounded by Withers Street on the north, Oakland Avenue on the west, Bell Avenue on the east, and by Cottonwood and Pecan Creeks on the South. Although many residents worked for businesses on the nearby city square, at the College of Industrial Arts (now Texas Woman's University), and as servants for white households, Quakertown prospered as a self-supporting community. Several churches, a physician's office, lodges, restaurants, and small businesses joined homes to line the streets of the community. The neighborhood school, the Fred Douglass School, burned in Sep. 1913 and was rebuilt along Wye Street in Southeast Denton in 1916, foreshadowing events to come.

By 1920, the proximity of Quakertown to the growing College of Industrial Arts and the civic-minded interests of Denton's white residents threatened the future of Quakertown. Many believed that it was in the best interest of the College and the Denton community to transform Quakertown into a city park. In Apr. 1921, with little input from its residents, the City voted 367 to 240 in favor of a bond to purchase Quakertown. More than 60 families lost their homes. The majority of the displaced residents relocated to southeast Denton on 21 acres of land, platted as Solomon Hill, sold to them by rancher Albert L. Miles. Others, including many Quakertown Community leaders, chose to leave Denton altogether. By Feb. 1923, Quakertown had disappeared in the midst of the new park's construction.

The Texas Historical Marker commemorating the site was approved by and paid for by the Texas Historical Commission as one of a select group of applications made each year to recognize undertold stories. The selection was a result of a successful 2010 application by the Denton County Historical Commission, supported through the efforts of the Denton Public Library and the Denton Parks and Recreation Department.

It is my honor to recognize these organizations and the efforts of the individuals involved and to represent Denton County and the City of Denton in the House of Representatives.

HONORING CHIEF PETTY OFFICER CHRIS KYLE

SPEECH OF

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 13, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, I solemnly stand today to honor and pay respect to a true American patriot, a devoted father, and a loving husband, Chief Petty Officer Chris Kyle. Sadly, on February 2, 2013, Chris and close friend Chad Littlefield were tragically killed on a remote ranch in Texas while attempting to help a troubled veteran who was suffering from post-traumatic stress disorder. Chris leaves behind his lovely wife Taya, and their two children.

Born on April 8, 1974 in Odessa, Texas, Chris began shooting and hunting with his father when he was eight years old. After an accident ended a short-lived career as a professional bronco rider, Chris was moved from within to satisfy his life-long desire to serve his country and join the military. Chris enlisted in the United States Navy, and ultimately worked his way to becoming a member of the United States Navy's Sea, Air, Land Teams, also known as the U.S. Navy Seals, one of our nation's most elite group of special forces units.

From 1999 to 2009, Chris served four tours in Iraq as a member of SEAL Team 3 where he was involved in every major battle of Operation Iraqi Freedom. Throughout his time in Iraq, Chris' courage and heroism in battle earned him the title and honor of the most elite sniper in U.S. history.

Feared for his deadly accuracy, Chris was nicknamed The Devil of Ramadi by insurgents, and recorded a record 150 confirmed kills—one of which was a 2,100-yard strike, 1.2 miles away. More importantly however, Chris is most remembered for his selfless and unwavering ability to protect American troops while perched on rooftops. In fact, despite being shot twice and directly involved in multiple IED explosions during his tours, Chris always made doing his job and his fellow teammates his top priority. For his bravery, Chris was awarded two Silver Stars, five Bronze Stars with Valor, two Navy and Marine Corp Achievement Medals, and one Navy and Marine Corps Commendation.

In 2009, Chris retired from his military career in order to dedicate more time to his wife and family. Shortly after, he released his New York Times bestselling autobiography, American Sniper, which shares his battle experiences and sheds light on the true sacrifices that service members and their families endure. Unprepared for the books immediate success, Chris ultimately donated proceeds from the book to the families of fallen service members. For those that knew Chris personally, this was nothing out of the ordinary.

Chris was not just an exemplary soldier; he was a successful businessman, a trusted friend and team member, and a devoted husband, father, and son. He lived by the professional motto, "It is our duty to serve those who serve us." This principle became the driving force behind his decision to found Craft International, a military and law enforcement training and security company, as well as help create Fitco Cares Foundation, a nonprofit organization that helps veterans overcome post-traumatic stress disorder and adjust to civilian.

As a former veteran myself, I truly understand the sacrifices Chris and his family made for our great country. Chris' devotion to a higher calling and his commitment to God, Country, and Family should serve as a constant reminder that freedom isn't free. We all owe a debt to men and women like Chief Petty Officer Chris Kyle.

Mr. Speaker, I would ask that my colleagues join me in honoring Officer Chris Kyle, a true American hero and a man of great principle. I extend my deepest condolences to Chris' family, and my thoughts and prayers are with them as they move forward in Chris' honor.

RECOGNIZING SIX GRADUATING SENIOR BASKETBALL PLAYERS AT BUFFALO STATE COLLEGE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize six outstanding members of the senior class at Buffalo State College. Four members of the men's varsity basketball team, Anthony Hamer, Jake Simmons, Seth Runge, and Ken Owusu, and two members of the women's basketball team, Erica Derby and Alicia Bowman, will graduate this spring. I commend each of these students for their contributions to Buffalo State, and congratulate them at the culmination of their illustrious collegiate athletic careers.

Scholar athletes have the unique challenge of balancing the academic demands of undergraduate work with the physical demands of a collegiate sports program. Full participation in each requires incredible discipline and commitment. Each student athlete is accountable not only to themselves, but to their teammates, coaches, and greater campus community.

Despite such great expectations, Anthony, Jake, Seth, Ken, Erica and Alicia have excelled. Each will earn their bachelor's degree. Jake has the distinct honor of scoring the most points in the history of Buffalo State men's basketball. As an alumnus of Buffalo State College myself, I will be proud to call them fellow alumni.

Mr. Speaker, I thank you for allowing my colleagues to join me in recognizing these exceptional Buffalo State Bengals and wishing them the best as they complete their undergraduate careers. I have no doubt their work ethic and determination will bring them success in all their future endeavors.

SCIENCE DIPLOMACY IN THE MIDDLE EAST

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Ms. SCHAKOWSKY. Mr. Speaker, 2013 will mark the 10th anniversary of a unique and historical gathering of scientists from 15 Middle East countries: Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Palestinian Authority, Qatar, Saudi Arabia, Syria, Turkey and United Arab Emirates. In 2003, the first conference, "Frontier of Chemical Sciences: Research and Education in the Middle East—A Bridge to Peace," was held on the Mediterranean island of Malta. These conferences later came to be known as "The Malta Conferences."

In each of the conferences, scientists meet for five days with six Nobel Laureates to work on scientific issues of importance to the region: Air and Water Quality, Alternative Energy Sources, Nanotechnology and Material Science, Medicinal Chemistry, and Science Education for All Levels. Since 2003, five conferences were held. By invitation from UNESCO, Malta V was held at UNESCO's Headquarters in Paris in December 2011. The conference was opened by the Director General of UNESCO, Irina Bokova, and followed by a speech by HRH Prince Hassan of Jordan on his vision for the new Middle East.

Although acts of war and terrorism have destabilized the political and economic climate in the Middle East and around the world, it remains possible for scientists from opposing sides of the political and cultural conflict to meet in an attempt to forge relationships that bridge the deep chasms of distrust and intolerance.

In the Middle East, it is especially important that stable, mutually respectful, personal relationships be created that will enhance research interactions and collaborations, contribute to a more peaceful atmosphere, encourage international development, help establish a more favorable environment for regional peace and security, and foster further growth in regional scientific and technological cooperation. This is the goal of the Malta Conferences.

In 2012, the Malta Conferences Foundation was established as a nonprofit organization and my great friend and constituent Zafra Lerman was elected its president. Like other people who foster social change, she too had a dream. The fulfillment of this dream was the Malta Conferences.

Zafra Lerman is a world-renowned scientist and science educator. She received her Ph.D. from the Weizmann Institute of Science in Israel and conducted research on isotope effects at Cornell University, Northwestern University, and at the Swiss Polytechnic in Zurich, Switzerland. Professor Lerman developed an innovative approach of teaching science to non-science majors by integrating science with the arts, and with students' personal interests and cultural backgrounds. These methods have received national and international recognition. She has been invited to lecture on her methods all over the U.S. and around the world.

For the past 25 years, she has worked tirelessly on behalf of dissidents all over the world. She chaired the Committee on Scientific Freedom and Human Rights for the American Chemical Society (ACS). At great risk to her personal safety, she has worked within the Soviet Union, China and other countries and has succeeded in preventing executions, releasing prisoners of conscience from jail and bringing dissidents into freedom.

Professor Lerman has received many national and international awards. In 1999, she received the Presidential Award for Excellence in Science, Mathematics and Engineering Mentoring from President Clinton. In 1998, she received the Kilby Laureate Award for extraordinary contribution to society through science,

technology, invention, innovation and education. In 2003, she was the recipient of the American Chemical Society's (ACS) Parsons Award in recognition of outstanding public service to society through chemistry. The Royal Society of Chemistry in England awarded her the 2005 Nyholm Award, and the New York Academy of Sciences presented her with the 2005 Heinz Pagels Human Rights for Scientists Award. She received the 2007 George Brown Award for International Scientific Cooperation from the U.S. Civilian Research & Development Foundation (CRDF). In 2011, she received an award for Stimulating Collaborations and Ensuring Human Rights by the International Conference on Chemistry for Mankind in India.

The capstone of her career is her work on the Malta Conferences. The Malta Conferences are the only platform where scientists from 15 Middle East countries are collaborating and cooperating on scientific issues as well as developing professional and personal relationships with each other. The common language of science is used for science diplomacy, which serves as a bridge to peace, tolerance and understanding in the Middle East and improves the relationships between the Muslim countries and the U.S., and between the Arabs, Iranians and Israelis.

IN HONOR OF BOBBY MOEGLE

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. NEUGEBAUER. Mr. Speaker, I rise today to honor Bobby Moegle, a coaching legend from Lubbock, Texas. Coach Moegle was recently inducted into the 2012 Class of the Texas Sports Hall of Fame for his outstanding coaching career and contributions to the community.

Coach Moegle was the first baseball coach Monterey High School hired and he kept that title for the next 40 years. His career record was an astounding 1,115–267. He won four state championships in 1972, 1974, 1981 and 1996. Additionally, his teams won 33 district championships. In 1972 he was named the National Baseball Coach of the Year.

Players respected Coach Moegle both on and off the field. More than 100 of his players made it to the collegiate level and 20 signed professional contracts. Coach Moegle built a baseball program on the High Plains that was the envy of the region. His teams were usually considered to be among the best mentally and physically prepared on the baseball field. Their intense practices and weight training programs paid dividends in the form of consistent winning seasons.

Beyond his winning record, Coach Moegle was a great mentor for his players and students. He is still very highly respected in the Lubbock community and across Texas. Many of his former players acknowledge the skills and habits they learned under Coach Moegle prepared them for the many challenges of life that came after high school.

Mr. Speaker please join me in recognizing Coach Moegle for his outstanding coaching career. Monterey High School and the City of Lubbock were truly blessed to have someone of the character and integrity of Coach Moegle to teach our kids the lessons of baseball and life for so many years.

CELEBRATING THE LIFE OF LLOYD ANDRE ROLLINS

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. STIVERS. Mr. Speaker, I rise today to celebrate the life of Lloyd Andre Rollins of Columbus, Ohio. A true American hero, Mr. Rollins' service here on earth came to a close on January 30, 2013. An Ohioan and veteran of the United States Air Force, he is among the countless number of fearless warriors and veterans who have devoted their lives to serving our great nation.

In 1957, Mr. Rollins began his service in the United States Air Force. He was later transferred to the Department of State and sworn into the U.S. Foreign Service, where he served for 27 years. Mr. Rollins was awarded a Medal of Valor after he was taken hostage during the 1979 siege of the United States Embassy in Tehran, Iran.

Mr. Rollins is survived by his wife, Judy, and his two daughters, Patricia and Terri. As I pray for the family and friends of Mr. Rollins, I ask that all Members of Congress join me in offering our deepest appreciation and gratitude for his life and service to this country.

THE MEDICAL RESEARCH PROTECTION ACT OF 2013

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce the Medical Research Protection Act of 2013. This bill will protect our national investments in biomedical research from impending automatic federal budget cuts. If we do nothing, these automatic budget cuts or "sequester" will cancel $85 billion in federal spending between March 1 and September 30, including roughly $2 billion from the National Institutes of Health budget. That amounts to a failure to fund or renew funding for some 2,000 grants at America's research universities, where the world's top scientists are discovering treatments for diseases like cancer, diabetes, Alzheimer's, and HIV/AIDS. This bill would ensure that NIH's budget is protected for the balance of this fiscal year.

I have opposed the sequester—a senseless and irresponsible approach to deficit reduction—since day one. I voted against the bill that put the sequester in place, and I have sponsored a bill with my colleagues in the Progressive Caucus to remove the entire sequester, to protect critical programs like Medicare, Head Start, Community Health Centers, and so many other priorities.

That said, Seattle's economy relies uniquely on federal funding for biomedical research. Science and technological innovation is the lifeblood of our local economy and a source of tremendous civic pride. The University of Washington receives more federal funding than any other public university in the nation, and is the state's third largest employer. The great majority of the UW's federal funds come from the NIH. This academic hub creates a spillover effect in the private sector that has made Seattle one of the brightest destinations for scientists the world over. It is no exaggeration to say that sequestration of research funding threatens the heart of Seattle's economy, which is why I am introducing a standalone measure today to stop cuts to the NIH.

To be clear, this bill will turn off the sequester for NIH from the period of March 1, 2013 through September 30, 2013, and reduce the amount of the sequester by that amount to avoid deeper cuts to other programs.

HONORING THE 90TH BIRTHDAY OF PAUL WOODS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize the extraordinary life and service of Paul Woods as he prepares to celebrate his 90th birthday on February 20th, 2013.

Paul Woods was born in Basemore, Alabama, to Nora Fiels Woods and Anderson Sherman Woods. From an early age, the foundation of Paul's life was his family. Paul's family included six brothers and sisters in addition to seven half-brothers and sisters through his father. Sadly, Anderson Woods passed away when Paul was seven years old. Surviving relatives split up the seven children in order to care for them, leaving Paul to be raised by his wealthy Uncle Henry.

In 1941, at age 17, Paul enlisted in the United States Army. He was immediately deployed to the Philippines to fight in World War II. Despite the Army's imposed racial segregation, Paul cared for his fellow soldiers like family, believing "a bullet knows no race, rank, or status. We were all brothers on the battlefield."

Paul took great pride in his service, and often told his children of landing on the Philippine shoreline in LST990 boats. Paul earned three Bronze Stars in the Philippines for his actions in combat. After his tour of duty, Paul served in the Military Occupation Specialties, delivering ammunition across the continent of Australia. In 1945 he was granted an honorable discharge.

After returning home to Birmingham, Alabama, Paul met Mary T. Lucas, the love of his life. In 1953, the couple moved to Buffalo, and would reside in Western New York for the rest of their 59 year marriage. Paul began a 31 year career at Bethlehem Steel in July 1954, often working 16 hour days and nine shifts a week to support his family. In 1966, the Woods family moved to Angola, New York, but Paul continued to commute to Bethlehem Steel until the plant closed.

Paul and Mary's family expanded to fourteen children over the course of their 59 year marriage. A true patriarch, Paul's greatest joy came from building his beautiful, thriving family. Paul believed in education as a tool to foster love and acceptance, and raised his children to value the same. All fourteen children attended college, and five followed their father's footsteps in the armed forces. As Paul's children had children of their own, Paul helped

raise his nineteen grandchildren and eleven great-grandchildren, often commuting from Angola to Buffalo to pay them a visit.

In addition to their biological family, Paul and Mary opened their door and hearts to countless foster children. As licensed foster care providers for Randolph Child and Adolescent Services, Paul and Mary were honored as "Foster Parents of the Year" in 1997.

Mr. Speaker, I thank you for allowing me a few moments to recognize Paul Woods. I am inspired by his boundless capacity for love and devotion to his family, and I am proud to celebrate his life here today. I am proud to celebrate his 90th birthday here today, and I wish him good fortune for many years to come.

HONORING KEN BERRY

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the memory of one of my constituents, Ken Berry of Richmond, Indiana.

Ken was a loving husband to Debbie Berry, a vital member of my congressional staff who previously served in the office of former Representative Mike Pence. Ken brought joy, love, and laughter to those around him and was a wonderful partner in life for his entire family.

A longtime member of Oak Park Church in Richmond, Ken enjoyed singing and gospel music. He was a small business owner and known around the region as an impressive auctioneer with a matching personality—warm, friendly, and instantly approachable.

Ken and his family's dedication to the people of Indiana will be forever appreciated. I ask the entire 6th Congressional District to keep Debbie, son Matt, and the entire Berry family in your thoughts and prayers.

TRIBUTE TO RUSSELL WALLING

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. CALVERT. Mr. Speaker, I rise today to honor and pay tribute to a dear friend of mine, Russell Walling. Russell passed away on Tuesday, February 5, 2013. A long time resident of Riverside, California, he was a pillar of the community and he will be deeply missed.

Russell was born December 7, 1917 in Douglas, Arizona, the son of Luther and Francis Walling. His family relocated to Riverside in 1927, where he attended Lowell Elementary School, Riverside Polytechnic High School and Riverside Community College. Following graduation he worked as a draftsman for the noted architect G. Stanley Wilson, and later moved to Los Angeles to work for a large architectural firm. Russell met the love of his life, LouElla Scott, at See's Candy where she worked and the two were married in 1941. Russell served his country honorably as a Lieutenant in the Navy Seabees during World War II.

After the war he returned to Riverside to work with his father, forming L.A. Walling & Son. Together they built many homes in the Wood Streets area, including Prince Albert Estates, the first exclusive custom tract homes in Riverside. In the mid-1950s Russell started Russell Walling, Inc. to continue residential building. His first commercial project was an A&W restaurant on University Avenue in Riverside. Over the years he built many large commercial buildings in Riverside, such as DeAnza Chevrolet, Caddock Electronics and Johnson Tractor. Russell's proudest accomplishment was the construction of an extensive complex of buildings for Bourns Incorporated, which won Building of the Year in 1962. In the early 1970s he built Los Amigos, the first private upscale condominiums on Victoria Avenue. In the late 1970s he purchased the original Security Pacific Bank building on the corner of University & Main, now known as the Walling Building.

It is hard to imagine that Russell would have any free time on his hands yet he always found time for his community. He had served as President of Riverside's Chamber of Commerce and Citizen of the Year; President of the Riverside Rotary Club; President of the Riverside Community Hospital Board; and President of the Monday Morning Group. A longtime member of the Victoria Club where he was first a caddy in his early years, and later an avid golfer, Russell and George Champion spearheaded a major three year renovation of the Victoria Club in the 1990s. Russell loved the outdoors and spent many years with his family at their trailer on the beach at El Morro near Laguna. He loved and cherished his time with family, especially his children and grandchildren. Russell and LouElla traveled extensively throughout Europe, Asia and South America. They spent many happy years doing annual fishing treks to Whaler's Cove off the rugged coast of Alaska's Admiralty Island.

Russell was preceded in death by his beloved wife of 69 years, LouElla; his brother Foster and sister, Mary. He is survived by his daughter Lee Walling Good of Grants Pass, Oregon; his son Terry Walling and daughter-in-law Cathleen of Riverside; grandchildren, Karen Lalonde of Greenwood, South Carolina; Tracy Cauble and Susanne McGee of Grants Pass, Oregon; David Good of Greenville, South Carolina; great grandchildren, Marrissa, Kaitlyn and Steven Franquez, Shelby and Caden Morrison, Madalyn and Gregory Cauble, and Jakob and Lukas McGee; and great great granddaughter Mya Franquez.

On Wednesday, February 13, 2013, a memorial service honoring Russell's life was held at the First Christian Church in Riverside. Russell will always be remembered for his incredible work ethic, generosity, contributions to the community and love of family. His dedication to his family, work, and community are a testament to a life lived well and a legacy that will continue. I extend my condolences to Russell's family and friends; although Russell may be gone, the light and goodness he brought to the world remain and will never be forgotten.

THE NATIONAL RUNAWAY SWITCHBOARD BECOMES THE NATIONAL RUNAWAY SAFELINE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize the National Runaway Safeline, which changed its name last month from the National Runaway Switchboard.

The NRS was established in 1971 to fill a need for comprehensive crisis intervention for young people in Chicago. It was conceived as a centralized organization with free 24-hour services, expertise in all youth-related issues and as an information clearinghouse of youth services.

In 1974, NRS received an eight-month federal demonstration grant to establish a national hotline for runaway, homeless, and at-risk youth. The need for the service was clearly demonstrated over the eight-month period, during which time 11,000 calls were received. Since then, its capabilities and services have grown considerably, now handling over 100,000 calls each year.

Since its founding, NRS grew into a national organization and expanded its crisis intervention offerings to include bulletin boards, crisis emails, and live chat. Recognizing that the term "switchboard" does not reflect the various ways youth in crisis can connect with its services, the organization has changed its name to the National Runaway Safeline.

The organization maintains its holistic and expert crisis intervention model focused on addressing at-risk issues immediately. Its services remain confidential, anonymous, and available 24/7, providing a comprehensive connection to more than 10,000 different organizations and resources for at-risk youth and their families. The organization continues its service as the federally-designated communication system for runaway and homeless youth.

As a strong advocate of helping homeless individuals and as a long-time supporter of the organization, I am pleased that the NRS will continue its mission to help keep America's runaway, homeless and at-risk youth safe and off the streets. We are proud to have this nationally-recognized effort housed in Chicago, and I congratulate Maureen Blaha and her staff for their vision and leadership.

I welcome this opportunity to celebrate the growth, progress and impact that the National Runaway Safeline has had in the last 42 years and will continue to have in the decades to come.

PERSONAL EXPLANATION

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. REED. Mr. Speaker, I write to inform you that I was detained on February 6, 2013, and was unable to be on the House floor for the vote on H.R. 444. Had I been there, I would have voted a "yea" on rollcall 38: Final passage of H.R. 444.

ENDANGERED TEXAS TREASURES—TEXAS COURTHOUSES

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. POE of Texas. Mr. Speaker, no matter where I go, I always meet someone who wants to share a memory about my former life as a criminal court judge in the Harris County courtrooms. Most times, people reminisce about some of the creative punishments that I handed down or about the time they served jury duty in my courtroom. But, sometimes the conversation turned to the courthouse itself, or as I call it, the Palace of Perjury.

I presided over more than 25,000 criminal cases in the Palace of Perjury for 22 years. My particular courtroom was massive. Paneled in a dark wood, it gave off an ominous, serious mood. As it should—some of the worst and most horrid crimes were tried within its walls.

That courthouse—now the Juvenile Courthouse in Harris County—was just one of 235 courthouses in Texas. Each is a symbol of our state's rich history and a symbol of our promise to follow the law and pursue justice. Courthouse construction began in Texas after it won independence from Mexico in 1836. Counties were formed and courthouse construction began in each. Because the counties were booming and populations were increasing, many courthouses served multiple purposes: schools, churches, dancehalls and meeting places, not just a place to settle legal issues. Courthouses became the heart of the town—or the ''square'' of the town. Here Main Street businesses grew, and communities were shaped. Trials, elections, marriages, parades and festivals are forever linked to our historic courthouses.

At times as a judge, I traveled to other counties to try cases. Along the way, I began to photograph Texas' historic courthouses. I was drawn to their impressive and varied architecture. Built with bricks, stone, and stained glass, some have clock towers; others have domes. Each is unique. I like the Renaissance Revival style of the Anderson County Courthouse and the Romanesque Revival style of Fayette County Courthouse in La Grange. Some like the Newton County Courthouse known for its Second Empire style, while others like the La Salle County Courthouse known for its Moderne-style structure.

Along the way, I learned that other Texas officials shared my love and admiration for our State treasures. In 1993, my friend and then-Governor George W. Bush, together with the Texas Historical Commission, established the Texas Historic Courthouse Preservation Program, a plan that provided $200 million in matching grants to communities working to repair and restore these structures. By the end of 2012, 63 Texas counties have received full funding for their construction project. That includes the Harris County Courthouse—''the Jewel of the South.'' Built in 1910, restoration on the courthouse was available through funding from the Texas Historic Courthouse Preservation Program and was completed last year. There's a lot of history in our great State, and it's our responsibility to preserve this rich heritage for future generations.

In 1998 and again in 2012, the National Trust for Historic Preservation named all historic courthouses in Texas to its annual list of America's 11 Most Endangered Historic Places. Some of those historic courts are located in rural counties with limited funds, but are in need of insurmountable repairs. Unfortunately, some are on the brink of abandonment or demolition. Budgets are tight all around, but I think these treasures are worth saving.

This spring break and summer, as you pack up the family and head across our great state, get off the interstates and drive downtown to any Main Street. There you can share a little Texas history with your kids and grandkids. On each Main Street is a Texas treasure. And that's just the way it is.

HONORING THE LIFETIME OF ACHIEVEMENTS AND CAREER OF DR. SAMUEL LAMAR WRIGHT, SR.

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Ms. CASTOR of Florida. Mr. Speaker, I rise today to honor the lifetime of achievements and career of Dr. Samuel Lamar Wright, Sr. Dr. Wright's desire to help others, along with his achievements and service to the Tampa Bay community is worthy of recognition by all.

A native Floridian, Dr. Wright grew up in Boynton Beach. In 1974, he graduated, with honors, from the University of Florida with a degree in Psychology from the College of Arts and Sciences and a degree in Psychological Foundations from the College of Education. He later continued his studies at the University of South Florida where he completed his doctorate in Special Education Administration and Supervision.

After serving as the first black City Councilman in Boynton Beach, Dr. Wright moved to Tampa in 1985. He was hired by the University of South Florida to plan, create and coordinate student programming for minority students. At the time, black students accounted for less than 5 percent of the student population. He made it his mission to improve student enrollment for minorities. He later served for 13 years as the university's assistant director for multicultural admissions, allowing him to recruit, enroll, mentor and retain minority students, fostering diversity on USF's campus. After serving as associate dean of student relations and director of multicultural affairs at USF, Dr. Wright is now the USF student ombudsman, a position where he cherishes the opportunities to mentor students through the challenges of college and cheer on their successes.

Aside from his accomplishments with the University of South Florida, Dr. Wright's commitment to the Tampa Bay community has been unwavering. In 2001, he organized the first Tampa Bay Black Heritage Festival, a multicultural celebration, now held annually, in honor of black history and culture in the Tampa area. Dr. Wright also serves as the vice president of the Hillsborough County NAACP and has served as a Board member with the Tampa Bay Convention and Visitors Bureau. In addition, he is actively involved at the state level as a member of the African American Task Force and, in 2010, he was appointed by Governor Charlie Crist to serve as a board member of the Florida Fund for Minority Teachers. He also serves on the Board of Directors for the Glazer's Children's Museum.

After 27 years with the University of South Florida and countless contributions to the Tampa Bay community, Dr. Wright is retiring. It is clear that he has contributed to the growth and diversity at USF in countless ways, while also influencing and effecting students on a personal level. While his contributions to USF will be missed, his impact on the Tampa area will no doubt continue for years to come.

The Tampa Bay community is proud to recognize Dr. Samuel Lamar Wright, Sr. for his steadfastness and desire to enrich the people of our community. His outstanding career and significant contributions have made him an inspirational leader. I ask that you and all Americans recognize such a remarkable citizen for his service to our community and our state.

HONORING PAT GILARDI

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor and thank Pat Gilardi for her many years of visionary leadership on the Cotati City Council, as she is stepping down from her Council duties to accept a position in county government. Ms. Gilardi has been an outstanding leader for the City of Cotati during her 15 years of service, and her hard work and dedication is reflected in the many projects and improvements she nurtured and brought to fruition during that time.

The city and people of Cotati have benefited immensely from Ms. Gilardi's contributions since the start of her career in public service in 1997, when she was appointed to the Cotati Planning Commission. Among the numerous projects Ms. Gilardi spearheaded was the Multi Modal Transit Village, now known as the Santero Way Specific Plan.

Ms. Gilardi would go on to be selected from a large group of applicants to fill a vacancy on the Cotati City Council in October 2000. She was elected to her first full term in November 2002. She was reelected in 2006 and 2010, and she was selected as Mayor in both 2006 and 2008. Ms. Gilardi has worked to guide the City of Cotati to fiscal sustainability, strong environmental policy, transportation alternatives, and quality community services.

In addition to her service on the city council, Ms. Gilardi served on a number of commissions and boards in Sonoma County, including her time as the Director of the Sonoma County Transportation Authority (SCTA) and Regional Climate Protection Authority (RCPA). While a member of the Board at SCTA, Ms. Gilardi represented the City of Cotati's interests for the Highway 101 widening project and other transportation related issues including securing funds, project oversight and long-term planning.

In addition to her public service, Ms. Gilardi is also the co-founder of the 4–H Club of Cotati, a former two-term president of her local Parent Teacher Association, and sat on the Board of Directors for the Cotati According Festival.

Mr. Speaker, it is appropriate at this time that we thank Ms. Gilardi for her invaluable service to the City of Cotati and for the numerous projects she has overseen and led to completion. Her exemplary leadership has left a legacy for our community that will extend far into the future as she moves on to her new role with the County of Sonoma.

HONORING THE LIFE OF MR. LOUIS C. DEBERGALIS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to honor the life of Louis C. DeBergalis, who passed away on Saturday, February 2, 2013 at the age of 69.

A proud member of Ironworkers Local 6 who shared a family-owned small business, Mr. DeBergalis exemplified the American Dream. Along with his brother, Rocco Jr., he co-owned Rod Placing, a steel reinforcing company started by his father, Rocco.

Mr. DeBergalis was a family man. In addition to his role and pride in the family business, he loved his daughters, Tonya Balash and Jacquelyn Criola; son, Jeffrey; mother, Olympia; sister, Mary Rose Gaughan; and three brothers Joseph, Paul, and Rocco Jr.

Mr. DeBergalis lived most of his life in Buffalo's Lovejoy neighborhood. He took pride in his heritage and community, holding membership in the Big Timers Italian–American Club. In his down time, he enjoyed a variety of activities including gardening, cooking, and stone carving.

Mr. Speaker, I kindly ask you to join me and our colleagues as we stand in this moment to honor the life of Mr. Louis C. DeBergalis and offer our deepest condolences to his family.

CONGRATULATING JARRED AND SHELBY RAMBO

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. ALEXANDER. Mr. Speaker, I rise today to recognize and congratulate two elementary students from Ouachita Parish who participated in a national art exhibit opening in Washington, D.C. Eight-year-old Jarred Rambo and 10-year-old Shelby Rambo, children of Judge and Mrs. Wilson and Christine Rambo of West Monroe, La., cut the ribbon on the U.S. Department of Education's Student Art Exhibit Program.

This wonderful program is now in its 10th year and strives to highlight student accomplishment in the arts. This year, the exhibit featured works from the 2012 national PTA winners. Jarred won the PTA Reflections Award of Excellence for literature in the primary division for pre-K through second grade and Shelby won the PTA Reflections Award of Merit for dance choreography in the intermediate division for third grade through fifth grade. Both students were honored in the U.S. Department of Education's ceremony along with other winners from around the country.

Jarred and Shelby should be commended for their hard work and remarkable artistic ability. I ask my colleagues to join me in congratulating their wonderful achievements.

THE TWO-YEAR ANNIVERSARY OF THE POPULAR UPRISING IN BAHRAIN

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, today is the two year anniversary of the day when the Arab Spring came to Bahrain. On February 14, 2011, the people of Bahrain took to the streets in spontaneous, peaceful protests calling for an end to oppression. Bahrainis were emboldened by the Arab Spring, which was sweeping across the Middle East and they were fired up by decades of human rights abuses by their government. Unfortunately, the Government of Bahrain brought in foreign troops and responded with violence, killing protesters and unleashing a systematic program of torture and unlawful detention that continues today.

It is disappointing that Bahrain, a close ally of the U.S. in the Persian Gulf, is engaging in torture, intimidation, and repression against peaceful protesters. Two years later, the judicial system is used to punish dissenters, freedom of expression is punished—Bahrainis are imprisoned for tweeting—and those responsible for even the most egregious violations are seldom brought to justice. The people of Bahrain deserve better, and I stand with them in their quest for basic human rights.

As an American ally, we must insist upon their compliance with the most basic of human rights for all of its citizens.

This should be an especially concerning situation for everyone in this body. Bahrain is the host of the U.S. Fifth Fleet and an important ally in the Gulf Region. The Government's outrageous treatment of its own citizens is creating deep divisions in Bahrain and sowing instability. We need a strong naval presence in the Gulf to keep our own country safe and we have put many of our eggs in one basket, Bahrain. However, the fact that an important ally to our great democracy is violating the very principles for which we have placed the Fifth Fleet therein is highly unacceptable. It is unacceptable to me, as it should be to the rest of this body.

It is absolutely essential that Bahrain set itself on a course that promotes stability and reconciliation and that will only happen when the Government moves to meet the people's legitimate calls for respect for human rights and enhanced democracy occurs. It appears that political dialogue may be starting in Bahrain. I call on the Government of Bahrain to engage fully in this dialogue—not as a moderator, but as a negotiating partner.

HONORING THE MEMORY OF RALPH WILLIAM BRAUN

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 2013

Mrs. WALORSKI. Mr. Speaker, today I wish to honor the legacy of Ralph William Braun. Born on December 18, 1940 in Winamac, Indiana, Ralph is a lifelong Hoosier, proud family man, and entrepreneur whose contributions positively impacted thousands of lives in the community. As the Founder and CEO of the Braun Corporation, his company's specialized mobility products have improved the everyday lives of individuals across the globe.

Ralph's passion to help others was fostered at a young age, as he struggled with spinal muscular atrophy, a genetic defect that causes muscle damage. In an effort to improve his own mobility, Ralph developed and assembled a three–wheel scooter. Realizing that others suffered from the same issue, he founded the Save-A-Step Manufacturing Company in 1963, a company that later became known as The Braun Corporation. Today Braun Corporation has grown into a world-wide company, with its headquarters still based in the Second District of Winamac, Indiana.

His contributions did not stop there. In 2010, Ralph started the Ralph Braun Foundation to continue helping the disabled population obtain mobility equipment. His contributions were recognized by a robust group of organizations with awards and honors, including The White House's 2012 "Champion of Change" award. Ralph's effort and donations to the community have touched many, and he will be sorely missed.

Ralph leaves behind an incredible legacy that will surely live on to inspire future Americans and encourage new innovation. His family, including his wife, Melody, children, and grandchildren will remain in my thoughts and prayers during this difficult time.

I am honored to recognize the life of Ralph William Braun and extend my deepest sympathies to his loved ones. Joining Hoosiers across the state, we mourn his loss and remember the leadership that will continue motivating us all to help others.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S721–S790

Measures Introduced: Fifty bills and three resolutions were introduced, as follows: S. 324–373, and S. Res. 35–37. **Pages S772–74**

Measures Reported:

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, with an amendment in the nature of a substitute.

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 and with an amended preamble.

S. 252, to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 298, to prevent nuclear proliferation in North Korea, with amendments. **Page S771**

Measures Passed:

National Solidarity Day for Compassionate Patient Care: Committee on the Judiciary was discharged from further consideration of S. Res. 21, designating February 14, 2013, as ''National Solidarity Day for Compassionate Patient Care'', and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Pages S788–89**

Reid (for Lautenberg) Amendment No. 22, of a perfecting nature. **Pages S788–89**

Congratulating the Baltimore Ravens: Senate agreed to S. Res. 35, congratulating the Baltimore Ravens for winning Super Bowl XLVII. **Pages S789–90**

Centennial of Mosaic: Senate agreed to S. Res. 36, recognizing February 19, 2013 as the centennial of Mosaic, a faith-based organization that was founded in Nebraska and now serves more than 3,600 individuals with intellectual disabilities in 10 States. **Page S790**

Adjournment Resolution—Agreement: A unanimous-consent agreement was reached providing that if the Senate receives an adjournment resolution from the House, identical to the text which is at the desk, the concurrent resolution be considered agreed to, with no intervening action or debate. **Page S790**

Sequester—Agreement: A unanimous-consent agreement was reached providing that on either Monday, February 25, 2013, or on Tuesday, February 26, 2013, the Majority Leader and the Republican Leader each be permitted to introduce a bill to replace the sequester required under the Budget Control Act; that if a Leader introduces such legislation, his bill be placed directly on the Legislative Calendar; and that motions to proceed to these bills be in order the day they are introduced. **Page S790**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S790**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Friday, February 15, 2013 through Monday, February 25, 2013, Senator Levin be authorized to sign duly enrolled bills or joint resolutions. **Page S790**

Pro Forma—Agreement: A unanimous-consent agreement was reached providing that when the Senate completes its business today, it adjourn, and convene for pro forma sessions only with no business conducted on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, February 15, 2013 at 12 p.m.; Tuesday, February 19, 2013 at 10:30 a.m.; and Friday, February 22, 2013 at 10:45 a.m.; and that the Senate adjourn on Friday,

February 22, 2013, until 2 p.m., on Monday, February 25, 2013, unless the Senate adopts an adjournment resolution pursuant to the previous order and that if the Senate adopts such a resolution, Senate adjourn until 2 p.m., on Monday, February 25, 2013. **Page S790**

Hagel Nomination: Senate continued consideration of the nomination of Charles Timothy Hagel, of Nebraska, to be Secretary of Defense. **Pages S723–53**

During consideration of this nomination today, Senate also took the following action:

By 58 yeas to 40 nays, 1 responding present (Vote No. 21), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination. **Page S747**

Subsequently, Senator Reid entered a motion to reconsider the vote by which cloture was not invoked on the nomination. **Page S747**

Bacharach Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 5 p.m., on Monday, February 25, 2013, Senate begin consideration of the nomination of Robert E. Bacharach, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit; that there be 30 minutes for debate, equally divided in the usual form; that upon use or yielding back of time, Senate vote, without intervening action or debate, on confirmation of the nomination; and that no further motions be in order. **Page S754**

Messages from the House: **Page S771**

Measures Referred: **Page S771**

Executive Reports of Committees: **Pages S771–72**

Additional Cosponsors: **Page S774**

Statements on Introduced Bills/Resolutions: **Pages S774–88**

Additional Statements: **Pages S766–71**

Amendments Submitted: **Page S788**

Authorities for Committees to Meet: **Page S788**

Record Votes: One record vote was taken today. (Total—21) **Page S747**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:57 p.m., until 12 p.m. on Friday, February 15, 2013. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S790.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee adopted its rules of procedure for the 113th Congress and announced the following subcommittee assignments:

Subcommittee on Commodities, Markets, Trade and Risk Management: Senators Donnelly (Chair), Baucus, Heitkamp, Harkin, Brown, Gillibrand, Chambliss, Roberts, Boozman, Hoeven, and Johanns.

Subcommittee on Jobs, Rural Economic Growth and Energy Innovation: Senators Heitkamp (Chair), Brown, Klobuchar, Bennet, Donnelly, Cowan, Johanns, Hoeven, Grassley, Thune, and Boozman.

Subcommittee on Conservation, Forestry and Natural Resources: Senators Bennet (Chair), Harkin, Klobuchar, Leahy, Baucus, Heitkamp, Boozman, McConnell, Chambliss, Thune, and Roberts.

Subcommittee on Nutrition, Specialty Crops, Food and Agriculture Research: Senators Cowan (Chair), Leahy, Harkin, Brown, Gillibrand, Bennet, Hoeven, McConnell, Chambliss, Grassley, and Thune.

Subcommittee on Livestock, Dairy, Poultry, Marketing and Agriculture Security: Senators Gillibrand (Chair), Leahy, Baucus, Klobuchar, Donnelly, Cowan, Roberts, McConnell, Boozman, Johanns, and Grassley.

Senators Stabenow and Cochran are ex officio members of each subcommittee.

ECONOMICS OF DISASTERS FOR AMERICA'S AGRICULTURE PRODUCERS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine drought, fire, and freeze, focusing on the economics of disasters for America's agricultural producers, after receiving testimony from Roger S. Pulwarty, National Integrated Drought Information System, National Oceanic and Atmospheric Administration, Department of Commerce; Joseph Glauber, Chief Economist, Department of Agriculture; Leon LaSalle, LaSalle Ranch Incorporated, Havre, Montana; Anngie Steinbarger, Edinburgh, Indiana; Jeff Send, Leelanau, Michigan; and Ben Steffen, Humboldt, Nebraska.

IMPACTS OF SEQUESTRATION

Committee on Appropriations: Committee concluded a hearing to examine the impacts of sequestration, after receiving testimony from Daniel I. Werfel, Controller, Office of Management and Budget; Arne Duncan, Secretary of Education; Janet Napolitano, Secretary of Homeland Security; Shaun Donovan,

Secretary of Housing and Urban Development; and Ashton B. Carter, Deputy Secretary of Defense.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing 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, after the nominees testified and answered questions in their own behalf.

WALL STREET REFORM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine Wall Street reform, focusing on oversight of financial stability and consumer and investor protections, after receiving testimony from Mary J. Miller, Under Secretary, and Thomas J. Curry, Comptroller of the Currency, both of the Department of the Treasury; Daniel K. Tarullo, Governor, Board of Governors of the Federal Reserve System; Martin J. Gruenberg, Chairman, Federal Deposit Insurance Corporation; Richard Cordray, Director, Consumer Financial Protection Bureau; Elisse B. Walter, Chairman, United States Securities and Exchange Commission; and Gary Gensler, Chairman, Commodity Futures Trading Commission.

BUSINESS MEETING

Committee on Environment and Public Works: Committee adopted its rules of procedure for the 113th Congress and announced the following subcommittee assignments:

Subcommittee on Transportation and Infrastructure: Senators Baucus (Chair), Carper, Lautenberg, Cardin, Sanders, Udall (NM), Gillibrand, Barrasso, Inhofe, Sessions, Crapo, Wicker, and Fischer.

Subcommittee on Clean Air and Nuclear Safety: Senators Carper (Chair), Baucus, Cardin, Sanders, Whitehouse, Udall (NM), Sessions, Barrasso, Crapo, Wicker, and Boozman.

Subcommittee on Water and Wildlife: Senators Cardin (Chair), Carper, Lautenberg, Whitehouse, Merkley, Gillibrand, Boozman, Inhofe, Barrasso, Sessions, and Fischer.

Subcommittee on Superfund, Toxics and Environmental Health: Senators Udall (NM) (Chair), Baucus, Lautenberg, Merkley, Gillibrand, Crapo, Inhofe, Wicker, and Fischer.

Subcommittee on Green Jobs and the New Economy: Senators Merkley (Chair), Carper, Sanders, Wicker, and Sessions.

Subcommittee on Oversight: Senators Whitehouse (Chair), Baucus, Lautenberg, Inhofe, and Boozman.

Senators Boxer and Vitter are ex officio members of each subcommittee.

HEALTH INSURANCE EXCHANGES

Committee on Finance: Committee concluded a hearing to examine health insurance exchanges, focusing on a progress report, after receiving testimony from Gary Cohen, Deputy Administrator and Director, Center for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Don Hughes, Health Care Policy Advisor to the Governor and Arizona Exchange Executive Director, Phoenix; Christine Ferguson, Rhode Island Health Benefits Exchange Director, Providence; and Bettina Tweardy Riveros, Advisor to the Governor and Chair of the Delaware Health Care Commission, Wilmington.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported S. 298, to prevent nuclear proliferation in North Korea, with amendments.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee announced the following subcommittee assignments for the 113th Congress:

Permanent Subcommittee on Investigations: Senators Levin (Chair), Pryor, Landrieu, McCaskill, Tester, Baldwin, Heitkamp, McCain, Johnson (WI), Portman, Paul, and Ayotte.

Subcommittee on Financial and Contracting Oversight: Senators McCaskill (Chair), Levin, Pryor, Landrieu, Begich, Baldwin, Johnson (WI), McCain, Enzi, and Ayotte.

Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce: Senators Tester (Chair), Pryor, McCaskill, Begich, Baldwin, Heitkamp, Portman, Johnson (WI), Paul, and Enzi.

Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia: Senators Begich (Chair), Levin, Pryor, Landrieu, Tester, Heitkamp, Paul, McCain, Portman, and Enzi.

Senators Levin and Coburn are ex officio members of each subcommittee.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported 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, and Analisa Torres, both 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, and 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.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 59 public bills, H.R. 625, 683–740; and 6 resolutions, H.J. Res. 29–31; and H. Res. 69–71 were introduced. **Pages H544–50**

Additional Cosponsors: **Page H550**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Collins (NY) to act as Speaker pro tempore for today. **Page H505**

Recess: The House recessed at 11:03 a.m. and reconvened at 12 noon. **Page H514**

Recess: The House recessed at 12:22 p.m. and reconvened at 1:30 p.m. **Page H516**

Eliminating the 2013 statutory pay adjustment for Federal employees—Rule for Consideration: The House agreed to H. Res. 66, the rule that is providing for consideration of H.R. 273, to eliminate the 2013 statutory pay adjustment for Federal employees, by a yea-and-nay vote of 227 yeas to 192 nays, Roll No. 42, after the previous question was ordered by a yea-and-nay vote of 229 yeas to 194 nays, Roll No. 41. **Pages H516–29**

A point of order was raised against the consideration of H. Res. 66 and it was agreed to proceed with consideration of the resolution by voice vote. **Pages H517–19**

Joint Economic Committee—Appointment: The Chair announced the Speaker's appointment of the following Members on the part of the House to the Joint Economic Committee: Representatives Campbell, Duffy, Amash, Paulsen, Hanna, Loretta Sanchez, Cummings, and Delaney. **Page H529**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H528–29. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:44 p.m.

Committee Meetings

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing entitled "National Nuclear Administration (NNSA), Weapons Activities Budget". Testimony was heard from Neile Miller, Acting Administrator, National Nuclear Security Administration; Don Cook, Deputy Administrator for Defense Programs, National Nuclear Security Administration; and Col. James Dawkins, Deputy Administrator for Military Application, National Nuclear Security Administration.

STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs held a hearing entitled "Embassy Security". Testimony was heard from Patrick Kennedy, Under Secretary of Secretary for Management, Department of State. This was a closed hearing.

BUILDING PARTNERSHIP CAPACITY PROGRAMS AND AUTHORITIES TO MEET 21ST CENTURY CHALLENGES

Committee on Armed Services: Full Committee held a hearing entitled "Framework for Building Partnership Capacity Programs and Authorities to Meet 21st Century Challenges". Testimony was heard

from Michael Sheehan, Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, Department of Defense; Janet St. Laurent, Managing Director, Defense Capabilities and Management Team, Government Accountability Office; and Lieutenant General Terry Wolff, USA, Director, Strategic Plans and Policy, Joint Staff, Department of Defense.

HOW EDUCATION INNOVATION CAN IMPROVE STUDENT ACHIEVEMENT

Committee on Education and the Workforce: Subcommittee on Early Childhood, Elementary, and Secondary Education held a hearing entitled ''Raising the Bar: How Education Innovation Can Improve Student Achievement''. Testimony was heard Jim Shelton, Assistant Deputy Secretary for Innovation and Improvement, Department of Education; and public witnesses.

SEQUESTRATION: EXAMINING EMPLOYERS' WARN ACT RESPONSIBILITIES

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing entitled ''Sequestration: Examining Employers' WARN Act Responsibilities''. Testimony was heard from Jane Oates Assistant Secretary, Employment and Training Administration, Department of Labor; and public witnesses.

SGR: DATA, MEASURES AND MODELS; BUILDING A FUTURE MEDICARE PHYSICIAN PAYMENT SYSTEM

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''SGR: Data, Measures and Models; Building a Future Medicare Physician Payment System''. Testimony was heard from Glenn M. Hackbarth, Chairman, Medicare Payment Advisory Commission; and public witnesses.

OUR NATION OF BUILDERS: MANUFACTURING IN AMERICA

Committee on Energy and Commerce: Subcommittee on Commerce, Manufacturing, and Trade held a hearing entitled ''Our Nation of Builders: Manufacturing in America''. Testimony was heard from public witnesses.

BUSINESS MEETING

Committee on Financial Services: Full Committee began a meeting to adopt the Committee's Oversight Plan for the 113th Congress

CRISIS IN MALI: U.S. INTERESTS AND THE INTERNATIONAL RESPONSE

Committee on Foreign Affairs: Full Committee held a hearing entitled ''The Crisis in Mali: U.S. Interests and the International Response''. Testimony was heard from Johnnie Carson, Assistant Secretary, Bureau of African Affairs, Department of State; and Amanda Dory, Deputy Assistant Secretary for African Affairs, Office of the Secretary of Defense, Department of Defense.

BUSINESS MEETING

Committee on the Judiciary: Full Committee held a meeting to adopt the Judiciary Committee Oversight Plan for the 113th Congress. The Committee approved its 113th Congress Oversight Plan.

PAST, PRESENT AND FUTURE OF THE FEDERAL HELIUM PROGRAM; AND LEGISLATIVE MEASURE

Committee on Natural Resources: Full Committee held a hearing entitled ''The Past, Present and Future of the Federal Helium Program''; and H.R. 527, the ''Responsible Helium Administration and Stewardship Act''. Testimony was heard from Tim Spisak, Deputy Assistant Director, Minerals and Realty Management, Bureau of Land Management, Department of the Interior; Daniel Garcia-Diaz, Director, National Resources and Environment, Government Accountability Office; and Kimberly Elmore, Assistant Inspector General for Audits, Inspections, and Evaluations, Department of the Interior.

BUSINESS MEETING

Committee on Oversight and Government Reform: Full Committee held a business meeting to approve the Committee Report entitled ''Billions of Federal Tax Dollars Wasted Annually by New York's Medicaid Program''. The Committee approved the report, as amended.

EXPLORING GAO'S HIGH RISK LIST AND OPPORTUNITIES FOR REFORM

Committee on Oversight and Government Reform: Full Committee held a hearing entitled ''Exploring GAO's High Risk List and Opportunities for Reform''. Testimony was heard from Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office.

EFFECTS OF RISING ENERGY COSTS ON AMERICAN FAMILIES AND EMPLOYERS

Committee on Oversight and Government Reform: Subcommittee on Energy Policy, Health and Entitlements held a hearing entitled ''The Effects of Rising Energy Costs on American Families and Employers''. Testimony was heard from public witnesses.

UNINTENDED CONSEQUENCES: IS GOVERNMENT EFFECTIVELY ADDRESSING THE UNEMPLOYMENT CRISIS?

Committee on Oversight and Government Reform: Subcommittee on Economic Growth, Job Creation and

Regulatory Affairs held a hearing entitled ''Unintended Consequences: Is Government Effectively Addressing the Unemployment Crisis?''. Testimony was heard from public witnesses.

STATE OF ENVIRONMENT: EVALUATING PROGRESS AND PRIORITIES

Committee on Science, Space, and Technology: Subcommittee on Environment held a hearing entitled ''The State of Environment: Evaluating Progress and Priorities''. Testimony was heard from public witnesses.

APPLICATIONS FOR INFORMATION TECHNOLOGY RESEARCH AND DEVELOPMENT

Committee on Science, Space, and Technology: Subcommittee on Research held a hearing entitled ''Applications for Information Technology Research and Development''. Testimony was heard from public witnesses.

POST 9/11 GI BILL CLAIMS PROCESSING ISSUES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing entitled ''Post 9/11 GI Bill Claims Processing Issues''. Testimony was heard from Roger Baker, Assistant Secretary for Information and Technology, Department of Veterans Affairs; and public witnesses.

BUSINESS MEETING; AND TAX REFORM AND CHARITABLE CONTRIBUTIONS

Committee on Ways and Means: Full Committee held business meeting on the Committee's Oversight Plan for the 113th Congress; and hearing entitled ''Tax Reform and Charitable Contributions''. The Committee Oversight Letter for the 113th Congress was approved; and testimony was heard from public witnesses.

ADVANCED CYBER THREATS FACING OUR NATION

House Permanent Select Committee on Intelligence: Full Committee held a hearing entitled ''Advanced Cyber Threats Facing Our Nation''. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 15, 2013

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Energy and Commerce: Subcommittee on Environment and the Economy, hearing entitled ''The Role of the States in Protecting the Environment Under Current Law'', 9:30 a.m., 2123 Rayburn.

Committee on Financial Services: Full Committee continued meeting to adopt the Committee's Oversight Plan for the 113th Congress, 10 a.m., 2128 Rayburn.

Committee on Homeland Security: Subcommittee on Oversight and Management Efficiency, hearing entitled ''Assessing DHS 10 Years Later: How Wisely is DHS Spending Taxpayer Dollars?'', 9 a.m., 311 Cannon.

Committee on Science, Space, and Technology: Subcommittee on Oversight, hearing entitled ''Operating Unmanned Aircraft Systems in the National Airspace System: Assessing Research and Development Efforts to Ensure Safety'', 10 a.m., 2318 Rayburn.

Next Meeting of the SENATE

12 p.m., Friday, February 15

Senate Chamber

Program for Friday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, February 15

House Chamber

Program for Friday: Complete consideration of H.R. 273—To eliminate the 2013 statutory pay adjustment for Federal employees. Consideration, under suspension of the rules, of H. Res. 65—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.

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